

CIVIL AVIATION TRIBUNAL

BETWEEN:

Henry Ledsome, Applicant

- and -

Minister of Transport, Respondent

LEGISLATION:

Air Navigation Orders, Series II, No. 16, s. 3

Altitude alerting system

Review Determination
Ed J. Jenson

Decision: November 2, 1987

Heard: Saskatoon, Saskatchewan, October 27, 1987

To confirm the Minister's decision to suspend the Applicant's airline transport pilot licence for the contravention of Air Navigation Order, Series II, No. 16, paragraph 3. The suspension comes into effect midnight on November 23, 1987 and remains in effect until midnight on November 25, 1987.

Captain Hornseth, a man with 40 years of experience in flying, and some 24,000 hours' air time, snagged the altitude alerting system in aircraft C-GTUU as being unserviceable on December 12, 1986 (see Exhibit No. 1, photocopy of aircraft log).

Captain Henry Ledsome accepted delivery of aircraft C-GTUU on December 15, 1986, knowing there was a deferred snag on the altitude alerting system. According to his testimony, the instrument checked out within the prescribed limitations on the pre-flight check. Captain Ledsome also testified he was aware of the altitude alerting system's intermittent unreliability.

The altitude alerting system did become inaccurate on the last leg of Captain Ledsome's flight December 15, 1986, according to his testimony.

For the reasons given, I have determined there has been a contravention of *Air Navigation Order*, Series II, No. 16, paragraph 3. The altitude alerting system was snagged for unreliability and indeed did become unreliable on the last leg of Captain Ledsome's flight.

I uphold the Minister's decision to suspend Henry Ledsome's airline transport pilot licence no. WGA 269608. This suspension comes into effect on November 23, 1987, and remains in effect until November 25, 1987.