AIR NAVIGATION

1960 No. 972

The Air Navigation Order, 1960

Made - - - -	*7th June*, 1960
Laid before Parliament	*13th June*, 1960
Coming into Operation	
(*a*) *for making regulations*	*20th June*, 1960
(*b*) *for all other purposes*	*15th August*, 1960

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At the Court at Buckingham Palace, the 7th day of June, 1960

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty in exercise of the powers conferred upon Her by sections eight, forty-one, fifty-seven, fifty-eight, fifty-nine and sixty-one of the Civil Aviation Act, 1949(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

PART I

REGISTRATION AND MARKING OF AIRCRAFT

Aircraft to be registered

1.—(1) An aircraft shall not fly over the United Kingdom unless it is registered in:—

(*a*) some part of the Commonwealth; or

(*b*) a Contracting State; or

(*c*) some other country in relation to which there is in force an agreement between Her Majesty's Government in the United Kingdom and the Government of that country which makes provision for the flight over the United Kingdom of aircraft registered in that country:

Provided that—

(i) a glider may fly unregistered, and shall be deemed to be registered in the United Kingdom for the purposes of Articles 9, 10, 15 and 26 of this Order, on any flight which—

(*a*) begins and ends in the United Kingdom without passing over any other country, and

(*b*) is not for the purpose of public transport or aerial work;

(a) 12, 13 & 14 Geo. 6. c. 67.

(ii) any aircraft may fly unregistered on any flight which—

(*a*) begins and ends in the United Kingdom without passing over any other country, and

(*b*) is in accordance with the " B Conditions " set forth in the Second Schedule to this Order ;

(iii) this paragraph shall not apply to any kite or captive balloon.

(2) If an aircraft flies over the United Kingdom in contravention of paragraph (1) of this Article in such manner or circumstances that if the aircraft had been registered in the United Kingdom an offence against this Order or any regulations made thereunder would have been committed, the like offence shall be deemed to have been committed in respect of that aircraft.

Registration of aircraft in the United Kingdom

2.—(1) The Minister shall be the authority for the registration of aircraft in the United Kingdom.

(2) Subject to the provisions of paragraphs (4) and (5) of this Article, an aircraft shall not be registered or continue to be registered in the United Kingdom if it appears to the Minister that:—

(*a*) the aircraft is registered anywhere outside the United Kingdom ; or

(*b*) an unqualified person is entitled as owner to any legal or beneficial interest in the aircraft or any share therein ; or

(*c*) the aircraft could more suitably be registered in some other part of the Commonwealth ; or

(*d*) it would be inexpedient in the public interest for the aircraft to be or to continue to be registered in the United Kingdom.

(3) The following persons and no others shall be qualified to be the owner of a legal or beneficial interest in an aircraft registered in the United Kingdom or a share therein:—

(*a*) the Crown in right of Her Majesty's Government in the United Kingdom ;

(*b*) British subjects and citizens of the Republic of Ireland ;

(*c*) British protected persons ;

(*d*) bodies incorporated in some part of the Commonwealth, and having their principal place of business in any part of the Commonwealth ;

(*e*) firms carrying on business in Scotland.

In this sub-paragraph " firm " has the same meaning as in the Partnership Act, 1890(a).

(4) If an unqualified person residing or having a place of business in the United Kingdom is entitled as owner to a legal or beneficial interest in an aircraft, or a share therein, the Minister, upon being satisfied that the aircraft may otherwise be properly so registered, may register the aircraft in the United Kingdom. The person aforesaid shall not cause or permit the aircraft, while it is registered in pursuance of this paragraph, to be used for the purpose of public transport or aerial work.

(5) If an aircraft is chartered by demise to a person qualified as aforesaid the Minister may, whether or not an unqualified person is entitled as owner to a legal or beneficial interest therein, register the aircraft in the United Kingdom in the name of the charterer upon being satisfied that the aircraft may otherwise be properly so registered, and subject to the provisions of this Article the aircraft may remain so registered during the continuation of the charter.

(a) 53 & 54 Vict. c. 39.

(6) Application for the registration of an aircraft in the United Kingdom shall be made in writing to the Minister, and shall include or be accompanied by such particulars and evidence relating to the aircraft and the ownership and chartering thereof as he may require to enable him to determine whether the aircraft may properly be registered in the United Kingdom and to issue the certificate referred to in paragraph (8) of this Article. In particular, the application shall include the proper description of the aircraft according to column 4 of the "General Classification of Aircraft" set forth in Part A of the First Schedule to this Order.

(7) Upon receiving an application for the registration of an aircraft in the United Kingdom and being satisfied that the aircraft may properly be so registered, the Minister shall register the aircraft, wherever it may be, and shall include in the register the following particulars :—

(*a*) the number of the certificate ;

(*b*) the nationality mark of the aircraft, and the registration mark assigned to it by the Minister ;

(*c*) the name of the constructor of the aircraft and its designation ;

(*d*) the serial number of the aircraft ;

(*e*) the name and address of every person who is entitled as owner to a legal interest in the aircraft or a share therein, or, in the case of an aircraft which is the subject of a hire-purchase agreement, the name and address of the hirer ; or,

(*f*) in the case of an aircraft registered in pursuance of paragraph (4) or (5) of this Article, an indication that it is so registered.

(8) The Minister shall furnish to the person or persons in whose name the aircraft is registered (hereinafter in this Article referred to as " the registered owner ") a certificate of registration, which shall include the foregoing particulars and the date on which the certificate was issued.

(9) Subject to paragraphs (4) and (5) of this Article, if at any time after an aircraft has been registered in the United Kingdom an unqualified person becomes entitled as owner to a legal or beneficial interest in the aircraft or a share therein, the registration of the aircraft shall thereupon become void and the certificate of registration shall forthwith be returned by the registered owner to the Minister for cancellation.

(10) Any person who is registered as the owner of an aircraft registered in the United Kingdom shall forthwith inform the Minister in writing of—

(*a*) any change in the particulars which were furnished to the Minister upon application being made for the registration of the aircraft ;

(*b*) the destruction of the aircraft, or its permanent withdrawal from use ;

(*c*) in the case of an aircraft registered in pursuance of paragraph (5) of this Article, the termination of the demise charter.

(11) Any person who becomes the owner of an aircraft registered in the United Kingdom shall forthwith inform the Minister in writing to that effect.

(12) The Minister may, whenever it appears to him necessary or appropriate to do so for giving effect to this Part of this Order or for bringing up to date or otherwise correcting the particulars entered on the register, amend the register or, if he thinks fit, may cancel the registration of the aircraft, and shall cancel that registration if he is satisfied that there has been a change in the ownership of the aircraft.

(13) The Minister may, by regulations, adapt or modify the foregoing provisions of this Article as he deems necessary or expedient for the purpose of providing for the temporary transfer of aircraft to or from the United Kingdom register, either generally or in relation to a particular case or class of cases.

(14) In this Article references to an interest in an aircraft do not include references to an interest in an aircraft to which a person is entitled only by virtue of his membership of a flying club and the reference in paragraph (10) of this Article to the registered owner of an aircraft includes in the case of a deceased person, his legal personal representative, and in the case of a body corporate which has been dissolved, its successor.

Nationality and registration marks

3.—(1) An aircraft (other than an aircraft permitted by or under this Order to fly without being registered) shall not fly unless it bears painted thereon or affixed thereto, in the manner required by the law of the country in which it is registered, the nationality and registration marks required by that law.

(2) The marks to be borne by aircraft registered in the United Kingdom shall comply with Part B of the First Schedule to this Order.

(3) An aircraft shall not bear any marks which purport to indicate:—

(*a*) that the aircraft is registered in a country in which it is not in fact registered; or

(*b*) that the aircraft is a State aircraft of a particular country if it is not in fact such an aircraft, unless the appropriate authority of that country has sanctioned the bearing of such marks.

Part II

Airworthiness and Equipment of Aircraft

Certificate of airworthiness to be in force

4.—(1) An aircraft shall not fly unless there is in force in respect thereof a certificate of airworthiness duly issued or rendered valid under the law of the country in which the aircraft is registered, and any conditions subject to which the certificate was issued or rendered valid are complied with:

Provided that the foregoing prohibition shall not apply to flights, beginning and ending in the United Kingdom without passing over any other country, of—

(*a*) a glider, if it is not being used for the public transport of passengers or aerial work;

(*b*) a balloon, if it is not being used for the public transport of passengers;

(*c*) a kite;

(*d*) an aircraft flying in accordance with the "A Conditions" or the "B Conditions" set forth in the Second Schedule to this Order;

(*e*) an aircraft flying in accordance with the conditions of a permit to fly issued by the Minister in respect of that aircraft.

(2) In the case of an aircraft registered in the United Kingdom the certificate of airworthiness referred to in paragraph (1) of this Article shall be a certificate issued or rendered valid in accordance with the provisions of Article 5 of this Order.

Issue and renewal of certificates of airworthiness

5.—(1) The Minister may issue in respect of any aircraft a certificate of airworthiness if he is satisfied that the aircraft is fit to fly having regard to—

(*a*) the design, construction, workmanship and materials of the aircraft (including in particular any engines fitted therein), and of any equipment carried in the aircraft which he considers necessary for the airworthiness of the aircraft; and

(*b*) the results of flying trials, and such other tests of the aircraft as he may require:

Provided that, if the Minister has issued a certificate of airworthiness in respect of an aircraft which, in his opinion, is a prototype aircraft or a modification of a prototype aircraft, he may dispense with flying trials in the case of any other aircraft if he is satisfied that it conforms to such prototype or modification.

(2) Every certificate of airworthiness shall specify such categories as are, in the opinion of the Minister, appropriate to the aircraft in accordance with the Third Schedule to this Order and the certificate shall be issued subject to the condition that the aircraft shall be flown only for the purposes indicated in the said Schedule in relation to those categories.

(3) The Minister may issue the certificate of airworthiness subject to such other conditions relating to the airworthiness of the aircraft as he thinks fit.

(4) The certificate of airworthiness may designate the performance group to which the aircraft belongs for the purposes of the requirements referred to in paragraph (1) of Article 24 of this Order.

(5) The Minister may, subject to such conditions as he thinks fit, issue a certificate of validation rendering valid for the purposes of this Order a certificate of airworthiness issued in respect of any aircraft under the law of any country other than the United Kingdom.

(6) Subject to the provisions of this Article and of Article 54 of this Order, a certificate of airworthiness or validation issued under this Article shall remain in force for such period as may be specified therein, and may be renewed from time to time by the Minister for such further period as he thinks fit.

