

# JERSEY AVIATION REQUIREMENTS (JARQ)

## PART 61 – Flight Crew Licences & Ratings

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The definitive version of JARs is on the Office of the Director of Civil Aviation for the Channel Islands website <http://cidca.aero/> which should be viewed to establish the latest issue of each Part.

Processing of applications will be done by the Jersey Aircraft Registry. For further information consult <http://www.jar.je/> or send a message to [info@jar.je](mailto:info@jar.je).

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## **Subpart A – General**

### **61.1 Purpose**

- (a) This Part details the requirements governing:
  - (1) the validation of pilot licences and ratings; and
  - (2) The validation of flight engineer licences; and
  - (3) the validation of flight examiner ratings; and
  - (4) the renewal of licence validations; and
  - (5) the privileges and limitations of those ratings and validations.
- (b) These Requirements are published by the Director to indicate the manner in which he will be satisfied as to the fitness and competence of the person to be issued with and to hold a licence and rating validation.
- (c) These Requirements are not in themselves Law and failure to comply does not constitute an offence but may result in the refusal of an application for the grant of a licence or rating, the grant in terms other than those applied for, or an action to suspend, vary or revoke a licence or rating.
- (d) The obligation to hold a licence and validation is prescribed by the Air Navigation (Jersey) Law 2014 (“the Law”), Chapter III and failure to comply with that chapter is an offence.
- (e) The validated licence or rating indicates only that the person is considered competent to exercise the privileges of such a licence or rating on a Jersey registered aircraft. The possession of a licence and validation does not relieve the holder from the responsibility for compliance with the Law and any other legislation in force.

### **61.3 Definitions**

Definitions, in the context of this Part of the JARs shall have the meanings listed in JAR Part 1 (Definitions, Abbreviations and Units of Measurement).

### **61.5 Licences and ratings**

The following licences and ratings are validated under this Part:

- (a) Private pilot licence;
- (b) Commercial pilot licences;
- (c) Airline transport pilot licence;
- (d) Aircraft class and type ratings;
- (e) Instrument rating;

- (f) Multi-crew pilot licence;
- (g) Light aircraft pilot licence;
- (h) Flight instructor ratings;
- (i) Instrument Meteorological Conditions ratings;
- (j) Flight Examiner ratings;
- (k) Flight engineer licences.

## 61.7 Requirement for licence and ratings

- (a) **Pilot licence:** Except as provided for in section 18(2), 18(4) and 18(7) of the Law, the pilot of an aircraft registered in Jersey shall hold an appropriate current pilot licence rendered valid under Section 24 of the Law.
- (b) **Aircraft class or type rating:** The pilot of an aircraft registered in Jersey shall hold a current class or type rating, as appropriate for that aircraft attached to a licence recognised under paragraph 61.7(a).
- (c) **Instrument qualification:** The pilot of an aircraft registered in Jersey operating under IFR, shall hold attached to a licence validated under paragraph 61.7(a):
  - (1) an appropriate current instrument rating; or
  - (2) an IMC rating; or
  - (3) when holding an FAA licence, the validation of an associated instrument rating.
- (d) **Flight instructor rating:** Each person exercising the privileges of a flight instructor shall hold an appropriate current flight instructor rating attached to a licence recognised under paragraph 61.7(a).
- (e) **Flight Examiner rating:** Each person exercising the privileges of a flight examiner shall hold an appropriate current Class or Type Rating Examiner rating, or equivalent, attached to a licence recognised under paragraph 61.7(a).
- (f) **Flight Engineer licence:** The flight engineer of an aircraft registered in Jersey shall hold a flight engineer licence rendered valid under Section 24 of the Law.

