

GENERAL INFORMATION	
KEYWORDS	Category 1 aviation medical certificate, mental health, medication, restrictions
FILE NO.	Q-4237-01
SECTOR (Marine or Aviation)	Aviation
SPECIFIC JOB	Chief pilot
DIAGNOSIS (Primary, Secondary, etc.)	Anxiety disorder
REVIEW	
DATE OF DETERMINATION	March 19, 2018
MEMBER	Dr. Robert Perlman
DETERMINATION	The Minister's decision is confirmed.
REASONS FOR THE DETERMINATION	Refusal to renew a category 1 aviation medical certificate without restrictions — “with co-pilot” / The applicant was diagnosed with an anxiety disorder in 2000; he has been taking Effexor since 2002 and has been stabilized at 50 mg per day for the last 15 years. He did attempt to reduce the dosage to 37.5 mg but after experiencing symptoms returned to the 50 mg. From 2015 until today, the applicant has not had any incident, accident or performance problem during his work as a commercial pilot while taking 50 mg of Effexor. However, Transport Canada's policy in 2015 required that if a pilot were to take antidepressants to control a psychiatric disorder, his medical certificate would then carry the “with co-pilot” restriction. The case law of the Federal Court of Canada, as in <i>Corneil v. Canada (Transportation Appeal Tribunal)</i> , 2015 FC 755, established the broad discretion of the Minister of Transport in this regard, and strongly established that the Minister has a paramount role as protector of public safety.
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	