(7) A certificate of airworthiness or a certificate of validation issued in respect of an aircraft shall cease to be in force—

(*a*) if the aircraft, or such of its equipment as is necessary for the airworthiness of the aircraft is overhauled, repaired or modified, or if any part of the aircraft or of such equipment is removed or is replaced, otherwise than in a manner and with material of a type approved by the Minister either generally or in relation to a class of aircraft or to the particular aircraft; or

(*b*) until the completion of any inspection of the aircraft or of any of such equipment as aforesaid, being an inspection required by the Minister to be made for the purpose of ascertaining whether the aircraft remains airworthy.

(8) Without prejudice to any other provision of this Order the Minister may, for the purposes of this Article, accept reports furnished to him by a person whom he may approve either absolutely or subject to such conditions as he thinks fit as qualified to furnish such reports.

(9) The Minister shall cause to be prepared and preserved in relation to each aircraft registered in the United Kingdom a record enabling the aircraft (including in particular its engines) and such of its equipment as he may have considered necessary for the airworthiness of the aircraft in issuing, varying or rendering valid a certificate of airworthiness, to be identified with the drawings and other documents on the basis of which the certificate was issued, varied or rendered valid as the case may be. All equipment so identified shall for the purposes of this Order be deemed to be equipment necessary for the airworthiness of the aircraft. The Minister shall

cause such record to be produced for examination upon request being made therefor at any reasonable time by any person having, in the opinion of the Minister, reasonable grounds for requiring to examine it.

Certification of maintenance

6.—(1) An aircraft registered in the United Kingdom shall not fly for the purpose of public transport or dropping or projecting any material for agricultural, public health or similar purposes unless:—

(*a*) the aircraft (including in particular its engines), together with its equipment and radio station, is maintained in accordance with maintenance schedules approved by the Minister in relation to that aircraft;

(*b*) there are in force in respect of that aircraft certificates (in this Order referred to as "certificates of maintenance") issued in accordance with the provisions of this Article and certifying that maintenance has been carried out in accordance with such maintenance schedules:

Provided that an aircraft may, notwithstanding that sub-paragraphs (*a*) and (*b*) have not been complied with in relation to the radio station therein, fly for the sole purpose of enabling persons to be trained to perform duties in aircraft.

(2) Every certificate of maintenance shall come into force upon being issued and shall cease to be in force upon the expiration of the period of its validity in elapsed time or flying time, whichever may be the earlier, as specified in the relevant maintenance schedule, and the period of validity of the certificate shall be recorded in the certificate at the time when it is issued.

(3) A certificate of maintenance may be issued for the purposes of this Article only by—

(*a*) the holder of a licence granted under this Order as an aircraft maintenance engineer or aircraft radio maintenance engineer being a licence of a category appropriate in accordance with Article 8 of and the Fourth Schedule to this Order; or

(*b*) the holder of a licence as such an engineer granted under the law of a country other than the United Kingdom and rendered valid under this Order, in accordance with the privileges endorsed on the licence; or

(*c*) a person whom the Minister has authorised to issue a certificate of maintenance in a particular case, and in accordance with that authority:

Provided that, upon approving a maintenance schedule, the Minister may direct that certificates of maintenance relating to that schedule, or to any part thereof specified in his direction, may be issued only by the holder of such a licence as is so specified.

(4) Certificates of maintenance shall be issued in duplicate. One of the duplicates shall, during the period of validity of the certificate, be carried in the aircraft when Article 51 of this Order so requires, and the other shall be kept by the operator elsewhere than in the aircraft.

(5) On the termination of every flight the commander of the aircraft shall enter in a technical log particulars of—

(*a*) the times at which that flight began and ended;

(*b*) any defect in any part of the aircraft or its equipment which may be known to him, being a part to which a maintenance schedule relates, and if no such defect is known to him he shall make an entry to that effect:

Provided that, in the case of a number of consecutive flights beginning and ending on the same day and at the same aerodrome and with the same

person as commander of the aircraft, the commander of the aircraft may enter the particulars as aforesaid in a technical log at the end of the last of such flights.

(6) Upon the rectification of any defect which has been entered in a technical log in accordance with paragraph (5) of this Article, a copy of the certificate of compliance required by Article 7 of this Order in respect of the work done for the rectification of the defect shall be entered in the technical log in such a position or manner as to be readily identifiable with the entry of the defect to which it relates.

(7) The technical log referred to in paragraphs (5) and (6) of this Article shall be carried in the aircraft when Article 51 of this Order so requires and copies of the entries referred to in those paragraphs shall be kept on the ground.

(8) Subject to the provisions of Article 53 of this Order every certificate of maintenance shall be preserved by the operator of the aircraft for a period of two years following the expiry of the period of validity of the certificate and for such further period as the Minister may require in any particular case.

Inspection, overhaul, repair, replacement and modification

7.—(1) An aircraft registered in the United Kingdom, being an aircraft in respect of which a certificate of airworthiness issued or rendered valid under this Order is in force, shall not fly if any part of the aircraft or of such of its equipment as is necessary for the airworthiness of the aircraft, has been overhauled, repaired, replaced or modified, or has been inspected as provided in paragraph (7) (*b*) of Article 5 of this Order, unless there is in force a certificate of compliance issued in accordance with this Article and relating to the overhaul, repair, replacement, modification or inspection, as the case may be:

Provided that if a repair or replacement of a part of an aircraft or its equipment is carried out when the aircraft is at such a place that it is not reasonably practicable—

(*a*) for the repair or replacement to be carried out in such a manner that a certificate of compliance can be issued under this Article in respect thereof, or

(*b*) for such a certificate to be issued while the aircraft is at that place,

the aircraft may fly to a place at which such a certificate can be issued, being the nearest place—

(i) to which the aircraft can, in the reasonable opinion of the commander thereof, safely fly by a route for which it is properly equipped, and

(ii) to which it is reasonable to fly having regard to any hazards to the liberty or health of any person on board;

and in such case the commander of the aircraft shall cause written particulars of the flight, and the reasons for making it, to be given to the Minister within ten days thereafter.

(2) Neither—

(*a*) equipment provided in compliance with the Fifth Schedule to this Order (except paragraph (3) thereof), nor

(*b*) in the case of a public transport aircraft, radio apparatus provided for use therein or in any survival craft carried therein, whether or not such apparatus is provided in compliance with this Order or any regulation made thereunder,

shall be installed, or placed on board for use, in an aircraft registered in the United Kingdom after being overhauled, repaired or modified, unless there

is in force in respect thereof at the time when it is installed or placed on board a certificate of compliance issued in accordance with this Article and relating to the overhaul, repair or modification, as the case may be.

(3) For the purposes of this Order, "certificate of compliance" means a certificate that the part of the aircraft or its equipment has been overhauled, repaired, replaced or modified, as the case may be, in a manner and with material of a type approved by the Minister either generally or in relation to a class of aircraft or the particular aircraft and which identifies the aircraft and the overhaul, repair, replacement or modification to which it relates and includes particulars of the work done; and in relation to an inspection required by the Minister, that the inspection has been made in accordance with the requirement of the Minister and that any consequential repair or replacement has been carried out as aforesaid.

(4) A certificate of compliance may be issued for the purposes of this Article only by—

(*a*) the holder of a licence granted under this Order as an aircraft maintenance engineer or aircraft radio maintenance engineer being a licence of a category appropriate in accordance with Article 8 of and the Fourth Schedule to this Order; or

(*b*) the holder of a licence as such an engineer granted under the law of a country other than the United Kingdom and rendered valid under this Order, in accordance with the privileges endorsed on the licence; or

(*c*) a person approved by the Minister as being competent to issue such certificates; or

(*d*) a person whom the Minister has authorised to issue the certificate in a particular case.

(5) Subject to the provisions of Article 53 of this Order, if the aircraft to which a certificate of compliance relates is a public transport aircraft or an aerial work aircraft, the certificate of compliance shall be preserved by the operator of the aircraft for the period of time for which he is required to preserve the log book relating to the same part of the aircraft or to the same equipment or apparatus as the case may be. In the case of any other aircraft the certificate shall be preserved by the operator of the aircraft for a period of two years.

Licensing of maintenance engineers

8.—(1) The Minister may grant to any person a licence to act for the purposes of this Order as an aircraft maintenance engineer, or an aircraft radio maintenance engineer, of one of the categories specified in the Fourth Schedule to this Order, upon his being satisfied that the applicant is a fit and proper person to hold the licence and is qualified by his knowledge and experience to do so, and for that purpose the applicant shall furnish such evidence and undergo such examinations and tests as the Minister may require of him. The Minister may include a rating in the licence limiting the licence to particular types of aircraft or equipment.

(2) A licence of any category shall, subject to any rating as aforesaid, entitle the holder to issue certificates of maintenance, certificates of compliance or certificates of fitness for flight in accordance with the Fourth Schedule to this Order.

(3) A licence and a rating shall, subject to the provisions of Article 54 of this Order, remain in force for the periods specified therein, not exceeding twelve months, but may be renewed by the Minister from time to time upon his being satisfied that the applicant is a fit and proper person and is qualified as aforesaid.

(4) The Minister may issue a certificate rendering valid for the purposes of this Order any licence as an aircraft maintenance engineer or aircraft radio maintenance engineer granted under the law of any country other than the United Kingdom. Such certificate may be issued subject to such conditions, and for such period, as the Minister thinks fit.

(5) Upon receiving a licence granted under this Article, the holder shall forthwith sign his name thereon in ink with his ordinary signature.

Equipment of aircraft

9.—(1) An aircraft shall not fly unless it is so equipped as to comply with the law of the country in which it is registered, and to enable lights and markings to be displayed, and signals to be made, in accordance with this Order and any regulations made thereunder.

(2) In the case of aircraft registered in the United Kingdom the equipment required to be provided (in addition to any other equipment required by or under this Order) shall be that specified in such parts of the Fifth Schedule to this Order as are applicable in the circumstances and shall comply with the provisions of that Schedule. The equipment, except that specified in paragraph (3) of the said Schedule, shall be of a type approved by the Minister either generally or in relation to a class of aircraft or in relation to that aircraft and shall be installed in a manner so approved.

(3) In any particular case the Minister may direct that an aircraft registered in the United Kingdom shall carry such additional or special equipment or supplies as he may specify for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations, or the survival of the persons carried in the aircraft.

(4) The equipment carried in compliance with this Article shall be so installed or stowed and kept stowed, and so maintained and adjusted, as to be readily accessible and capable of being used by the person for whose use it is intended.

(5) The position of equipment provided for emergency use shall be indicated by clear markings in or on the aircraft. In particular there shall be exhibited in a prominent position in every passenger compartment of every public transport aircraft registered in the United Kingdom a notice stating where the lifejackets (if any) are to be found, and containing instructions as to how they are to be used.

(6) All equipment installed or carried in an aircraft, whether or not in compliance with this Article, shall be so installed or stowed and kept stowed and so maintained and adjusted as not to be a source of danger in itself or to impair the airworthiness of the aircraft or the proper functioning of any equipment or services necessary for the safety of the aircraft.

