U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

MAR -7 2014

Martin Entwistle
Jet-Care International
3 Saddle Road
Cedar Knolls, NJ 07927

Dear Mr. Entwistle:

This letter responds to the request for a legal interpretation that you emailed to my office on November 4, 2013. You have asked whether a pilot who holds an airline transport pilot license issued by the United Kingdom may operate a civil aircraft of the United States within the airspace of the United Kingdom without holding a pilot certificate issued by the United States.

Section 61.3 permits a pilot to operate a civil aircraft of the United States without holding a pilot certificate issued by the United States when the aircraft is operated within a foreign country and the pilot holds a pilot license issued by that country. You have asked whether this section applies to salaried pilots operating type-certificated aircraft. Section 61.3 does not contain any limitation on the use of a foreign pilot license when operating a civil aircraft of the United States within a foreign country. See Legal Interpretation to Ira Curtis (Jan. 28, 1985). We note that, under the scenario that you have presented, § 61.3 and U.S. obligations under the 1944 Convention on International Civil Aviation prohibit a pilot who holds only a pilot license issued by the United Kingdom from operating a civil aircraft of the United States outside the United Kingdom. See Legal Interpretation to Barry Condell, August 20, 2009.

This response was prepared by Anne Moore, an attorney in the International Law, Legislation, and Regulations Division of the Office of the Chief Counsel. If you have any additional questions regarding this matter, please contact my office at (202) 267-3073.

Sincerely,

Mark W. Bury
Assistant Chief Counsel for International Law,
Legislation, and Regulations