## 61.9 Application for validations and ratings

- (a) An applicant for the validation of a licence or rating shall apply to the Director in the manner prescribed.
- (b) The application required under paragraph 61.9(a) includes the full name and address of the applicant and:

- (1) such other particulars relating to the applicant that may be required by the Director and indicated on the application form which shall be submitted to that Director with payment of any prescribed fee; and
  - (2) evidence of knowledge and experience relevant to the application in a format and to the extent required by the Director.
- (c) An applicant for the validation of a current licence and/or rating issued by or under the requirements of a foreign contracting State to the ICAO Convention shall, in addition to the requirements of paragraphs 61.9(a) and 61.9(b) produce evidence of holding that licence to the satisfaction of the Director.

## **61.15 Validation of licences and ratings**

An applicant for the validation of a licence and/or rating on the basis of holding a current licence or rating issued by a foreign contracting State to the Convention acceptable to the Director is eligible for validation of that licence or rating if the Director is satisfied that the applicant fulfils all the requirements of Subpart B.

## **61.19 Age limits for commercial air transport**

- (a) Subject to subsection 61.19(b), the holder of a pilot licence or validation issued under this Part shall not act as pilot-in-command or co-pilot of an aircraft engaged in commercial air transport if the licence holder has attained his 60<sup>th</sup> birthday unless:
- (1) the aircraft is certificated for dual pilot operation or is equipped with dual controls; and
  - (2) the flight crew of that aircraft includes an appropriately licensed person acting as a pilot who has not attained age 60.
- (b) The holder of a pilot licence or validation issued under this Part shall not act as pilot-in-command or co-pilot of an aircraft engaged in commercial air transport operations if the licence holder has attained his 65<sup>th</sup> birthday.

## **61.21 Duration of validation**

- (a) A validation of a licence or rating may be issued for a period determined by the Director but not greater than 1 year and subject to the validated licence or rating remaining current.
- (c) The holder of a licence or rating validated under this Part that has been suspended, revoked, varied or expired shall forthwith forward the validation document to the Director.



## **61.23 Status of flight examiner**

- (a) Subject to paragraph (b), a flight examiner shall not be designated as pilot-in-command during a flight test.
- (b) A flight examiner shall be pilot-in-command under the following circumstances:
  - (1) During a flight test for the initial issue of an instrument rating;
  - (2) During a flight test for an aircraft type rating;
  - (3) When the flight examiner considers this to be necessary in the interests of safety.

## **61.25 Flight crew log books - general**

- (a) Every flight crew member shall maintain a record in ink of his or her flight time and instrument time in an approved log book in accordance with the provisions of paragraphs 61.25, 61.27 and 61.29. Flight time entered in a log book that has been lost or destroyed shall only be accepted by the Director for crediting purposes if it can be substantiated by means acceptable to the Director.
- (b) Details of flights flown for aerial work operations may be recorded in an acceptable computerised format maintained by the operator. In this case an operator shall make the records of all flights operated by the flight crew, including differences and familiarisation training, available on request to the flight crew member concerned.
- (c) Entries in log books shall be made within the following periods after the completion of the flight to be recorded:
  - (1) for operations not for hire or reward, flight training, domestic air operations, and special operations - 7 days;
  - (2) for international air transport operations and aerial work operations (other than flight training operations) - 14 days.

However if a flight crew member is engaged in flying away from base where the log book would normally be expected to be kept, the specified periods may be extended to 48 hours after return to base.

- (d) The licence holder shall keep the log book for at least 36 months from the date of the last flight time entry recorded in it.
- (e) Before a flight crew member submits his or her log book to the Director for any required inspection, he or she shall:
  - (1) on each page, total each column of entries; and
  - (2) in the spaces provided, enter his or her total flight experience; and
  - (3) below the last entry, certify the correctness of the entries; and
  - (4) sign the certification.