(7) This Article shall not apply in relation to radio apparatus except that specified in the Fifth Schedule to this Order.

Radio equipment of aircraft

10.—(1) An aircraft shall not fly unless it is so equipped with radio apparatus as to comply with the law of the country in which the aircraft is registered and to enable communications to be made, and the aircraft to be navigated, in accordance with the provisions of this Order and any regulations made thereunder.

(2) In the case of aircraft registered in the United Kingdom, the aircraft shall be equipped with radio apparatus in accordance with the Sixth Schedule to this Order.

(3) In any particular case the Minister may direct that an aircraft registered in the United Kingdom shall carry such additional or special radio apparatus as he may specify for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations or the survival of the persons carried in the aircraft.

(4) The radio apparatus provided in compliance with this Article in an aircraft registered in the United Kingdom shall always be maintained in serviceable condition.

(5) All radio apparatus installed in an aircraft registered in the United Kingdom (whether or not in compliance with this Order or any regulations made thereunder) shall be of a type approved by the Minister in relation to the purpose for which it is to be used, and shall, except in the case of a glider which is permitted by paragraph (1) of Article 1 of this Order to fly unregistered, be installed in a manner approved by the Minister. Neither the apparatus nor the manner in which it is installed shall be modified except with the approval of the Minister.

Aircraft, engine and propeller log books

11.—(1) In addition to any other log books required by or under this Order, the following log books shall be kept in respect of every public transport aircraft and aerial work aircraft registered in the United Kingdom :—

(*a*) an aircraft log book ; and

(*b*) a separate log book in respect of each engine fitted in the aircraft ; and

(*c*) a separate log book in respect of each variable pitch propeller fitted to the aircraft.

The log books shall include the particulars respectively specified in the Seventh Schedule to this Order.

(2) Each entry in the log book shall be made as soon as is practicable after the occurrence to which it relates, but in no event more than seven days after the expiration of the certificate of maintenance (if any) in force in respect of the aircraft at the time of the occurrence.

(3) Entries in a log book may refer to other documents, which shall be clearly identified, and any other document so referred to shall be deemed, for the purposes of this Order, to be part of the log book.

(4) It shall be the duty of the operator of every aircraft in respect of which log books are required to be kept as aforesaid to keep them or cause them to be kept in accordance with the foregoing provisions of this Article.

(5) Subject to the provisions of Article 53 of this Order every log book shall be preserved by the operator of the aircraft until a date two years after the aircraft, the engine or the variable pitch propeller, as the case may be, has been destroyed or has been permanently withdrawn from use.

Aircraft weight schedule

12.—(1) Every flying machine and glider in respect of which a certificate of airworthiness issued or rendered valid under this Order is in force shall be weighed, and the position of its centre of gravity determined, at such times and in such manner as the Minister may require in the case of that aircraft.

(2) Upon the aircraft being weighed as aforesaid the operator of the aircraft shall prepare a weight schedule showing the basic weight of the aircraft, that is to say, the weight of the aircraft empty together with the weight of unusable fuel and unusable oil in the aircraft and of such items of

equipment as are indicated in the weight schedule ; and showing the position of the centre of gravity of the aircraft when the aircraft contains only the items included in the basic weight.

(3) Subject to the provisions of Article 53 of this Order the weight schedule shall be preserved by the operator of the aircraft until the expiry of a period of six months following the next occasion on which the aircraft is weighed for the purposes of this Article.

Access and inspection for airworthiness purposes

13. The Minister may cause such inspections, investigations, tests, experiments and flight trials to be made as he deems necessary for the purposes of this Part of this Order and any person authorised to do so in writing by the Minister may at any reasonable time inspect any part of, or material intended to be incorporated in or used in the manufacture of any part of, an aircraft or its equipment or any documents relating thereto and may for that purpose go upon any aerodrome or aircraft factory.

PART III

AIRCRAFT CREW AND LICENSING

Composition of crew of aircraft

14.—(1) An aircraft shall not fly unless it carries a flight crew of the number and description required by the law of the country in which it is registered.

(2) An aircraft registered in the United Kingdom shall carry a flight crew adequate in number and description to ensure the safety of the aircraft and of at least the number and description specified in the certificate of airworthiness issued or rendered valid under this Order or, if no certificate of airworthiness is required under this Order to be in force, the certificate of airworthiness, if any, last in force under this Order, in respect of that aircraft.

(3) A flying machine registered in the United Kingdom and flying for the purpose of public transport, having a maximum total weight authorised of more than 22,500 lb., shall carry not less than two pilots as members of the flight crew thereof.

(4) An aircraft registered in the United Kingdom engaged on a flight for the purpose of public transport shall carry a flight navigator as a member of the flight crew if on the route or any diversion therefrom, being a route or diversion planned before take-off, the aircraft is intended to be more than 500 nautical miles from the point of take-off measured along the route to be flown, and over part of an area specified in the Eighth Schedule to this Order. The flight navigator carried in compliance with this paragraph shall be carried in addition to any person who is carried in accordance with this Article to perform other duties.

(5) An aircraft registered in the United Kingdom which is required by the provisions of Article 10 of this Order to be equipped with radio communication apparatus shall carry a flight radio operator as a member of the flight crew, who, if he is required to operate radiotelegraph apparatus, shall be carried in addition to any other person who is carried in accordance with this Article to perform other duties.

(6) If it appears to him to be expedient to do so in the interests of safety, the Minister may direct any particular operator that the aircraft operated by him or any such aircraft shall not fly in such circumstances as the Minister

may specify unless they carry in addition to the flight crew required to be carried therein by the foregoing provisions of this Article such additional persons as members of the flight crew as he may specify in the direction.

(7) When an aircraft registered in the United Kingdom carries twenty or more passengers on a flight for the purpose of public transport, the crew of the aircraft shall include a person carried for the purpose of performing in the interest of the safety of passengers duties to be assigned by the operator or the person in command of the aircraft, but who shall not act as a member of the flight crew.

Members of flight crew—licences

15.—(1) Subject to the provisions of this Article, a person shall not act as a member of the flight crew of an aircraft registered in the United Kingdom unless he is the holder of an appropriate licence granted or rendered valid under this Order:

Provided that a person may, within the United Kingdom, act as a flight radiotelephony operator without being the holder of such a licence if—

(*a*) he does so as the pilot of a glider not flying for the purpose of public transport or aerial work, or as a person being trained in an aircraft registered in the United Kingdom to perform duties as a member of the flight crew of an aircraft; and

(*b*) he is authorised to operate the radiotelephony station by the holder of the licence granted in respect of that station by the Postmaster General under any enactment; and

(*c*) messages are transmitted only for the purposes of instruction, or of the safety or navigation of the aircraft; and

(*d*) messages are transmitted only on a frequency exceeding 60 megacycles per second assigned by the Minister for that purpose; and

(*e*) the transmitter is pre-set to one or more of the frequencies so assigned and cannot be adjusted in flight to any other frequency; and

(*f*) the operation of the transmitter requires the use only of external switches; and

(*g*) the stability of the frequency radiated is maintained automatically by the transmitter.

(2) Subject as aforesaid, a person shall not act as a member of the flight crew required by or under this Order to be carried in an aircraft registered outside the United Kingdom unless—

(*a*) in the case of an aircraft flying for the purpose of public transport or aerial work he is the holder of an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered; and

(*b*) in the case of any other aircraft, he is the holder of an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered or under this Order, and the Minister does not in the particular case give a direction to the contrary.

(3) For the purposes of this Article a licence granted under the law of a Contracting State purporting to authorise the holder thereof to act as a member of the flight crew of an aircraft, not being a licence purporting to authorise him to act as a student pilot only, shall unless the Minister in the particular case gives a direction to the contrary be deemed to be a licence rendered valid under this Order but shall not entitle the holder to act as member of the flight crew of any aircraft flying for the purpose of public transport or aerial work.

(4) Notwithstanding the provisions of paragraph (1) of this Article, a person may, unless the certificate of airworthiness in force in respect of the aircraft otherwise requires, act as pilot of an aircraft registered in the United Kingdom for the purpose of undergoing training or tests—

(*a*) for the grant or renewal of a pilot's licence or for the inclusion, renewal or extension of a rating thereon; or

(*b*) for admission into any of Her Majesty's naval, military or air forces,

without being the holder of an appropriate licence, if the following conditions are complied with :—

(i) no other person shall be carried in the aircraft or in an aircraft being towed thereby except a person carried as a member of the flight crew in compliance with this Order, a person authorised by the Minister to witness the aforesaid training or tests, or, if the pilot in command of the aircraft is the holder of an appropriate licence, a person carried for the purpose of being trained as a member of the flight crew of an aircraft; and

(ii) the person acting as the pilot of the aircraft without being the holder of an appropriate licence shall not be the pilot in command of the aircraft unless within the period of six months immediately preceding he was either the holder of a pilot's licence (other than a student pilot's licence) granted under this Order or was serving as a qualified pilot of aircraft in any of Her Majesty's military, naval or air forces, and his physical condition has not, so far as he is aware, so deteriorated during that period as to render him unfit for the licence for which he intends to qualify.

(5) Notwithstanding the provisions of paragraph (1) of this Article, a person may act as a member of the flight crew of an aircraft registered in the United Kingdom without being the holder of an appropriate licence if, in so doing, he is acting in the course of his duty as a member of any of Her Majesty's naval, military or air forces.

(6) An appropriate licence for the purposes of this Article means a licence which entitles the holder to perform the functions which he undertakes in relation to the aircraft concerned and the flight on which it is engaged.

(7) This Article shall not apply to a person (other than a flight radio operator) by reason of his acting as a member of the flight crew of a glider which is not flying for the purpose of public transport or aerial work.

Grant and renewal of licences to members of flight crew

16.—(1) The Minister may grant licences, subject to such conditions as he thinks fit, of any of the following classes:—

Student pilot's licence,

Private pilot's licence (flying machines),

Commercial pilot's licence (flying machines),

Senior commercial pilot's licence (flying machines),

Airline transport pilot's licence (flying machines),

Private pilot's licence (balloons and airships),

Commercial pilot's licence (balloons),

Commercial pilot's licence (airships),

Commercial pilot's licence (gliders),

Flight navigator's licence,

Flight engineer's licence,

Flight radiotelephony operator's general licence,

Flight radiotelephony operator's restricted licence,

Flight radiotelegraphy operator's licence,

Flight radiotelegraphy operator's temporary licence,

upon his being satisfied that the applicant is a fit and proper person to hold the licence and is qualified by reason of his knowledge, experience, competence, skill and physical fitness to act in the capacity to which the licence relates, and for that purpose the applicant shall furnish such evidence, and undergo such examinations and tests (including in particular medical examinations) as the Minister may require of him. A licence of any class shall not be granted to any person who is under the minimum age specified for that class of licence in Part A of the Ninth Schedule to this Order.

