Proposal to Amend the Air Navigation Order 2009 Regarding the Aeronautical Radio Operator's Certificate of Competence

Attachment B

PART 25A

Certificate of competence to operate aeronautical radio station

Prohibition of unauthorised operation of an aeronautical radio station

204A.—(1) Subject to paragraphs (3) and (4), a person must not operate an aeronautical radio station for a purpose specified in paragraph (5), or hold themselves out, whether by use of a radio call sign or in any other way, as a person who may do so unless—

(a) (i) immediately prior to the date on which this article came into force they were the holder of an Air Ground Communication Service Radio Operator's Certificate of Competence or an Offshore Communication Service Radio Operator's Certificate of Competence issued by the CAA; or

(ii) they hold and comply with the terms of an aeronautical radio station operator certificate of competence granted under article 204B authorising the holder to provide such a service at that aerodrome; and

(b) they have identified themselves in such a manner as may be notified.

(2) In this article 'operate an aeronautical radio station' means activate or alter any of the external controls of any of the apparatus comprised in the station or transmit or receive messages.

(3) Nothing in this article prevents a person operating an aeronautical radio station for the purpose of avoiding immediate danger.

(4) The purposes specified for the purpose of paragraph (1) are to provide—

(a) an air/ground communications service;

(b) a service to give information to pilots of aircraft flying to or from offshore oil, gas installations and vessels and for other aircraft operating in the vicinity of these aircraft; or

(c) a service to give information to pilots of aircraft flying for the purpose of the dropping of persons by parachute and to persons who have been dropped by parachute.

Aeronautical radio station operator certificate of competence

204B.—(1) The CAA must grant an aeronautical radio station certificate of competence if it is satisfied that the applicant—

(a) is at least 18 years of age; and

(b) is qualified by having the knowledge, experience and skill to act in the capacity to which the certificate of competence relates.

(2) The applicant must supply such evidence and undergo such examinations and tests and undertake such courses of training as the CAA may require.

(3) An aeronautical radio station certificate of competence—

(a) remains in force, subject to article 228, for the period indicated in the certificate or if no period is indicated, for the lifetime of the holder; and

(b) may be renewed by the CAA from time to time, if it is satisfied that the applicant is qualified in accordance with paragraph (1).

(4) An aeronautical radio station operator certificate of competence is not valid for use at an aerodrome unless it has been endorsed by the person in charge of the aeronautical radio station.

(5) The person in charge of the aeronautical radio station must not endorse an aeronautical radio station certificate of competence as required by paragraph (4) unless that person is satisfied that the holder is familiar with the terms and conditions of the Wireless Telegraphy Act Licence for the aeronautical radio station and has been informed of any relevant operational information concerning the types of equipment and operating procedures for the station.

(6) Every holder of an aeronautical radio station operator certificate of competence must, on such occasions as the CAA may require, submit to such examinations and tests, supply such evidence of the holder's knowledge, experience, competence and skill and undergo such courses of training as the CAA may require.

(7) Nothing in this Order obliges the CAA to accept an application for the issue, variation or renewal of an aeronautical radio station operator certificate of competence if the application is not supported by such reports from such persons approved under article 244 as the CAA may specify, either generally or in a particular case or class of cases.

Approval of courses, persons, examinations and simulators

204C.—(1) Without prejudice to any other provision of this Order the CAA may, for the purposes of this Part, approve—

(a) any course of training or instruction;

(b) a person to conduct such examinations, assessments or tests as it may specify; and

(c) any examinations, assessments or tests, together with associated arrangements.".

(1) In Section 1 of Part A of Schedule 13 (Penalties), in the column headed "Article of Order' after "199" insert "204A" and adjacent to that entry, in the column headed "Subject Matter" insert "Unauthorised operation of aeronautical radio station".

n respect of Parts 3, 4 or 5.