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## CHAPTER 1 DEFINITIONS AND GENERAL RULES CONCERNING LICENCES

### 1.1 Definitions

When the following terms are used in this manual for Personnel Licensing, they have the following meanings:

***Accredited medical conclusion.***

The conclusion reached by one or more medical experts acceptable to the Licensing Authority for the purposes of the case concerned, in consultation with flight operations or other experts as necessary.

***Aeroplane.***

A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

***Aircraft.***

Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

***Aircraft avionics.***

A term designating any electronic device — including its electrical part — for use in an aircraft, including radio, automatic flight control and instrument systems.

***Aircraft — category.***

Classification of aircraft according to specified basic characteristics, e.g. aeroplane, helicopter, glider, free balloon.

***Aircraft certificated for single-pilot operation.***

A type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of one pilot.

***Aircraft required to be operated with a co-pilot.***

A type of aircraft that is required to be operated with a co-pilot, as specified in the flight manual or by the air operator certificate.

***Aircraft — type of.***

All aircraft of the same basic design including all modifications thereto except those modifications which result in a change in handling or flight characteristics.

***Airmanship.***

The consistent use of good judgement and well-developed knowledge, skills and attitudes to accomplish flight objectives.

***Airship.***

A power-driven lighter-than-air aircraft.

***Approved maintenance organization.***

An organization approved by a Contracting State, in accordance with the requirements of Annex 6, Part I, Chapter 8 — Aeroplane Maintenance, to perform maintenance of aircraft or parts thereof and operating under supervision approved by that State.

*Note. Nothing in this definition is intended to preclude that the organization and its supervision be approved by more than one State.*

***Approved training.***

Training conducted under special curricula and supervision approved by an ICAO Contracting State.

***Approved training organization.***

An organization approved by and operating under the supervision of an ICAO Contracting State in accordance with the requirements of Annex I to perform approved training

***Balloon.***

A non-power-driven lighter-than-air aircraft.

*Note.* For the purposes of this manual, this definition applies to free balloons.

***Certify as airworthy (to).***

To certify that an aircraft or parts thereof comply with current airworthiness requirements after maintenance has been performed on the aircraft or parts thereof.

***Commercial air transport operation.***

An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

***Competency.***

A combination of skills, knowledge and attitudes required to perform a task to the prescribed standard.

***Competency element.***

An action that constitutes a task that has a triggering event and a terminating event that clearly defines its limits, and an observable outcome.

***Competency unit.***

A discrete function consisting of a number of competency elements.

***Co-pilot.***

A licensed pilot serving in any piloting capacity other than as pilot-in-command but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction.

***Credit.***

Recognition of alternative means or prior qualifications.

***Cross-country.***

A flight between a point of departure and a point of arrival following a pre-planned route using standard navigation procedures.

***Dual instruction time.***

Flight time during which a person is receiving flight instruction from a properly authorized pilot on board the aircraft.

***Error.***

An action or inaction by the flight crew that leads to deviations from organizational or flight crew intentions or expectations.

***Error management.***

The process of detecting and responding to errors with countermeasures that reduce or eliminate the consequences of errors and mitigate the probability of further errors or undesired aircraft states.

*Note.* See Attachment C to Chapter 3 of the Procedures for Air Navigation Services — Training (PANS-TRG, Doc 9868) for a description of undesired aircraft states.

***Flight crew member.***

A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.

***Flight plan.***

Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft.

***Flight procedures trainer.***

See Flight simulation training device.

***Flight simulation training device.***

Any one of the following three types of apparatus in which flight conditions are simulated on the ground:

*A flight simulator*, which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the mechanical, electrical, electronic, etc. aircraft systems control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated;

*A flight procedures trainer*, which provides a realistic flight deck environment, and which simulates instrument responses, simple control functions of mechanical, electrical, electronic, etc. aircraft systems, and the performance and flight characteristics of aircraft of a particular class;

*A basic instrument flight trainer*, which is equipped with appropriate instruments, and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions.

***Flight simulator.***

See Flight simulation training device.

***Flight time — aeroplanes.***

The total time from the moment an aeroplane first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight.

*Note.* Flight time as here defined is synonymous with the term “block to block” time or “chock to chock” time in general usage which is measured from the time an aeroplane first moves for the purpose of taking off until it finally stops at the end of the flight.