(2) Subject to any conditions of the licence, a licence of any class shall entitle the holder to perform the functions specified in respect of that licence in Part A of the said Ninth Schedule under the heading "privileges":

Provided that—

(*a*) subject to the provisions of paragraph (10) of this Article, and paragraph (4) of Article 15 and paragraph (1) of Article 19 of this Order a person shall not be entitled to perform any of the functions specified in Part B of the said Schedule in respect of a rating unless his licence includes that rating;

(*b*) a person shall not be entitled to perform any of the functions to which his licence relates if he knows or has reason to believe that his physical condition renders him temporarily or permanently unfit to perform such function.

(3) The Minister may, if he is satisfied that the applicant is qualified as aforesaid to act in the capacity to which the rating relates, include in a licence a rating of any of the classes specified in Part B of the said Ninth Schedule, and such rating shall be deemed to form part of the licence and shall entitle the holder to perform such functions as are specified in Part B of the said Schedule in respect of that rating. An instrument rating (referred to in the said Schedule) may be renewed by any person appointed by the Minister for that purpose, if that person is satisfied by a test that the applicant continues to be competent to peform the functions to which the rating relates. The test shall be carried out either in flight or by means of apparatus approved by the Minister in which flight conditions are simulated on the ground.

(4) A licence and a rating shall, subject to the provisions of Article 54 of this Order, remain in force for the periods indicated in the licence, not exceeding those respectively specified in the Ninth Schedule to this Order, and may be renewed by the Minister from time to time upon his being satisfied that the applicant is a fit and proper person and is qualified as aforesaid.

(5) Upon receiving a licence granted under this Article, the holder shall forthwith sign his name thereon in ink with his ordinary signature.

(6) Every holder of a licence, other than a flight radiotelephony operator's licence, granted under this Article shall submit himself to medical examination, by a person approved by the Minister, upon applying for the renewal of the licence and upon such other occasions as the Minister may require.

(7) Every holder of a licence, other than a flight radiotelephony operator's licence, granted under this Article or rendered valid under Article 17 of this Order who suffers—

(*a*) any personal injury involving incapacity to undertake the functions to which his licence relates; or

(*b*) any illness involving incapacity to undertake those functions throughout a period of twenty days or more,

shall inform the Minister in writing of such injury or illness, as soon as possible in the case of an injury, and as soon as the period of twenty days has elapsed in the case of illness.

(8) A licence, other than a flight radiotelephony operator's licence, granted under this Part of this Order shall be deemed to be suspended upon the occurrence of such an injury, or the elapse of such period of illness as is referred to in paragraph (7) of this Article. The suspension of the licence shall cease:—

(*a*) upon the holder being medically examined under arrangements made by the Minister and pronounced fit to resume his functions under the licence; or

(*b*) upon the Minister exempting the holder from the requirement of a medical examination, subject to such conditions as the Minister may think fit.

(9) A licence granted under this Article shall be deemed to be suspended upon the pregnancy of the holder being diagnosed and shall remain suspended until the holder has been medically examined after the termination of the pregnancy and pronounced fit to resume her duties under the licence.

(10) Nothing in this Order shall be taken to prohibit the holder of a commercial pilot's, senior commercial pilot's or airline transport pilot's licence (flying machines) from acting as pilot in command of a flying machine carrying passengers by night by reason of the lack of a night rating in his licence.

Validation of licences

17. The Minister may issue a certificate of validation rendering valid for the purposes of this Order any licence as a member of the flight crew of aircraft granted under the law of any country other than the United Kingdom. A certificate of validation may be issued subject to such conditions and for such period as the Minister thinks fit.

Personal flying log book

18. Every member of the flight crew of an aircraft registered in the United Kingdom and every person who engages in flying for the purpose of qualifying for the grant or renewal of a licence under this Order or undergoing tests or receiving instruction in flying for admission into any of Her Majesty's naval, military or air forces shall keep a personal flying log book in which the following particulars shall be recorded:—

The name and address of the holder of a log book.

Particulars of holder's licence (if any) to act as a member of the flight crew of an aircraft.

The name and address of his employer (if any).

Particulars of all flights made as a member of the flight crew of aircraft, including—

(*a*) the date, time, duration and places of arrival and departure of each flight;

(*b*) the type and registration marks of the aircraft;

(*c*) the capacity in which the holder acted in flight;

(*d*) particulars of any special conditions under which the flight was conducted, including night flying and instrument flying;

(*e*) particulars of any test or examination undertaken whilst in flight.

Instruction in flying

19.—(1) A person shall not give any instruction in flying to any person flying or about to fly a flying machine for the purpose of becoming qualified for—

(*a*) the grant of a pilot's licence; or

(*b*) the inclusion in a pilot's licence of an aircraft rating entitling the holder of the licence to act as pilot of—

(i) a multi-engined aircraft, or

(ii) an aircraft of any class appearing in column 4 of the Table in Part A of the First Schedule to this Order,

if he has not been previously entitled under the Act, or qualified in any of Her Majesty's naval, military or air forces, to act as pilot of a multi-engined aircraft, or of an aircraft of that class, as the case may be; or

(*c*) the inclusion or variation of any rating, other than an aircraft rating, in a pilot's licence,

unless:—

(i) the person giving the instruction holds a licence, granted or rendered valid under this Order, entitling him to act as pilot in command of the aircraft for the purpose and in the circumstances under which instruction is to be given; and

(ii) such licence includes a flying instructor's rating or an assistant flying instructor's rating entitling the holder, in accordance with the privileges specified in the Ninth Schedule to this Order in respect of that rating, to give the instruction; and

(iii) if payment is made for the instruction, such licence entitles the holder to act as pilot in command of an aircraft flying for the purpose of public transport:

Provided that sub-paragraph (*c*) (iii) of this paragraph shall not apply if the aircraft is owned, or is operated under arrangements entered into, by a flying club of which both the person giving and the person receiving the instruction are members.

(2) For the purpose of this Article payment shall be deemed to be made for instruction if any reward is given or promised by any person to any other person in consideration of the flight being made or of the instruction being given or if the instruction is given by a person employed for reward primarily for the purpose of giving such instruction.

Glider pilot—minimum age

20. A person under the age of sixteen years shall not act as pilot in command of a glider.

PART IV

OPERATION OF AIRCRAFT

Operations Manual

21.—(1) This Article shall apply to public transport aircraft registered in the United Kingdom except aircraft used for the time being solely for flights not intended to exceed 60 minutes in duration, which are either—

(*a*) flights solely for training persons to perform duties in an aircraft, or

(*b*) flights intended to begin and end at the same aerodrome.

(2) (*a*) The operator of every aircraft to which this Article applies shall—

(i) make available to each member of his operating staff an operations manual, and

(ii) ensure that each copy of the operations manual is kept up to date and that one copy thereof is carried on each flight so as to be available to the members of the flight crew.

(*b*) Each operations manual shall contain all such information and instructions as may be necessary to enable the operating staff to perform their duties as such including in particular, information and instructions relating to the matters specified in Part A of the Tenth Schedule to this Order:

Provided that the operations manual shall not be required to contain any information or instructions available in a flight manual accessible to the persons by whom the information or instructions may be required.

(3) The operator of the aircraft shall, if the Minister shall so require, furnish the Minister with a copy of the whole of the operations manual for the time being in effect, or of such parts thereof as the Minister may specify. The operator shall make such amendments of or additions to the operations manual as the Minister may require for the purpose of ensuring the safety of the aircraft or of persons or property carried therein or the safety, efficiency or regularity of air navigation.

(4) For the purposes of this Article and the Tenth Schedule to this Order "operating staff" means the servants and agents employed by the operator, whether or not as members of the crew of the aircraft, to ensure that the flights of the aircraft are conducted in a safe manner, and includes an operator who himself performs those functions.

Public transport—operators' responsibilities

22.—(1) The operator of an aircraft registered in the United Kingdom shall not permit the aircraft to fly for the purpose of public transport without first—

(*a*) designating from among the flight crew a pilot to be the commander of the aircraft for the flight; and

(*b*) satisfying himself by every reasonable means that the aeronautical radio stations and navigational aids serving the intended route or any planned diversion therefrom are adequate for the safe navigation of the aircraft; and

(*c*) satisfying himself by every reasonable means that the aerodromes at which it is intended to take-off or land and any alternate aerodrome at which a landing may be made are suitable for the purpose and in particular are adequately manned and equipped to ensure the safety of the aircraft and its passengers:

Provided that the operator of the aircraft shall not be required to satisfy himself as to the adequacy of fire-fighting, search, rescue or other services which are required only after the occurrence of an accident.

(2) The operator of an aircraft registered in the United Kingdom shall not permit any person to be a member of the crew thereof during any flight for the purpose of public transport (except a flight for the sole purpose of training persons to perform duties in aircraft) unless such person has had the training, experience, practice and periodical tests specified in Part B of the Tenth Schedule to this Order in respect of the duties which he is to perform and unless the operator has satisfied himself that such person is competent to perform his duties, and in particular to use the equipment provided in the aircraft for that purpose. The operator shall maintain, preserve, produce and furnish information respecting, records relating to the foregoing matters in accordance with Part B of the said Tenth Schedule.

Public transport—loading of aircraft

23.—(1) The operator of an aircraft registered in the United Kingdom shall not cause or permit it to be loaded for a flight for the purpose of public transport except under the supervision of a person whom he has caused to be furnished with written instructions as to the distribution and securing of the load so as to ensure that—

(*a*) the load may safely be carried on the flight, and

(*b*) any conditions subject to which the certificate of airworthiness in force in respect of the aircraft was issued or rendered valid, being conditions relating to the loading of the aircraft, are complied with.

(2) The instructions shall indicate the weight of the aircraft prepared for service, that is to say the aggregate of the basic weight (shown in the weight schedule referred to in Article 12 of this Order) and the weight of such additional items in or on the aircraft as the operator thinks fit to include; and the instructions shall indicate the additional items included in the weight of the aircraft prepared for service, and shall show the position of the centre of gravity of the aircraft at that weight:

Provided that this paragraph shall not apply in relation to a flight if—

(*a*) the aircraft's maximum total weight authorised does not exceed 2,500 lb., or

(*b*) the aircraft's maximum total weight authorised does not exceed 6,000 lb. and the flight is intended not to exceed 60 minutes in duration and is either—

(i) a flight solely for training persons to perform duties in an aircraft, or

(ii) a flight intended to begin and end at the same aerodrome.

(3) The operator of an aircraft shall not cause or permit it to be loaded in contravention of the instructions referred to in paragraph (1) of this Article.

