



For immediate release

October 3, 2016

No need to fly to maintain a pilot's licence after risky rule change

Ottawa –Canadian airline pilots are no longer required to fly a plane in order to maintain a valid licence after a rule change recently signed off by Transport Canada bureaucrats. The change creates a substantial credential gap for Canadian pilots compared to their counterparts in the US and the European Union and raises serious safety concerns.

Until now, a pilot in Canada could not legally fly an aircraft unless they had acted as a captain or co-pilot within the previous five years, or completed a flight review with an instructor and met other licencing standards.

The exemption from this rule, signed into effect on August 23rd, permits all pilots in Canada who have not been a captain or co-pilot during the past five years to satisfy the “recency” requirement by way of flight simulators only. Henceforth, Canadian pilots can keep their licence current without ever being airborne.

“I’m sure Minister Garneau, a fellow aviator, would cringe if he was briefed about this change,” said Greg McConnell, National Chair of the Canadian Federal Pilots Association (CFPA) which represents pilots who work for Transport Canada as aviation inspectors.

Aviation rules in the European Union and the United States require pilots to meet much more stringent standards in order to keep their licences current, including a requirement to fly an actual airplane. For example, pilots in Europe are required to have flown an aircraft during the past 24 months and completed at least 12 hours of flight time as captain, including 12 take-offs and landings, among other requirements.

Ironically, this sweeping change that will affect all pilots here has been made because Canada’s aviation regulator is itself violating the rules established to ensure safety in air travel.

Until recently, Transport Canada provided licenced pilots who work for the department as inspectors the opportunity to keep their licences current by flying government aircraft.. After years of budget cuts, the department grounded its own pilots, throwing many of them offside of the Canadian Aviation Regulations (CAR), the comprehensive rules all of the aviation sector must follow

As a result, a significant number of pilots who work for Transport Canada no longer qualify as pilots or inspectors. In spite of this, many have been instructed to perform their jobs overseeing airlines in Canada without a valid licence, in violation of the CAR and without the training needed to keep up with rapidly changing aviation technology.

“With the stroke of a pen, Transport Canada has devised a work-around so their own pilots comply with the CAR but with little consideration for safety,” McConnell said.

A recent survey of licenced pilot aviation inspectors reveals that about half have not been assigned flight training for more than a year; one in ten has not been assigned to flight training for up to 10 or more years.

“Many of the inspectors who are acting on behalf of Minister Garneau to oversee aviation safety in Canada are doing so without the proper credentials, supervising the safety of aircraft they are no longer qualified to fly themselves. This creates a huge liability for the Minister and raises serious safety concerns,” McConnell said.

“This reckless move won’t help. It is likely to dilute the training and skills of all pilots in Canada and undermine the authority of safety inspectors and the important work they do,” McConnell said.

The absence of training for aviation inspectors who are required to hold a valid pilot’s licence is spawning a range of significant safety issues.

“Many pilot inspectors are assigned oversight duties for sectors of aviation for which they have no experience or qualifications, and without any training. For example, airplane pilots are responsible for overseeing helicopter operators, and General Aviation inspectors are certifying the large major commercial air carriers.

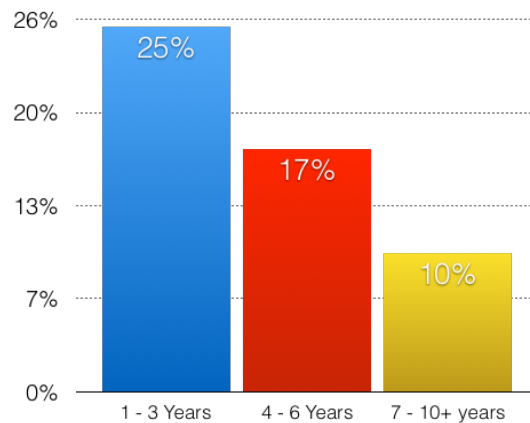
“Aviation inspectors who are pilots are becoming like traffic cops without a driver’s licence. This situation undermines public safety and inspectors’ credibility with the industry they are supposed to oversee,” McConnell said.