***Flight time — helicopters.***

The total time from the moment a helicopter’s rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped.

***Glider.***

A non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

***Glider flight time.***

The total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the moment it comes to rest at the end of the flight.

***Helicopter.***

A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power driven rotors on substantially vertical axes.

***Human performance.***

Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations.

***Instrument flight time.***

Time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points.

***Instrument ground time.***

Time during which a pilot is practising, on the ground, simulated instrument flight in a flight simulation training device approved by the Licensing Authority.

***Instrument time.***

Instrument flight time or instrument ground time.

***Licensing Authority.***

Civil Aviation Department is responsible for the licensing of personnel under this manual.

*Note.* In the provisions of this manual, CAD is deemed to have the following responsibilities:

- a) assessment of an applicant's qualifications to hold a licence or rating;
- b) issue and endorsement of licences and ratings;
- c) designation and authorization of approved persons;
- d) approval of training courses;
- e) approval of the use of flight simulation training devices and authorization for their use in gaining the experience or in demonstrating the skill required for the issue of a licence or rating; and
- f) validation of licences issued by other Contracting States.

***Likely.***

In the context of the medical provisions in Chapter 6, **likely** means with a probability of occurring that is unacceptable to the medical assessor.

***Maintenance.***

The performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair.

***Medical Assessment.***

The evidence issued by CAD that the licence holder meets specific requirements of medical fitness.

***Medical assessor.***

A physician qualified and experienced in the practice of aviation medicine who evaluates medical reports submitted to CAD by medical examiners.

***Medical examiner.***

A physician with training in aviation medicine and practical knowledge and experience of the aviation environment, who is designated by CAD to conduct medical examinations of fitness of applicants for licences or ratings for which medical requirements are prescribed.

***Night.***

The hours between the end of evening civil twilight and the beginning of morning civil twilight or such other period between sunset and sunrise, as may be prescribed by the appropriate authority.

*Note.* Civil twilight ends in the evening when the centre of the sun's disc is 6 degrees below the horizon and begins in the morning when the centre of the sun's disc is 6 degrees below the horizon.

***Performance criteria.***

Simple, evaluative statements on the required outcome of the competency element and a description of the criteria used to judge whether the required level of performance has been achieved.

***Pilot (to).***

To manipulate the flight controls of an aircraft during flight time

***Pilot-in-command.***

The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.

***Pilot-in-command under supervision.***

Co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command, in accordance with a method of supervision acceptable to the Licensing Authority.

***Powered-lift.***

A heavier-than-air aircraft capable of vertical take-off, vertical landing, and low-speed flight, which depends principally on engine-driven lift devices or engine thrust for the lift during these flight regimes and on non-rotating aerofoil(s) for lift during horizontal flight.

***Problematic use of substances.***

The use of one or more psychoactive substances by aviation personnel in a way that:

- a) constitutes a direct hazard to the user or endangers the lives, health or welfare of others; and/or
- b) causes or worsens an occupational, social, mental or physical problem or disorder.

***Psychoactive substances.***

Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded.

***Quality system.***

Documented organizational procedures and policies; internal audit of those policies and procedures; management review and recommendation for quality improvement.

***Rated air traffic controller.***

An air traffic controller holding a licence and valid ratings appropriate to the privileges to be exercised.

***Rating.***

An authorization entered on or associated with a licence and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence.

***Rendering (a licence) valid.***

The action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence.

***Sign a maintenance release (to).***

To certify that maintenance work has been completed satisfactorily in accordance with the applicable Standards of airworthiness, by issuing the maintenance release referred to in ICAO Annex 6.

***Significant.***

In the context of the medical provisions in Chapter 6, *significant* means to a degree or of a nature that is likely to jeopardize flight safety.

***Solo flight time.***

Flight time during which a student pilot is the sole occupant of an aircraft.

***Threat.***

Events or errors that occur beyond the influence of the flight crew, increase operational complexity and must be managed to maintain the margin of safety.

***Threat management.***

The process of detecting and responding to threats with countermeasures that reduce or eliminate the consequences of threats and mitigate the probability of errors or undesired aircraft states.

*Note.* See Attachment C to Chapter 3 of the Procedures for Air Navigation Services — Training (PANS-TRG, ICAO Doc 9868) for a description of undesired aircraft states.