(4) The person supervising the loading of the aircraft shall, before the commencement of any such flight, prepare and sign a load sheet in duplicate conforming to the prescribed requirements, and shall (unless he is himself the commander of the aircraft) submit the load sheet for examination of the commander of the aircraft who shall sign his name thereon:

Provided that the foregoing requirements of this paragraph shall not apply if—

(*a*) the load and the distributing and securing thereof upon the next intended flight are to be unchanged from the previous flight and the commander of the aircraft makes and signs an endorsement to that effect upon the load sheet for the previous flight, indicating the date of the endorsement, the place of departure upon the next intended flight and the next intended place of destination; or

(*b*) paragraph (2) of this Article does not apply in relation to the flight.

(5) One copy of the load sheet shall be carried in the aircraft when Article 51 of this Order so requires until the flights to which it relates have been completed and one copy of that load sheet and of the instructions referred to in this Article shall be preserved by the operator until the expiration of a period of 6 months thereafter and shall not be carried in the aircraft.

Public transport—operating conditions

24.—(1) An aircraft registered in the United Kingdom shall not fly for the purpose of public transport, except for the sole purpose of training persons to perform duties in aircraft, unless such requirements as may be prescribed in respect of its weight and related performance are complied with.

(2) The assessment of the ability of an aircraft to comply with paragraph (1) of this Article shall be based on the information as to its performance contained in the certificate of airworthiness relating to the aircraft. In the event of the information given therein being insufficient for that purpose such assessment shall be based on the best information available to the commander of the aircraft.

(3) Such requirements as may be prescribed in respect of the weather conditions required for take-off, approach to landing and landing shall be complied with in respect of every aircraft to which Article 21 of this Order applies.

(4) A flying machine registered in the United Kingdom when flying over water for the purpose of public transport shall fly, except as may be necessary for the purpose of take-off or landing, at such an altitude as would enable the aircraft—

(*a*) if it has one engine only, in the event of the failure of that engine,

(*b*) if it has more than one engine, in the event of the failure of one of those engines and with the remaining engine or engines operating within the maximum continuous power conditions specified in the certificate of airworthiness relating to the aircraft,

to reach a place at which it can safely land at a height sufficient to enable it to do so.

(5) Without prejudice to the provisions of paragraph (4) of this Article, an aeroplane in respect of which there is in force under this Order a certificate of airworthiness designating the aeroplane as being of performance group X shall not fly over water for the purpose of public transport so as to be more than 60 minutes flying time from the nearest shore, unless the aeroplane has more than two power units. For the purposes of this paragraph, flying time shall be calculated at normal cruising speed with one power unit inoperative.

Aircraft not registered in the United Kingdom—weather conditions

25.—(1) An aircraft registered in a country other than the United Kingdom shall not fly for the purpose of public transport unless the operator thereof shall have furnished to the Minister such particulars as he may from time to time have required relating to the weather conditions specified by the operator in relation to aerodromes in the United Kingdom for the purpose of limiting their use by the aircraft for take-off or landing, including any instructions given by the operator in relation to such weather conditions.

(2) The aircraft shall not begin or end a flight at an aerodrome in the United Kingdom in weather conditions less favourable than those so specified in relation to that aerodrome, or in contravention of the instructions referred to in paragraph (1) of this Article.

Pre-flight action by commander of aircraft

26. The commander of an aircraft registered in the United Kingdom shall satisfy himself before the aircraft takes off—

(*a*) that the flight can safely be made, taking into account the latest information available as to the route and aerodromes to be used, the weather reports and forecasts available, and any alternative course of action which can be adopted in case the flight cannot be completed as planned;

(*b*) that the equipment (including radio apparatus) required by or under this Order to be carried is carried and is in a fit condition for use;

(*c*) that the aircraft is in every way fit for the intended flight, and that where certificates of maintenance are required by paragraph (1) of Article 6 of this Order to be in force, they are in force and will not cease to be in force during the intended flight;

(*d*) that the load carried by the aircraft is of such weight, and is so distributed and secured, that it may safely be carried on the intended flight;

(*e*) in the case of a flying machine or airship, that sufficient fuel, oil and engine coolant (if required) are carried for the intended flight, and that a safe margin has been allowed for contingencies, and, in the case of a flight for the purpose of public transport, that the instructions in the operations manual relating to fuel, oil and engine coolant have been complied with;

(*f*) in the case of an airship or balloon that sufficient ballast is carried for the intended flight;

(*g*) in the case of a flying machine, that, having regard to the performance of the flying machine in the conditions to be expected on the intended flight, and to any obstructions at the places of departure and intended destination and on the intended route, it is capable of safely taking off, reaching and maintaining a safe height thereafter, and making a safe landing at the place of intended destination;

(*h*) that any pre-flight check system established by the operator and set forth in the operations manual or elsewhere has been complied with by each member of the crew of the aircraft.

Pilots to remain at controls

27. The commander of an aircraft registered in the United Kingdom, being a flying machine or glider, shall cause one pilot to remain at the controls at all times while the aircraft is in flight. If the aircraft is required by or under this Order to carry two pilots, the commander shall cause both pilots to remain at the controls during take-off and landing. Each pilot at the controls shall be secured in his seat by either a safety belt or a safety harness except that during take-off and landing a safety harness shall be used if it is required by Article 9 of this Order to be provided.

Public transport of passengers—duties of commander

28.—(1) This Article applies to flights for the purpose of the public transport of passengers by aircraft registered in the United Kingdom.

(2) In relation to every flight to which this Article applies the commander of the aircraft shall—

(*a*) before the aircraft takes off, take all reasonable steps to ensure that all passengers are made familiar with the position and method of use of emergency exits, safety belts, safety harnesses and lifejackets, and

all other devices required by or under this Order and intended for use by passengers individually in case of an emergency occurring to the aircraft:

Provided that in relation to lifejackets this requirement may, except in the case of a seaplane, be complied with at any time before the aircraft reaches a point beyond gliding distance from land;

(*b*) if the aircraft is not a seaplane but is intended in the course of the flight to reach a point more than 30 minutes flying time (while flying in still air at the speed specified in the relevant certificate of airworthiness as the speed for compliance with regulations governing flights over water) from the nearest land, take all reasonable steps to ensure that before that point is reached, all passengers are given a practical demonstration of the method of use of the lifejackets required by or under this Order for the use of passengers;

(*c*) if the aircraft is a seaplane, take all reasonable steps to ensure that before the aircraft takes off all passengers are given a practical demonstration of the method of use of the equipment referred to in the preceding sub-paragraph;

(*d*) before the aircraft takes off, and before it lands, take all reasonable steps to ensure that the crew of the aircraft are properly secured in their seats and that the person, if any, carried in compliance with paragraph (7) of Article 14 of this Order is secured in a seat which shall be in a passenger compartment and which shall be so situated that he can readily assist passengers;

(*e*) before the aircraft takes off, and before it lands, and whenever by reason of turbulent air or any emergency occurring during flight he considers the precaution necessary, take all reasonable steps to ensure that all passengers are properly secured in their seats by safety belts or safety harnesses;

(*f*) in any emergency, take all reasonable steps to ensure that all passengers are instructed in the emergency action which they should take;

(*g*) except in a case where a pressure greater than 700 millibars is maintained in all passenger and crew compartments throughout the flight, take all reasonable steps to ensure that—

(i) before the aircraft reaches an altitude of 13,000 feet above mean sea level, the method of use of the oxygen provided in the aircraft in compliance with the requirements of Article 9 of this Order is demonstrated to all passengers;

(ii) on reaching such altitude all passengers are recommended to use oxygen;

(iii) at all times when the aircraft is flying at an altitude exceeding 13,000 feet above mean sea level, oxygen is used by all the crew of the aircraft.

Operation of radio in aircraft

29.—(1) The radio station in an aircraft shall not be operated, whether or not the aircraft is in flight, except in accordance with the conditions of the licence issued in respect of that station under the law of the country in which the aircraft is registered, and by a person duly licensed or otherwise permitted to operate the radio station under that law.

(2) Whenever an aircraft is in flight in such circumstances that it is required by or under this Order to be equipped with radio communication apparatus, a continuous radio watch shall be maintained by a member of the flight crew listening to the signals transmitted upon the frequency notified, or designated by a message received from an appropriate aeronautical radio station, for use by that aircraft:

Provided that—

(*a*) the radio watch may be discontinued or continued on another frequency to the extent that a message as aforesaid so permits; and

(*b*) the watch may be kept by a device installed in the aircraft if—

(i) the appropriate aeronautical radio station has been informed to that effect and has raised no objection; and

(ii) that station is notified, or in the case of a station situated in a country other than the United Kingdom, otherwise designated as transmitting a signal suitable for that purpose.

(3) The radio station in an aircraft shall not be operated so as to cause interference which impairs the efficiency of aeronautical telecommunications or navigational services, and in particular emissions shall not be made except as follows:—

(*a*) emissions of the class and frequency for the time being in use, in accordance with general international aeronautical practice, in the airspace in which the aircraft is flying;

(*b*) distress, urgency and safety messages and signals, in accordance with general international aeronautical practice;

(*c*) messages and signals relating to the flight of the aircraft, in accordance with general international aeronautical practice;

(*d*) such public correspondence messages as may be permitted by or under the aircraft radio station licence referred to in paragraph (1) of this Article.

(4) In every aircraft registered in the United Kingdom which is equipped with radio communication apparatus a telecommunication log book shall be kept in which the following entries shall be made:—

(*a*) the identification of the aircraft radio station;

(*b*) the date and time of the beginning and end of every radio watch maintained in the aircraft and of the frequency on which it was maintained;

(*c*) the date and time, and particulars of all messages and signals sent or received, including in particular details of any distress traffic sent or received;

(*d*) particulars of any action taken upon the receipt of a distress signal or message;

(*e*) particulars of any failure or interruption of radio communications and the cause thereof:

Provided that a telecommunication log book shall not be required to be kept in respect of communication by radiotelephony with a radio station on land or on a ship which provides a radio service for aircraft.

(5) The flight radio operator maintaining radio watch shall sign the entries in the telecommunication log book indicating the times at which he began and ended the maintenance of such watch.

(6) The telecommunication log book shall be preserved by the operator of the aircraft until a date six months after the date of the last entry therein.

(7) In any flying machine registered in the United Kingdom which is engaged on a flight for the purpose of public transport, the pilot and the flight engineer (if any) shall not make use of a hand-held microphone (whether for the purpose of radio communication or of intercommunication within the aircraft) whilst the aircraft is flying in controlled airspace at an altitude less than 15,000 feet above mean sea level or is taking off or landing.

Towing of gliders

30.—(1) An aircraft in flight shall not tow a glider unless the certificate of airworthiness issued or rendered valid in respect of the towing aircraft under the law of the country in which that aircraft is registered includes an express provision that it may be used for that purpose.

(2) The length of the combination of towing aircraft, tow rope and glider in flight shall not exceed 500 feet.

