

GENERAL INFORMATION	
KEYWORDS	Stroke, risk of recurrence
FILE NO.	O-1754-01
SECTOR (Marine or Aviation)	Aviation
SPECIFIC JOB	Private pilot
DIAGNOSIS (Primary, Secondary, etc.)	Stroke
REVIEW	
DATE OF DETERMINATION	November 5, 2001
MEMBER	Samuel J. Birenbaum
DETERMINATION	The member concurs with the Minister of Transport's decision to deny an unrestricted licence and agrees with the recommendations for a restricted category 3 licence.
REASONS FOR THE DETERMINATION	Refusal to renew a medical certificate — The evidence clearly indicated that the applicant suffered a stroke from which he had made an excellent recovery. The cause of the stroke remains in doubt with different medical opinions as to the likelihood of a reoccurrence. A reoccurrence while flying may render the pilot totally incapacitated with fatal consequences to all in the aircraft, and possibly those on the ground. In Canadian aviation, a 2% per annum recurrence risk has been deemed acceptable by experts in aviation medicine and no argument, nor discussion, to dispute this number was provided to the Tribunal. In the Minister of Transport's opinion, there is an unacceptable reoccurrence risk for the applicant. However, the Minister is willing to issue a restricted category 3 medical certificate to the applicant and the member concurs.
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	