1.2 This Manual specifies the experience, flight instruction, and skill requirements for the issue of

a) *Flight crew*

- *private pilot — aeroplane, airship, helicopter or powered-lift;*
- *commercial pilot — aeroplane, airship, helicopter or powered-lift;*
- *multi-crew pilot — aeroplane;*
- *airline transport pilot — aeroplane, helicopter or powered-lift*
- *glider pilot;*
- *free balloon pilot;*
- *flight navigator;*
- *flight engineer.*

b) *Other personnel*

- *flight operations officer/flight dispatcher;*
- *aeronautical station operator.*

1.2.1 Authority to act as a flight crew member

A person shall not act as a flight crew member of an aircraft unless a valid licence is held showing compliance with the specifications of this manual and appropriate to the duties to be performed by that person. The licence shall have been issued by the State of Registry of that aircraft or by CAD and rendered valid by the State of Registry of that aircraft.

*Note.* Article 29 of the Convention on International Civil Aviation requires that the flight crew members carry their appropriate licences on board every aircraft engaged in international air navigation.

1.2.2 Method of rendering a licence valid

1.2.2.1 When CAD renders valid a licence issued by an ICAO Contracting State, as an alternative to the issuance of its own licence, it will establish validity by issuing a “Validity” certificate to be carried with the former licence accepting it as the equivalent of the latter. When a CAD limits the authorization to specific privileges, the authorization will specify the privileges of the licence which are to be accepted as its equivalent. The validity of the “Validity” certificate will not extend beyond the period of validity of the licence. The “Validity” certificate will cease to be valid if the licence upon which it was issued is revoked or suspended.

*Note.* This provision is not intended to preclude the State that issued the licence from extending, by a suitable notification, the period of validity of the licence without necessarily requiring either the physical return of the licence or the appearance of the licence holder before the Authorities of that State.

1.2.2.2 When an authorization under 1.2.2.1 is issued for use in commercial air transport operations, CAD will confirm the validity of the other Contracting State’s licence before issuing the authorization.

1.2.2.3 **Reserved**

1.2.3 Privileges of the holder of a licence

A holder of a licence shall not exercise privileges other than those granted by that licence.

1.2.4 Medical fitness

**Note1.** Guidance material is published in the Manual of Civil Aviation Medicine (Doc 8984).

**Note2.** To satisfy the licensing requirements of medical fitness for the issue of various types of licences, the applicant must meet certain appropriate medical requirements which are specified as three classes of Medical Assessment. Details are given in 6.2, 6.3, 6.4 and 6.5. To provide the necessary evidence to satisfy the requirements of 1.2.4.1, the Licensing Authority issues the licence holder with the appropriate Medical Assessment, Class 1, Class 2 or Class 3. This can be done in several ways such as a suitably titled separate certificate, a statement on the licence, a national regulation stipulating that the Medical Assessment is an integral part of the licence, etc.

1.2.4.1 An applicant for a licence shall, when applicable hold a Medical Assessment issued in accordance with the provisions of Chapter 6.

1.2.4.2 The period of validity of a Medical Assessment shall begin on the day the medical examination is performed. The duration of the period of validity shall be in accordance with the provisions of 1.2.5.2.

1.2.4.2.1 The period of validity of a Medical Assessment may be extended, at the discretion of Director, up to 45 days.

*Note.* It is advisable to let the calendar day on which the Medical Assessment expires remain constant year after year by allowing the expiry date of the current Medical Assessment to be the beginning of the new validity period under the proviso that the medical examination takes place during the period of validity of the current Medical Assessment but no more than 45 days before it expires.

1.2.4.3 Except as provided in 1.2.5.2.4, flight crew members shall not exercise the privileges of their licence unless they hold a current Medical Assessment appropriate to the licence.

1.2.4.4 Medical examiners, qualified and licensed in the practice of medicine, are designated to conduct medical examinations of fitness of applicants for the issue or renewal of the licences or ratings specified in Chapters 2 and 3, and of the appropriate licences specified in Chapter 4.

1.2.4.4.1 Medical examiners shall have received training in aviation medicine and shall receive refresher training at regular intervals. Before designation, medical examiners shall demonstrate adequate competency in aviation medicine.

1.2.4.4.2 Medical examiners shall have practical knowledge and experience of the conditions in which the holders of licences and ratings carry out their duties.