(3) The commander of an aircraft which is about to tow a glider shall satisfy himself, before the towing aircraft takes off—

(*a*) that the tow rope is in good condition and is of adequate strength for the purpose, and that the combination of towing aircraft and glider is capable of flying in the manner referred to in sub-paragraph (*g*) of Article 26 of this Order ;

(*b*) that signals have been agreed and communication established with persons suitably stationed so as to enable the glider to take off safely ;

(*c*) that emergency signals have been agreed between the commander of the towing aircraft and the commander of the glider, to be used, respectively, by the commander of the towing aircraft to indicate that the tow should immediately be released by the glider, and by the commander of the glider to indicate that the tow cannot be released.

(4) The glider shall be attached to the towing aircraft by means of the tow rope before the aircraft takes off.

Towing, picking up and raising of persons and articles

31.—(1) Subject to the provisions of this Article, an aircraft in flight shall not, by means external to the aircraft, tow any article, other than a glider, or pick up or raise any person, animal or article, unless the certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered includes an express provision that it may be used for that purpose.

(2) An aircraft in flight shall not tow any article, other than a glider, at night or when flight visibility is less than one mile.

(3) The length of the combination of towing aircraft, tow rope, and article in tow, shall not exceed 500 feet.

(4) A helicopter shall not fly at any height over a congested area of a city, town or settlement at any time when an article, person or animal is suspended from the helicopter.

(5) Nothing in this Article shall—

(*a*) prohibit the towing in a reasonable manner by an aircraft in flight of any radio aerial, any instrument which is being used for experimental purposes, or any signal, apparatus or article required or permitted by or under this Order to be towed or displayed by an aircraft in flight ;

(*b*) prohibit the picking up or raising of any person, animal or article in an emergency or for the purpose of saving life ;

(*c*) apply to any aircraft while it is flying in accordance with the "B Conditions" set forth in the Second Schedule to this Order ;

(*d*) be taken to permit the towing or picking up of a glider otherwise than in accordance with Article 30 of this Order.

Dropping of persons and articles

32.—(1) Articles and animals (whether or not attached to a parachute) shall not be dropped, or permitted to drop, from an aircraft in flight so as to endanger persons or property.

(2) Articles, animals and persons (whether or not attached to a parachute) shall not be dropped, or permitted to drop, to the surface from an aircraft flying over the United Kingdom :

Provided that this paragraph shall not apply to the descent of persons by parachute from an aircraft in an emergency, or to the dropping of articles by, or with the authority of, the commander of the aircraft in the following circumstances :—

(*a*) the dropping of articles for the purpose of saving life ;

(*b*) the jettisoning, in case of emergency, of fuel or other articles in the aircraft ;

(*c*) the dropping of ballast in the form of fine sand or water ;

(*d*) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of this Order ;

(*e*) the dropping at an aerodrome in accordance with prescribed regulations, of ropes, banners or similar articles towed by aircraft.

(3) For the purposes of this Article dropping includes projecting and lowering.

(4) Nothing in this Article shall prohibit the lowering of any person, animal or article from a helicopter to the surface, if the certificate of airworthiness issued or rendered valid in respect of the helicopter under the law of the country in which it is registered includes an express provision that it may be used for that purpose.

Carriage of munitions of war

33.—(1) An aircraft shall not carry any munitions of war.

(2) It shall be unlawful for any person to take or cause to be taken on board an aircraft, or to deliver or cause to be delivered for carriage thereon, any goods which he knows or has reason to believe or suspect to be munitions of war.

(3) For the purposes of this Article "munitions of war" means such weapons and ammunition as are designed for use in warfare.

Carriage of dangerous goods

34.—(1) Dangerous goods shall not be carried in an aircraft except as follows :—

(*a*) goods carried in accordance with any regulations which the Minister may make to permit dangerous goods to be carried either in aircraft generally or in aircraft of any class specified in the regulations ;

(*b*) goods carried with the written permission of the Minister, and in accordance with any conditions to which such permission may be subject ;

(*c*) goods carried in an aircraft with the consent of the operator thereof for the purpose of ensuring the proper navigation or safety of the aircraft or the well-being of any person on board ;

(*d*) goods permitted to be carried under the laws of the country in which the aircraft is registered, if there is in force in relation to such country an agreement between Her Majesty's Government in the United Kingdom and the Government of that country permitting the carriage of dangerous goods within the United Kingdom in aircraft registered in that country.

(2) Dangerous goods permitted by or under this Order to be carried in an aircraft shall not be loaded as cargo therein unless:—

(*a*) the consignor of the goods has furnished the operator of the aircraft with particulars in writing of the nature of the goods and the danger to which they give rise ; and

(*b*) the goods or any container in which they are packed are clearly marked so as to indicate that danger to the person loading the goods in the aircraft.

The operator of the aircraft shall, before the flight begins, inform the commander of the aircraft of the identity of the goods, the danger to which they give rise and the weight or quantity of the goods.

(3) It shall be unlawful for any person to take or cause to be taken on board an aircraft, or to deliver or cause to be delivered for loading thereon, any goods which he knows or has reason to believe or suspect to be dangerous goods the carriage of which is prohibited by this Article.

(4) The provisions of this Article shall be additional to and not in derogation from the provisions of Article 33 of this Order.

Method of carriage of persons

35. A person shall not be in or on any part of an aircraft in flight which is not a part designed for the accommodation of persons and in particular a person shall not be on the wings or undercarriage of an aircraft. A person shall not be in or on any object, other than a glider or flying machine, towed by or attached to an aircraft in flight :

Provided that a person may have temporary access to—

(*a*) any part of an aircraft for the purpose of taking action necessary for the safety of the aircraft or of any person, animal or goods therein ;

(*b*) any part of an aircraft in which cargo or stores are carried, being a part which is designated to enable a person to have access thereto while the aircraft is in flight.

Exits and break-in markings

36.—(1) This Article shall apply to every public transport aircraft registered in the United Kingdom.

(2) Whenever an aircraft to which this Article applies is carrying passengers, every exit therefrom and every internal door in the aircraft shall, during take-off and landing and during any emergency, be kept free of obstruction and shall not be fastened by locking or otherwise so as to prevent, hinder or delay its use by passengers :

Provided that an exit may be obstructed by cargo if it is an exit which, in accordance with arrangements approved by the Minister, either generally or in relation to a class of aircraft or a particular aircraft, is not required for use by passengers.

(3) Every exit from the aircraft, being an exit intended to be used by passengers in normal circumstances, shall be marked with the word " Exit " in capital letters and every exit, being an exit intended to be used by passengers in an emergency only, shall be marked with the words " Emergency Exit " in capital letters.

(4) (*a*) Every exit from the aircraft shall be marked with instructions in English and with diagrams, to indicate the correct method of opening the exit.

(*b*) The markings shall be placed on or near the inside surface of the door or other closure of the exit and, if it is openable from the outside of the aircraft, on or near the exterior surface.

(5) (*a*) Every aircraft to which this Article applies, being an aircraft of which the maximum total weight authorised exceeds 8,000 lb., shall be marked upon the exterior surface of its fuselage with markings to show the areas (in this paragraph referred to as " break-in areas ") which can, for purposes of rescue in an emergency, be most readily and effectively broken into by persons outside the aircraft.

(*b*) The break-in areas shall be rectangular in shape and shall be marked by right-angled corner markings, each arm of which shall be 4 inches in length along its outer edge and 1 inch in width.

(*c*) The words " Cut Here in Emergency " shall be marked across the centre of each break-in area in capital letters.

(6) The markings required by this Article shall—

(*a*) be painted, or affixed by other equally permanent means ;

(*b*) be red in colour and, in any case in which the colour of the adjacent background is such as to render red markings not readily visible, be outlined in white or some other contrasting colour in such a manner as to render them readily visible ;

(*c*) be kept at all times clean and unobscured.

Imperilling safety of aircraft

37. A person shall not wilfully or negligently act in a manner likely to endanger an aircraft, or any person therein.

Imperilling safety of any person or property

38. A person shall not wilfully or negligently cause or permit an aircraft to endanger any person or property.

Drunkenness in aircraft

39.—(1) A person shall not enter any aircraft when drunk, or be drunk in any aircraft.

(2) A person shall not, when acting as a member of the crew of any aircraft or being carried in any aircraft for the purpose of so acting, be under the influence of drink or a drug to such an extent as to impair his capacity so to act.

Smoking in aircraft

40.—(1) Notices indicating when smoking is prohibited shall be exhibited in every aircraft registered in the United Kingdom so as to be visible from each passenger seat therein.

(2) A person shall not smoke in any compartment of an aircraft registered in the United Kingdom at a time when smoking is prohibited in that compartment by a notice to that effect exhibited by or on behalf of the commander of the aircraft.

Authority of commander of aircraft

41. Every person in an aircraft registered in the United Kingdom shall obey all lawful commands which the commander of that aircraft may give for the purpose of securing the safety of the aircraft and of persons or property carried therein, or the safety, efficiency or regularity of air navigation.

Stowaways

42. A person shall not secrete himself for the purpose of being carried in an aircraft without the consent of either the operator or the commander thereof or of any other person entitled to give consent to his being carried in the aircraft.

PART V

FATIGUE OF FLIGHT CREW

Application and interpretation of Part V

43.—(1) Articles 44 to 48, inclusive, of this Order apply in relation to an aircraft if, but only if, it is an aircraft registered in the United Kingdom which is either—

(*a*) engaged on a flight for the purpose of public transport, or

(*b*) operated by an air transport undertaking:

Provided that the said Articles shall not apply in relation to a flight made only for the purpose of instruction in flying given by or on behalf of a flying club or a flying school, or a person who is not an air transport undertaking.

(2) In this Part of this Order, the following expressions shall, except where the context otherwise requires, have the meanings hereby respectively assigned to them, that is to say—

(*a*) "flight time", in relation to any person, means all time spent by that person in an aircraft while it is in flight and he is carried therein as a member of the flight crew thereof;

(*b*) "duty period", in relation to any person who flies in an aircraft as a member of the flight crew thereof, means any continuous period throughout which he is, under the provisions of paragraph (3) or (4) of this Article, to be treated as being on duty:

Provided that where two or more periods which would, but for this proviso, be separate duty periods are separated by an interval of less than 10 hours, the period starting when the first of those duty periods began and finishing when the last of them ended shall be treated as constituting a single continuous duty period;

(*c*) "rest period", in relation to any person, means any continuous period no part of which forms part of a duty period of that person;

(*d*) "day" means a continuous period of 24 hours beginning at midnight Greenwich mean time.