The issue of inspector training has been raised as a concern by the Transportation Safety Board, most recently in its investigation report of the crash of an Ornge medical evacuation helicopter in northern Ontario. Transport Minister Marc Garneau has 90 days to respond to these crucial safety recommendations.

“Since the summer of 2013, following the disaster that leveled Lac Mégantic, public policy makers have understandably been focused on rail safety.

“But, after a decade of cuts to aviation safety oversight under the previous government, the travelling public can only hope that Minister Garneau takes concrete action to make sure the gaps in aviation safety are closed, not made worse.

“If he does not act, it is only a matter of time before an aviation disaster on the scale of Lac Mégantic occurs,” McConnell said.



How many years have elapsed since the last time you were assigned to a currency program involving aircraft flight time?

**EXEMPTION FROM PARAGRAPH 401.05(1)(a) OF THE CANADIAN AVIATION
REGULATIONS**

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, and after taking into account that the exemption is in the public interest and is not likely to adversely affect aviation safety, I hereby exempt **holders of a Canadian Private Pilot Licence, a Canadian Commercial Pilot Licence, a Canadian Airline Transport Pilot Licence, Canadian Multi-crew Pilot Licence, or a Canadian Recreational Pilot Permit – Aeroplane** from the recency requirement set out in paragraph 401.05(1)(a) of the *Canadian Aviation Regulations* (CARs) requiring that a pilot shall have acted as pilot-in-command or co-pilot of an aircraft within the previous five (5) years preceding a flight, subject to the following conditions.

Paragraph 401.05(1)(a) stipulates:

“Notwithstanding any other provision of this Subpart, no holder of a flight crew permit, licence or rating, other than the holder of a flight engineer licence, shall exercise the privileges of the permit, licence or rating unless:

- (a) the holder has acted as pilot-in-command or co-pilot of an aircraft within the five years preceding the flight;”

PURPOSE

The purpose of this exemption is to provide the holders of a Canadian Pilot Permit or Licence that have not acted as pilot-in-command or co-pilot of an aircraft within the five (5) years preceding the flight another means to meet the recency requirements set out in paragraph 404.05(1)(a).

This exemption provides the holders the option to complete a pilot training program, approved in accordance with the relevant Subpart of Part VII of the CARs, in a Level C or D full-flight simulator approved pursuant to section 606.03 of the CARs.

APPLICATION

This exemption applies to holders of a Canadian Private Pilot Licence, a Canadian Commercial Pilot Licence, a Canadian Airline Transport Pilot Licence, Canadian Multi-crew Pilot Licence, or a Canadian Recreational Pilot Permit - Aeroplane.

CONDITIONS

This exemption is subject to the following condition:

1. In addition to the recency requirements set out in subsections 401.05(2) and 401.05(3) of the CARs, the holder of a Canadian pilot licence or permit shall not exercise the privileges of the licence or permit unless, within five (5) years preceding the flight, the holder has:
 - a) acted as pilot-in-command or co-pilot of an aircraft; or
 - b) successfully completed a pilot training program, approved in accordance with the applicable Subpart of Part VII of the CARs, in an Level C or D full-flight simulator approved pursuant to section 606.03 of the CARs.

VALIDITY

This exemption is in effect until the earliest of the following:

- a) September 1, 2021 at 23:59 (EDT);
- b) the date on which any condition set out in this exemption is breached;
- c) the date on which an amendment to the appropriate provisions of the CARs or related standards, modifying the subject-matter specifically addressed in this exemption, comes into effect; or
- d) the date on which this exemption is cancelled in writing by the Minister where he is of the opinion that it is no longer in the public interest or is likely to adversely affect aviation safety.

DATED at Ottawa, this ²³ day of August, 2016, on behalf of the Minister of Transport.


Aaron McCrorie
Director General, Aviation Safety Regulatory Framework
Civil Aviation