*Note.* Examples of practical knowledge and experience are flight experience, simulator experience, on-site observation or any other hands-on experience deemed by the Director to meet this requirement.

1.2.4.5 Applicants for licences or ratings for which medical fitness is prescribed shall sign and furnish to the medical examiner a declaration stating whether they have previously undergone such an examination and, if so, the date, place and result of the last examination. They shall indicate to the examiner whether a Medical Assessment has previously been refused, revoked or suspended and, if so, the reason for such refusal, revocation or suspension.

1.2.4.5.1 Any false declaration to a medical examiner made by an applicant for a licence or rating shall be reported to the CAD for such action as may be considered appropriate.

1.2.4.6 Having completed the medical examination of the applicant in accordance with Chapter 6, the medical examiner shall coordinate the results of the examination and submit a signed report, or equivalent, to CAD, detailing the results of the examination and evaluating the findings with regard to medical fitness.

1.2.4.6.1 If the medical report is submitted to the CAD in electronic format, adequate identification of the examiner shall be established.

1.2.4.6.2 If the medical examination is carried out by two or more medical examiners, one of them shall be responsible for coordinating the results of the examination, evaluating the findings with regard to medical fitness, and signing the report.

1.2.4.7 CAD will use the services of medical assessor(s) to evaluate reports submitted to CAD by medical examiners.

1.2.4.7.1 The medical examiner is required to submit sufficient medical information to CAD to audit Medical Assessments.

*Note.* The purpose of such auditing is to ensure that medical examiners meet applicable standards for good practice.

1.2.4.8 If the medical Standards prescribed in Chapter 6 for a particular licence are not met, the appropriate Medical Assessment shall not be issued or renewed unless the following conditions are fulfilled:

- a) accredited medical conclusion indicates that in special circumstances the applicant's failure to meet any requirement, whether numerical or otherwise, is such that exercise of the privileges of the licence applied for is not likely to jeopardize flight safety;
- b) relevant ability, skill and experience of the applicant and operational conditions have been given due consideration; and
- c) the licence is endorsed with any special limitation or limitations when the safe performance of the licence holder's duties is dependent on compliance with such limitation or limitations.

1.2.4.9 Medical confidentiality shall be respected at all times.

1.2.4.9.1 All medical reports and records shall be securely held with accessibility restricted to authorized personnel.

1.2.4.9.2 When justified by operational considerations, the medical assessor shall determine to what extent pertinent medical information is presented to relevant officials of CAD.

1.2.5 Validity of licences

1.2.5.1 The holder of a Maldivian licence shall not exercise the privileges granted by that licence, or by related ratings, unless the holder maintains competency and meets the requirements for recent experience as established by CAD.

1.2.5.1.1 **Reserved.**

1.2.5.1.2 CAD, having issued a licence, will ensure that other Contracting States are enabled to be satisfied as to the validity of the licence.

*Note1.* The maintenance of competency of flight crew members, engaged in commercial air transport operations, may be satisfactorily established by demonstration of skill during proficiency flight checks completed in accordance with Annex 6.

*Note2.* Maintenance of competency may be satisfactorily recorded in the operator's records, or in the flight crew member's personal log book or licence.

*Note3.* Flight crew members may, to the extent deemed feasible by the State of Registry, demonstrate their continuing competency in flight simulation training devices approved by that State.

*Note4.* See the Manual of Criteria for the Qualification of Flight Simulation Training Devices (Doc 9625).

*Note5.* See the Manual of Procedures for Establishment and Management of a State's Personnel Licensing System (Doc 9379) for guidance material on the development of a risk assessment process.

1.2.5.2 Except as provided in 1.2.5.2.1, 1.2.5.2.2, 1.2.5.2.3, 1.2.5.2.4, 1.2.5.2.5 and 1.2.5.2.6, a Medical Assessment issued in accordance with 1.2.4.5 and 1.2.4.6 shall be valid from the date of the medical examination and validity period shall start to count from the 1<sup>st</sup> day of the following month on which examination was done until a period not greater than:

- 60 months for the private pilot licence — aeroplane, airship, helicopter and powered-lift;
- 12 months for the commercial pilot licence — aeroplane, airship, helicopter and powered-lift;
- 12 months for the multi-crew pilot licence — aeroplane;
- 12 months for the airline transport pilot licence — aeroplane, helicopter and powered-lift;
- 60 months for the glider pilot licence;
- 60 months for the free balloon pilot licence;
- 12 months for the flight navigator licence;
- 12 months for the flight engineer licence;

