Article 14(4) Exemption of Regulation (EC) No. 216/2008, with regards to pilots holding a third country licence and medical certificate operating non-commercial flights of aircraft specified in Article 4(1)(b) or (c) of Regulation (EC) No 216/2008, until 08 April 2019.

As per Article 12 (4) of Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew, a number of Member States including Malta decided not to apply the provisions of this Regulation to pilots holding a licence and associated medical certificate issued by a third country involved in the non-commercial operation of aircraft specified in Article 4(1)(b) or (c) of Regulation (EC) No 216/2008 until 8 April 2014.


Malta will use an exemption until 08 April 2019 as provided in Article 14(4) of Regulation (EC) No. 216/2008, in accordance with this Notice.

It is to be noted that the derogation applied by Malta applies to aircraft that:

1) Are specified in Article 4(1)(b) or (c) of Regulation (EC) No 216/2008
   - Article 4(1)(b) applies to aircraft registered in a Member State, unless their regulatory safety oversight has been delegated to a third country and they are not used by a Community operator;
   - Article 4(1)(c) applies to aircraft registered in a third country and used by an operator for which Member States ensure oversight of operations or used into, within or out of the Community by an operator established or residing in the Community;

2) undertake non-commercial operations; and

3) fly in Malta’s airspace

Pilots holding a licence and associated medical certificate issued by a third country involved in the non-commercial operation of aircraft specified in Article 4(1)(b) or (c) of Regulation (EC) No 216/2008 have to ensure that they comply with the requirements of the State over which they overfly, land or take-off.

Malta Air Navigation Order requirements

In accordance with Article 18 of the Malta Air Navigation Order except for non-commercial Day VFR operations a person may not act as a pilot of an aircraft registered in Malta unless he holds a Part-FCL licence or a certificate of validation issued in accordance with the requirements of the Aircrew Regulation, if the flight is one of the following:

- Public transport flight
- Aerial work flight
- Any flight for which the pilot receives remuneration for his services as a pilot
- Flights where the aircraft is flying in circumstances requiring compliance with Instrument Flight Rules
- Night flight
- Instructional flight
- Flights where the pilot holds a licence which does not satisfy in full the relevant international standards

In such cases the pilot would need to hold a Part-FCL licence or certificate of validation issued by Transport Malta Civil Aviation Directorate.

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Personnel Licensing Section