Confusion Reigns supreme!
(Medical validity periods change)

As some are aware, the validity period for Category 1 (commercial/ATP) medicals is changing as of April 14, 2014. The practicalities as to where you stand are deceptively complex – hence this article. Those under age 40 – nothing changes. You get yearly medicals, and bi-yearly ECG, as always. Those age 60 and over (on the day of your medical), nothing changes, you get 6 monthly medicals with annual ECG. So, what about age 40-60?

Firstly – who does NOT change? For the first time, Transport is dividing pilots up based on how they fly, not what they fly. If you fly single pilot, carrying fee paying passengers – the changes do NOT apply to you. You have six monthly medicals with yearly ECG. Remember all Category 1 medicals lapse down to Category 3 (private pilot), automatically. For those over 40 Cat 3 lasts 2 years. So you are fine to carry passengers with a lapsed Cat 1, within the 2 years – as long as it is NOT for hire – i.e. privately.

Who DOES change? All Category 1 medicals for pilots between ages 40 and 60, operating multicrew with or without passengers, OR single crew not carrying passengers for hire, now go to yearly. ECG requirements are unchanged – they are required yearly for these ages.

Secondly – how will this change happen – as in, when is my next medical? If you have a valid medical as of April 14 – in other words, it hasn’t lapsed, your medical is automatically extended for another 6 months, and you will be coming back in the same month as you had your last medical. Example: Those pilots 40 and over, who are due in March, must still come in. If they let their medical lapse, it will be invalid in April, and cannot be extended. All pilots (40 and over) coming due in April, have a choice. They can come in anyway, we do them, and their medical is now valid for 1 year, not 6 months. They might also choose to delay until October, which is legal as they have just been extended 6 more months. If you work this out on paper, neither choice penalizes the pilot – they get 12 months out of it either way, the cost remains the same. The only advantage I can see is that those due in June may wish to keep this month as their annual date, because if they choose to wait, they will be coming every year in December – decreased office hours due to holidays, and lousy weather.

Thirdly – what if my ECG is due in the next couple of months? – I’ll be late for it. We checked with Transport – this is not a problem. They view the ECG requirements as guidelines – not strict rules, and are willing to be flexible. A few months either way doesn’t matter. It will be quite acceptable to wait until your next medical to do it.

So – who is going to police this? How will they know if I carry fee paying passengers solo or not? Quick answer – they won’t. Proper answer – like everything else in aviation – no problem until you are caught or something goes wrong. You get fined/suspended for flying without a valid medical, your employer’s OC is at risk, and the insurance
company may refuse to cover any damage as the PIC was flying without a valid medical, invalidating the C of A. All over a $165.00 medical. You decide. If your operation falls into a grey zone (eg. “I rarely carry passengers – but occasionally I do, and it’s a commercial operation”), it might make more economic sense to opt for 6 monthly medicals.

Examples of who is affected by this change:

Legal for 1 year under age 60: Helicopter pilots who don’t carry fee paying passengers, All cargo pilots, technical pilots (fire-fighting, aerial applicators, pipeline patrol), anyone who routinely flies multicrew.

Not legal for 1 year ages 40-60, must continue with 6 monthly medicals: Helicopter pilots flying single pilot and carrying passengers who paid to be there, (or for whom the flight was chartered – eg. power line patrol carrying aerial linemen, heli-skiing, geology surveys carrying oil company personnel), Solo float operators (eg. Turbo Beaver, flying passengers for a fee), Bush pilots, hunting lodge operators flying guests in and out, solo.

Last word of caution. The change in validity may not be reciprocally recognized by other ICAO signatory states when flying their aircraft (i.e. non-Canadian aircraft). We already get into this with the FAA – as they do not recognize our 5 year extension for private pilots under 40 – in the USA it remains 2 years. So trying to fly an American aircraft with appropriate US licence would still require a medical within the last 2 years for a Canadian private pilot.

In the interests of transparency, here is the same information from an email from Transport Canada, complete with appropriate CARS for those obsessive types:

The rule change bringing in a new subsection 404.04(6) will mean that the validity period of a medical certificate will, for some situations, change when the revised regulation comes into force. Since (for some licences) the validity period of a medical certificate will be extended by the new regulation, it is possible that some medical certificates that wouldn’t be valid under the former regulation would become valid under the new regulation. That’s just a result of the introduction of a new, modified requirement.

For example, let’s consider the category 1 medical certificate issued to a 45-year-old holder of an airline transport pilot licence whose last medical examination was conducted in October of 2013:
That certificate would be valid today because the current rules (the ones that are in force today) provide a validity period of 6 months and it’s now less than 6 months since the medical examination. That pilot could exercise any of the privileges of an airline transport pilot licence throughout the entire 6 month period.
If the same pilot were to ask the “Is my medical certificate valid today?” question in the middle of May of 2014, the answer would be:

- **Yes**, the medical certificate is valid if the pilot is exercising PRIVILEGES OF A PRIVATE PILOT LICENCE (404.04(6.3) says so)
- **Yes**, the medical certificate is valid if the pilot is exercising acting as a flight crew member in a MULTI-CREW, operation (404.04(6.1) says so)
- **Yes**, the medical certificate is valid if the pilot is acting as a flight crew member for HIRE OR REWARD in a SINGLE-PILOT, AERIAL WORK or CARGO-ONLY operation WITHOUT passengers (404.04(6.2)(b) says so)
- **No**, the medical certificate is NOT valid if the pilot is acting as a flight crew member for HIRE OR REWARD in a SINGLE-PILOT operation WITH PASSENGERS ON BOARD (404.04(6.2)(b) says “No!”)

Some of these answers differ from those based on the current regulation – a direct result of the regulatory change.