## 61.33

### Medical requirements

- (a) The holder of a flight crew member licence rendered valid under this JAR Part shall not exercise the privileges of that validation unless that person:
- (1) holds a current medical certificate of the appropriate Class issued by the issuing Authority of the validated licence; and
  - (2) complies with all medical endorsements on that medical certificate.
- (b) The holder of a flight crew member licence validated under this Part who is aware of:
- (1) having any significant personal injury involving incapacity to function as a member of a flight crew; or
  - (2) having any illness involving incapacity to function as a member of a flight crew throughout a period of 21 days or more; or
  - (3) being pregnant
- shall inform the Director as soon as possible in the case of injury or pregnancy, and as soon as the period of 21 days has elapsed in the case of illness. The medical certificate is suspended when the injury occurs, the pregnancy is confirmed or 21 days of illness has elapsed, regardless of when the Director is informed.
- (c) The holder of a validation issued under this Part shall not exercise the privileges of that licence until assessed fit again by an authorised aviation medical assessor after, in the case of pregnancy, the end of the 26<sup>th</sup> week of gestation or after delivery or termination.
- (d) The holder of a validation issued under this Part shall, on demand by an authorised person:
- (1) produce, within 7 days, a current medical certificate of the appropriate class issued by the issuing Authority of the validated licence; and
  - (2) surrender the current medical certificate to that person.

## 61.35

### Psychoactive substances

The holder of a licence or rating issued or rendered valid under this Part shall not exercise the privileges of that licence, rating or certificate while under the influence of any psychoactive substance, including prescribed or proprietary medication, which might: render that person unable safely and properly to exercise those privileges, or create a risk of harm to that person or to any other person.

### **61.43 Continued fitness and competence of validation holders**

The Director may vary, suspend or revoke a validation issued under this Part if the Director has reason to believe that the holder:

- (a) no longer meets the requirements to hold that validation, or
- (b) is no longer a fit person to hold that validation.

### **61.45 Offences involving alcohol or drugs**

- (a) A conviction for any offence relating to alcohol or drugs, including a refusal to submit to any lawful test for alcohol or drugs, may be relevant in determining whether a person is or remains fit and proper to hold a validation. Such conviction may result in a refusal to grant a validation, or suspension or revocation of the validation.
- (b) The holder of a licence validated under this Part or an applicant for a validation under this Part shall notify the Director forthwith of being convicted of an offence of the type described in paragraph 61.45(a).

### **61.49 Notification of changes of personal details**

The holder of a licence validated under this Part shall notify the Director forthwith of any change to the holder's name or permanent address.

## **Subpart B – Validations**

### **61.101      Applicability**

This Subpart details the requirements for the issue of a licence and/or rating validation and the privileges, limitations and currency requirements of the validation.

### **61.103      Eligibility requirements**

(a) To be eligible for a licence and/or rating validation a person shall:

- (1) hold a private pilot licence issued in accordance with ICAO Annex 1 including an endorsement in English language proficiency; or
- (2) hold a commercial pilot licence issued in accordance with ICAO Annex 1 including an endorsement in English language proficiency; or
- (3) hold an airline transport pilot licence issued in accordance with ICAO Annex 1 including an endorsement in English language proficiency; or
- (4) hold any other pilot licence acceptable to the Director; or
- (5) hold a flight instructor rating issued in accordance with ICAO Annex 1 including; or
- (6) hold a flight examiner rating acceptable to the Director; or
- (7) hold a flight engineer licence issued in accordance with ICAO Annex 1; and
- (8) hold an associated medical certificate of an appropriate class; and
- (9) have submitted a demonstration of knowledge of the relevant sections of the Air Navigation (Jersey) Law, 2014 and the relevant Jersey Aviation Requirements.

(b) The licence held shall :

- (1) be current; and
- (2) valid including instrument rating if appropriate; and
- (3) include the type or class of aircraft to be included in the validation.

(c) The medical certificate held shall be:

- (1) current; and
- (2) valid.

### **61.105 Privileges and limitations**

- (a) The validation authorises the holder to exercise specified privileges of their licence in a Jersey registered aircraft subject to any conditions specified on the validation.
- (1 All restrictions and limitations on both the licence and medical certificate apply to the certificate of validation.

### **61.107 Currency requirements**

- (a) Holders of a validation are required to comply with the currency requirements of their licence and medical certificate as specified by the State of Issue of the licence.
- (b) A validation shall cease to be valid if the licence upon which it was issued is revoked, suspended or otherwise ceases to be valid.

**END**