(3) For the purposes of this Part of this Order, a person who is employed under a contract of service to fly in an aircraft as a member of the flight crew thereof shall be treated as being on duty at any time when in the

course of that employment he flies in any aircraft (whether as a member of its crew or as a passenger and whether or not the aircraft is such an aircraft as is referred to in paragraph (1) of this Article) or he is otherwise acting in the course of that employment:

Provided that when he is not flying in an aircraft—

(*a*) subject to paragraph (*c*) of this proviso, he shall not be treated as being on duty during any period which he is allowed for rest;

(*b*) subject to paragraph (*c*) of this proviso, he shall not be treated as being on duty at any time by reason only of his being required at that time to be available at a particular place to report for duty if required to do so;

(*c*) he shall be treated as being on duty at any time when he is required to be available at a particular place to report for duty if required to do so if—

(i) that place is at an aerodrome, or

(ii) that place, not being at an aerodrome, is a place at which his employer requires persons similarly employed to be available as aforesaid and adequate facilities for rest are not available for his use while he is required to be so available.

(4) For the purposes of this Part of this Order, a person who flies in an aircraft as a member of the flight crew thereof, otherwise than in the course of his employment under a contract of service to fly as aforesaid, shall be treated as being on duty at any time when, in connection with any business of operating aircraft, he flies in any aircraft (whether as a member of its crew or as a passenger and whether or not the aircraft is such an aircraft as is referred to in paragraph (1) of this Article) or does any work.

(5) For the purposes of this Part of this Order, references to a person flying in an aircraft as a member of the flight crew thereof include references to the operator of the aircraft who himself flies in the aircraft in any such capacity and references to the work and other duties which a person is required or permitted by an operator to carry out shall in any such case be construed as references to any work carried out by that operator in connection with the management of aircraft or with any business which includes the flying of aircraft.

Duties of operators to prevent excessive fatigue of flight crew

44. It shall be the duty of every operator of an aircraft to which this Article applies to ensure, as respects each person flying as a member of the flight crew of that aircraft, that the periods during which that person is required or permitted by that operator to carry out any work or other duties are so limited in length and frequency, and that that person is afforded such periods for rest, that his said work and duties are not likely to cause him such fatigue while he is flying in the aircraft as may endanger the safety thereof.

Establishment of limits on flight times, flying duty periods and rest periods

45.—(1) Without prejudice to the provisions of Article 44 of this Order, and for the purposes of securing that the requirements of those provisions are complied with, every operator of an aircraft to which this Article applies shall establish for every person flying in that aircraft as a member of the flight crew thereof—

(*a*) limits on the aggregate of all his flight times during every period of 30 consecutive days,

(*b*) limits on his flying duty periods, and

(*c*) minimum rest periods which he is to have immediately before any duty period in the course of which he makes any such flight as aforesaid,

being limits and minimum rest periods which the operator is satisfied after taking into account the matters mentioned in paragraph (2) of this Article, are such that, if every member of the flight crew observes those limits and has those minimum rest periods, the safety of the aircraft on any flight is not likely to be endangered by reason of any fatigue which may be caused by the work or other duties which the members of the flight crew are required or permitted by that operator to carry out. Different limits and different minimum rest periods may be established either for different persons or for different classes of persons and for different circumstances.

(2) The matters which an operator shall take into account in establishing under paragraph (1) of this Article limits and minimum rest periods as therein mentioned for the persons therein mentioned are the nature of the work and other duties which those persons will carry out and all circumstances arising out of the carrying out of that work and those duties which may affect the degree of fatigue from which those persons may suffer while they are making a flight in an aircraft to which this Article applies in any such capacity as is mentioned in the said paragraph (1).

(3) No limits or minimum rest periods may be established under paragraph (1) of this Article which would require or permit any person to fly in any aircraft at a time when such flying would constitute a contravention of any of the provisions of Articles 46, 47 and 49 of this Order.

(4) An operator of an aircraft to which this Article applies shall not permit that aircraft to make a flight unless limits and minimum rest periods have been established in accordance with the foregoing provisions of this Article so as to apply to every member of the flight crew thereof.

(5) Every operator of an aircraft to which this Article applies shall take all such steps as are reasonably practicable to secure that all limits for the time being established by that operator in accordance with the foregoing provisions of this Article are observed and that no persons for whom minimum rest periods are for the time being so established makes any flight in an aircraft to which this Article applies unless, immediately before the duty period in the course of which he makes the flight, he has had the appropriate rest period so established.

(6) Notwithstanding anything contained in the foregoing provisions of this Article, an operator of an aircraft to which this Article applies may confer upon the commander of that aircraft a discretion to make, or authorise any person to make a flight in that aircraft in such circumstances that the commander or, as the case may be, that other person will not observe the limits or will not have had the minimum rest period established by that operator under the foregoing provisions of this Article and applicable to the commander or that other person :

Provided that the said discretion shall not be exercisable unless the following conditions are fulfilled, that is to say—

(*a*) that it appears to the commander—

(i) that arrangements had been made for the flight to be made with such a crew and so as to begin and end at such times that if the flight had been made in accordance with those arrangements each member of the crew would have observed the limits and have had the minimum rest periods established by the operator and applicable to them as aforesaid, and that since those arrangements were made

the flight has been or will be prevented from being made in accordance with those arrangements by reason of exceptional circumstances or by reason of circumstances which were not foreseen as likely to prevent that flight from being so made, or

(ii) that the flight is one which ought to be carried out in the interests of the safety or health of any person, and

(*b*) that the commander is satisfied that the safety of the aircraft on that flight will not be endangered if he or that other person makes that flight.

(7) Every operator of an aircraft to which this Article applies shall include in every operations manual to be provided under Article 21 of this Order for the use and guidance of the members of the flight crew of that aircraft, or, in any case where no such manual is required to be provided by that Article, in a document which shall be provided for the use and guidance of those members, full particulars of all limits and minimum rest periods for the time being established under the foregoing provisions of this Article which may affect any of those members, and of any discretion conferred upon the commander of that aircraft under paragraph (6) of this Article and (without prejudice to the provisions of Article 21 of this Order) every such operator shall, whenever requested to do so by a person authorised in that behalf by the Minister, furnish that person with a copy of all particulars from time to time included in any such operations manual or document in accordance with the requirements of this paragraph.

(8) In this Article the expression " flying duty period ", in relation to any person, means the time, reckoned from the beginning of each duty period of that person, in the course of which he is permitted to make any flight to which this Article applies and after expiration of which he is not in the course of the same duty period, to make any such flight.

Maximum flying duty periods for pilots and flight engineers

46.—(1) Without prejudice to the provisions of Article 44 of this Order a person shall not fly in an aircraft to which this Article applies as a pilot or flight engineer thereof in the course of any duty period of that person after more than the specified time has elapsed since the beginning of that duty period.

(2) In paragraph (1) of this Article the expression " the specified time " means—

(*a*) in relation to a person who flies in an aircraft as the only pilot thereof, 12 hours:

Provided that if before the commencement of that flight and during the duty period in the course of which he makes that flight, there has been a period of not less than seven continuous hours throughout which that person has not flown in any aircraft, the foregoing provisions of this sub-paragraph shall have effect in relation to that flight as if 14 hours were substituted therein for 12 hours;

(*b*) in relation to a person who flies as a pilot of an aircraft in which two or more persons are carried as pilots thereof, 16 hours:

Provided that the foregoing provisions of this sub-paragraph shall have effect in relation to that flight as if 24 hours were substituted therein for 16 hours if three or more persons are carried in the aircraft as pilots thereof and the following conditions are fulfilled :—

(i) at least two of the pilots are duly qualified by their respective licences to act as a commander of the aircraft for the purposes of that flight;

(ii) at least one of the pilots is carried in addition to those members of the flight crew who are required to be carried in the circumstances of the flight by or under this Order;

(iii) suitable facilities for sleeping are available for the use of at least one of the pilots at all times throughout the flight; and

(iv) each of the pilots has, during the duty period in the course of which that flight is made and before the end of that flight, been afforded opportunities of resting for a reasonable time;

(c) in relation to a person who flies as a flight engineer of an aircraft, 16 hours:

Provided that the foregoing provisions of this sub-paragraph shall have effect in relation to that flight as if 24 hours were substituted therein for 16 hours if two or more persons are carried in the aircraft as flight engineers thereof and the following conditions are fulfilled:—

(i) at least one of the flight engineers is carried in addition to the members of the flight crew who are required to be carried in the circumstances of the flight by or under this Order;

(ii) suitable facilities for sleeping are available for the use of at least one of the flight engineers at all times throughout the flight; and

(iii) each of the flight engineers has, during the duty period in the course of which that flight is made and before the end of that flight, been afforded opportunities of resting for a reasonable time.

Minimum rest periods for flight crew

47. Without prejudice to the provisions of Article 44 of this Order a person shall not fly in an aircraft to which this Article applies as a member of the flight crew thereof, unless immediately before the duty period in the course of which he makes that flight he had a sufficient rest period, that is to say, a rest period of a length not less than the minimum length specified in the first column of the Table set out at the end of this Article and therein set opposite to the length specified in the second column of that Table which corresponds to the length of the duty period of that person which immediately precedes that rest period.

TABLE

Minimum length of sufficient rest period	*Length of immediately preceding duty period*
10 hours	Not exceeding 10 hours
11 „	Exceeding 10 but not exceeding 11 hours
12 „	„ 11 „ „ „ 12 „
13 „	„ 12 „ „ „ 13 „
14 „	„ 13 „ „ „ 14 „
15 „	„ 14 „ „ „ 15 „
16 „	„ 15 „ „ „ 16 „
18 „	„ 16 „ „ „ 17 „
20 „	„ 17 „ „ „ 18 „
22 „	„ 18 „ „ „ 19 „
24 „	„ 19 „ „ „ 20 „
26 „	„ 20 „ „ „ 21 „
28 „	„ 21 „ „ „ 22 „
30 „	„ 22 „ „ „ 23 „
32 „	„ 23 hours

Records of flight times, duty periods and rest periods

48.—(1) The operator of an aircraft to which this Article applies shall not cause or permit any person to fly therein as a member of the flight crew thereof unless the operator has in his possession an accurate and up-to-date record maintained by him or by another operator of aircraft in respect of that person and in respect of the 30 days immediately preceding the flight showing—

(*a*) the times of the beginning and end of each flight in any aircraft made by that person in the course of any of his duty periods, and

(*b*) the times of the beginning and end of each duty period of that person, and

(*c*) brief particulars of the nature of the work or other duties carried out by that person during each of his duty periods.

(2) The Minister may prescribe the form and manner in which any records required to be kept under the last foregoing paragraph shall be kept and where he has so prescribed the said records shall be kept accordingly.

(3) Subject to the provisions of Article 53 of this Order the operator of the aircraft shall preserve the records referred to in paragraph (1) of this Article for a period of at least 12 months after the end of the flight, duty period or rest period to which they relate.