*Note1. The periods of validity listed above may be extended by up to 45 days in accordance with 1.2.4.2.1.*

*Note2. When calculated in accordance with 1.2.5.2 and its sub-paragraphs, the period of validity will, for the last month counted, include the day that has the same calendar number as the date of the medical examination or, if that month has no day with that number, the last day of that month.*

1.2.5.2.1 The period of validity of a Medical Assessment may be reduced when clinically indicated.

1.2.5.2.2 When the holders of airline transport pilot licences — aeroplane, helicopter and powered-lift, and commercial pilot licences — aeroplane, airship, helicopter and powered-lift, who are engaged in single-crew commercial air transport operations carrying passengers, have passed their 40th birthday, the period of validity specified in 1.2.5.2 shall be reduced to six months.

1.2.5.2.3 When the holders of airline transport pilot licences — aeroplane, helicopter and powered-lift, and commercial pilot licences — aeroplane, airship, helicopter and powered lift, and multi-crew pilot licences — aeroplane, who are engaged in commercial air transport operations, have passed their 60th birthday, the period of validity specified in 1.2.5.2 shall be reduced to six months.

1.2.5.2.4 When the holders of private pilot licences — aeroplane, airship, helicopter and powered-lift, free balloon pilot licences, glider pilot licences and air traffic controller licences have passed their 40th birthday, the period of validity specified in 1.2.5.2 shall be reduced to 24 months.

1.2.5.2.5 When the holders of private pilot licences — aeroplane, airship, helicopter and powered-lift, free balloon pilot licences, glider pilot licences and air traffic controller licences have passed their 50th birthday, the period of validity specified in 1.2.5.2 should be further reduced to 12 months.

*Note. The periods of validity listed above are based on the age of the applicant at the time of undergoing the medical examination.*

1.2.5.2.6 *Circumstances in which a medical examination may be deferred.* The prescribed re-examination of a licence holder operating in an area distant from designated medical examination facilities may be deferred at the discretion of the Director, provided that such deferment is made as an exception and will not exceed:

- a) a single period of six months in the case of a flight crew member of an aircraft engaged in non-commercial operations;
- b) two consecutive periods each of three months in the case of a flight crew member of an aircraft engaged in commercial operations provided that in each case a favourable medical report is obtained after examination by a designated medical examiner of the area concerned, or, in cases where such a designated medical examiner is not available, by a physician legally qualified to practice medicine in that area. A report of the medical examination shall be sent to CAD;
- c) in the case of a private pilot, a single period not exceeding 24 months where the medical examination is carried out by an examiner designated under 1.2.4.4 by CAD in which the applicant is temporarily located. A report of the medical examination shall be sent to CAD.

1.2.6 Decrease in medical fitness

1.2.6.1 Holders of licences provided for in this Manual shall not exercise the privileges of their licences and related ratings at any time when they are aware of any decrease in their medical fitness which might render them unable to safely and properly exercise these privileges.

1.2.6.1.1 Licence holders shall inform CAD of confirmed pregnancy or any decrease in medical fitness of a duration of more than 20 days or which requires continued treatment with prescribed medication or which has required hospital treatment.

1.2.6.1.2 No Licence holder shall exercise the privileges of their licences and related ratings during any period in which their medical fitness has, from any cause, decreased to an extent that would prevent the issue or renewal of their Medical Assessment.

1.2.7 Use of psychoactive substances

1.2.7.1 Holders of licences provided for in this Manual shall not exercise the privileges of their licences and related ratings while under the influence of any psychoactive substance which might render them unable to safely and properly exercise these privileges.

1.2.7.2 Holders of licences provided for in this Manual shall not engage in any problematic use of substances.

1.2.7.3 An operator shall ensure, as far as practicable, that all licence holders who engage in any kind of problematic use of substances are identified and removed from their safety-critical functions. Return to the safety-critical functions may be considered after successful treatment or, in cases where no treatment is necessary, after cessation of the problematic use of substances and upon determination that the person's continued performance of the function is unlikely to jeopardize safety.

*Note.* Guidance on suitable methods of identification (which may include biochemical testing on such occasions as pre-employment, upon reasonable suspicion, after accidents/ incidents, at intervals, and at random) and on other prevention topics is contained in the Manual on Prevention of Problematic Use of Substances in the Aviation Workplace (Doc 9654) and Air Safety Circular GEN 5.

1.2.8 Approved training and approved training organization

*Note.* The qualifications required for the issue of personnel licences can be more readily and speedily acquired by applicants who undergo closely supervised, systematic and continuous courses of training, conforming to a planned syllabus or curriculum. Provision has accordingly been made for some reduction in the experience requirements for the issue of certain licences and ratings prescribed in these regulations, in respect of an applicant who has satisfactorily completed a course of approved training.

1.2.8.1 Approved training shall provide a level of competency at least equal to that provided by the minimum experience requirements for personnel not receiving such approved training.

1.2.8.2 The approval of an organization providing training for flight crew by CAD will be dependent upon the applicant demonstrating compliance with the requirements of Appendix 2 and Appendix 4.

*Note.* Guidance on approval of a training organization can be found in the Manual on the Approval of Training Organizations (Doc 9841)

1.2.8.3 Approved training for flight crew and air traffic controllers shall be conducted within an approved training organization.

*Note.* The approved training considered in 1.2.8.3 relates primarily to approved training for the issuance of an Annex 1 licence or rating. It is not intended to include approved training for the maintenance of competence or for an operational qualification after the initial issuance of a licence or rating, as may be required for air traffic controllers or for flight crew, such as the approved training under Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes, 9.3 or Part III — International Operations — Helicopters, Section II, 7.3.

1.2.8.4 Competency-based approved training for aircraft maintenance personnel shall be conducted within an approved training organization.

*Note.* A comprehensive training scheme for the aircraft maintenance(technician/engineer/mechanic) licence, including the various levels of competency, is contained in the Procedures for Air Navigation Services — Training (Doc 9868, PANS-TRG).

1.2.9 Language proficiency

1.2.9.1 Aeroplane, airship, helicopter and powered-lift pilots and those flight navigators who are required to use the radio telephone aboard an aircraft shall demonstrate the ability to speak and understand English language which will be used for radiotelephony communications.

*Note.* Pursuant to Article 42 of the Convention on International Civil Aviation, paragraph 1.2.9.1 does not apply to personnel whose licences are originally issued prior to 5 March 2004 but, in any case, does apply to personnel whose licences remain valid after 5 March 2008.

1.2.9.2 Aeronautical station operators shall demonstrate the ability to speak and understand English language which will be used for radiotelephony communications.

1.2.9.3 Flight engineers, and glider and free balloon pilots shall have the ability to speak and understand English language which will be used for radiotelephony communications.

1.2.9.4 As of 5 March 2008, aeroplane, airship, helicopter and powered-lift pilots, and aeronautical station operators shall demonstrate the ability to speak and understand English language which will be used for radiotelephony communications to the level specified in the language proficiency requirements in Appendix 1.

1.2.9.5 Reserved

1.2.9.6 As of 5 March 2008, English language proficiency of aeroplane, airship, helicopter and powered-lift pilots, and aeronautical station operators who demonstrate proficiency below the Expert Level (Level 6) shall be formally evaluated at intervals in accordance with an individual's demonstrated proficiency level.

1.2.9.7 English language proficiency of aeroplane, airship, helicopter and powered-lift pilots, flight navigators required to use the radiotelephone aboard an aircraft, and aeronautical station operators who demonstrate proficiency below the Expert Level (Level 6) should be formally evaluated at intervals in accordance with an individual's demonstrated proficiency level, as follows:

- a) those demonstrating English language proficiency at the Operational Level (Level 4) should be evaluated at least once every three years; and
- b) those demonstrating English language proficiency at the Extended Level (Level 5) should be evaluated at least once every six years.

*Note1.* Formal evaluation is not required for applicants who demonstrate expert language proficiency, e.g. native and very proficient non-native speakers with a dialect or accent intelligible to the international aeronautical community.

*Note2.* The provisions of 1.2.9 refer to Annex 10, Volume II, Chapter 5, whereby the language used for radiotelephony communications may be the language normally used by the station on the ground or English. In practice, therefore, there will be situations whereby flight crew members will only need to speak the language normally used by the station on the ground.