Maximum flight times for flight crews

49. A person shall not fly in any aircraft registered in the United Kingdom as a member of the flight crew thereof at any time on any day after the aggregate of all his flight times (whether arising from flight in an aircraft to which this Article applies or in any other aircraft) during the period of 30 consecutive days expiring at the end of that day amounts to 125 hours:

Provided that the foregoing prohibition shall not apply to a flight made in an aircraft which is not such an aircraft as is described in paragraph (1) of Article 43 of this Order if at the time of the flight the aggregate of all the flight times of the person making the flight since he was last medically examined under this Order and found fit does not exceed 125 hours.

Provision for particular cases

50.—(1) Notwithstanding anything contained in Articles 46, 47 and 49 of this Order (hereinafter referred to as "the relevant Articles") a person shall be deemed not to have contravened any of the provisions of those Articles by reason of a flight made at any time by that person or by another person if the first mentioned person proves—

(*a*) that it was due to an unavoidable delay in the completion of the flight that the person so flying was flying at that time, and

(*b*) that the said first mentioned person could not reasonably be expected to have foreseen before the flight began that the delay was likely to occur.

(2) Without prejudice to the provisions of paragraph (2) of Article 75 of this Order and notwithstanding anything contained in the relevant Articles, the commander of an aircraft may make, or authorise any other person to make, and that other person if so authorised may make, a flight in that aircraft which he would, but for this paragraph, be prohibited from making by virtue of any provision contained in the relevant Articles if—

(*a*) it appears to the commander:—

(i) that arrangements had been made for the flight to be made with such a crew and so as to begin and end at such times that no member

of that crew would have been prohibited from making the flight in accordance with those arrangements by any provision contained in the relevant Articles, and that since those arrangements were made the flight has been or will be prevented from being made in accordance with those arrangements by reason of exceptional circumstances or by reason of circumstances which were not foreseen as likely to prevent that flight from being so made, or

(ii) that the flight is one which ought to be carried out in the interests of the safety or health of any person, and

(*b*) the commander is satisfied that the safety of the aircraft on that flight will not be endangered if he or that other person makes that flight.

(3) Where the commander or any other person makes a flight in an aircraft which he or that other person is permitted to make under the last foregoing paragraph, a report in writing that he or that other person has made that flight, giving full particulars of the circumstances in which it was made and the reasons why the commander made that flight or, as the case may be, authorised that other person to do so, shall be made as soon as is reasonably practicable by the commander to the operator of the aircraft and in any event by the operator to the Minister; and the operator and the commander shall furnish any authorised person with such further information in his possession relating to the flight and to the circumstances in which it was made as that person may require.

PART VI

DOCUMENTS

Documents to be carried

51.—(1) An aircraft shall not fly unless it carries the documents which it is required to carry under the law of the country in which it is registered.

(2) An aircraft registered in the United Kingdom shall, when in flight, carry documents in accordance with the Eleventh Schedule to this Order:

Provided that, if the flight is intended to begin and end at the same aerodrome and does not include passage over the territory of any country other than the United Kingdom, the documents may be kept at that aerodrome instead of being carried in the aircraft.

Production of documents

52.—(1) The commander of an aircraft shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person—

(*a*) the certificates of registration and airworthiness in force in respect of the aircraft;

(*b*) the licences of its flight crew;

(*c*) such other documents as the aircraft is required by Article 51 of this Order to carry when in flight.

(2) The operator of an aircraft registered in the United Kingdom shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person such of the following documents as may have been requested by that person being documents which are required, by or under this Order, to be in force or to be carried or preserved:—

(*a*) the documents referred to in the Eleventh Schedule to this Order as Documents A, B and G;

(*b*) the aircraft log book, engine log books and variable pitch propeller log books required under this Order to be kept;

(*c*) the weight schedule, if any, required to be preserved under Article 12 of this Order;

(*d*) in the case of a public transport aircraft or aerial work aircraft, the documents referred to in the Eleventh Schedule to this Order as Documents D, E and F;

(*e*) any records of flight times, duty periods and rest periods which he is required by paragraph (3) of Article 48 of this Order to preserve, and such other documents and information in the possession or control of the operator, as the authorised person may require for the purpose of determining whether those records are complete and accurate.

(3) The holder of a licence granted or rendered valid under this Order shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person his licence, including any certificate of validation. The requirements of this paragraph shall be deemed to have been complied with, except in relation to licences required by Article 51 of this Order to be carried in the aircraft or kept at an aerodrome, if the licence requested is produced within five days after the request has been made, at a police station in the United Kingdom specified, at the time of the request, by the person to whom the request is made.

(4) Every person required by Article 18 of this Order to keep a personal flying log book shall cause it to be produced within a reasonable time to an authorised person after being requested to do so by him within two years after the date of the last entry therein.

Preservation of documents, etc.

53. A person required by this Order to preserve any document by reason of his being the operator of an aircraft shall, if he ceases to be the operator of the aircraft, continue to preserve the document as if he had not ceased to be the operator, and in the event of his death the duty to preserve the document shall fall upon his personal representative:

Provided that if—

(*a*) another person becomes the operator of the aircraft and it remains registered in the United Kingdom he or his personal representative shall deliver to that other person upon demand the certificates of maintenance and compliance, the log books and the weight schedule which are in force or required to be preserved in respect of that aircraft;

(*b*) an engine or variable pitch propeller is removed from the aircraft and installed in another aircraft operated by another person and registered in the United Kingdom he or his personal representative shall deliver to that other person upon demand the log book relating to that engine or propeller;

(*c*) any person in respect of whom a record has been kept by him in accordance with Article 48 of this Order becomes a member of the flight crew of a public transport aircraft registered in the United Kingdom and operated by another person he or his personal representative shall deliver those records to that other person upon demand,

and it shall be the duty of that other person to deal with the document delivered to him as if he were the first-mentioned operator.

Revocation, suspension and variation of certificates, licences and other documents

54.—(1) The Minister may, if he thinks fit, provisionally suspend any certificate, licence, approval, permission, exemption or other document issued or granted under this Order, pending investigation of the case. The Minister

may, on sufficient ground being shown to his satisfaction after due inquiry, revoke, suspend or vary any such certificate, licence, approval, permission, exemption or other document.

(2) The holder or any person having the possession or custody of any certificate, licence, approval, permission, exemption or other document which has been revoked, suspended or varied under this Order shall surrender it to the Minister within a reasonable time after being required to do so by him.

(3) The breach of any condition subject to which any certificate, licence, approval, permission, exemption or other document, other than a licence issued in respect of an aerodrome, has been granted or issued under this Order shall render the document invalid during the continuance of the breach.

Offences in relation to documents

55.—(1) A person shall not with intent to deceive—

(*a*) use any certificate, licence, approval, permission, exemption or other document issued or required by or under this Order which has been forged, altered, revoked or suspended, or to which he is not entitled; or

(*b*) lend any certificate, licence, approval, permission, exemption or other document issued or required by or under this Order to, or allow it to be used by, any other person; or

(*c*) make any false representation for the purpose of procuring for himself or any other person the grant, issue, renewal or variation of any such certificate, licence, approval, permission or exemption or other document.

(2) A person shall not wilfully mutilate, alter or render illegible any log book or other record required by or under this Order to be maintained or any entry made therein, or knowingly make, or procure or assist in the making of, any false entry in or material omission from any such log book or record or destroy any such log book or record during the period for which it is required under this Order to be preserved.

(3) All entries in such log books and records shall be made in ink or indelible pencil.

(4) A person shall not wilfully or negligently make in a load sheet any entry which is incorrect in any material particular, or any material omission from such a load sheet.

(5) A person shall not purport to issue any certificate of maintenance or certificate of compliance or any certificate under Condition (3) of the "A Conditions" set forth in the Second Schedule to this Order unless he is authorised to do so under this Order.

(6) A person shall not issue any such certificate as aforesaid unless he has satisfied himself that all statements in the certificate are correct.

PART VII

CONTROL OF AIR TRAFFIC

Rules of the air and air traffic control

56.—(1) The Minister may make regulations (hereafter referred to in this Order as the Rules of the Air and Air Traffic Control) prescribing:—

(*a*) the manner in which aircraft may move or fly including in particular provision for requiring aircraft to give way to military aircraft;

(*b*) the lights and other signals to be shown or made by aircraft or persons;

(*c*) the lighting and marking of aerodromes;

(*d*) the air traffic control services to be provided at aerodromes including in particular the licensing of persons providing such services ;

(*e*) any other provisions for securing the safety of aircraft in flight and in movement and the safety of persons and property on the surface.

(2) Subject to the provisions of paragraph (3) of this Article, it shall be an offence to contravene, to permit the contravention of, or to fail to comply with, the Rules of the Air and Air Traffic Control.

(3) It shall be lawful for the Rules of the Air and Air Traffic Control to be departed from to the extent necessary—

(*a*) for avoiding immediate danger ; or

(*b*) for complying with the law of any country other than the United Kingdom within which the aircraft then is ; or

(*c*) for complying with Air Ministry Flying Orders in relation to an aircraft of which the commander is acting as such in the course of his duty as a member of any of Her Majesty's naval, military or air forces.

(4) If any departure from the Rules of the Air and Air Traffic Control is made for the purpose of avoiding immediate danger, the commander of the aircraft shall cause written particulars of the departure, and of the circumstances giving rise to it, to be given within ten days thereafter to the competent authority of the country in whose territory the departure was made or if the departure was made over the high seas, to the Minister.

(5) Nothing in the Rules of the Air and Air Traffic Control shall exonerate any person from the consequences of any neglect in the use of lights or signals or of the neglect of any precautions required by ordinary aviation practice or by the special circumstances of the case.

Power to prohibit or restrict flying

57.—(1) Where the Minister deems it necessary in the public interest to restrict or prohibit flying over any area of the United Kingdom or along any route therein by reason of—

(*a*) the intended gathering or movement of a large number of persons,

(*b*) the intended holding of an aircraft race or contest or of an exhibition of flying, or

(*c*) national defence or any other reason affecting the public interest,

the Minister may make regulations prohibiting, restricting or imposing conditions on flight, either generally or in relation to any class of aircraft, over any such area or along any such route, and an aircraft shall not fly in contravention of such regulations.

(2) If the commander of an aircraft becomes aware that the aircraft is flying in contravention of any such regulations which have been made by reason of any area being used for purposes of national defence he shall forthwith cause a signal of distress to be made by radio or by one of the prescribed visual signals, and shall (unless otherwise instructed by the appropriate air traffic control unit or by a commissioned officer of Her Majesty's naval, military or air forces), cause the aircraft to land at the aerodrome, being an aerodrome suitable for that purpose, which it can reach by flying to the least possible extent over the area to which the regulations relate. The aircraft shall not begin to descend while over such area.

Balloons, kites and airships

58.—(1) Within the United Kingdom—

(*a*) a captive balloon or kite shall not be flown at a height of more than 200 feet above the ground level ;

(*b*) a captive balloon shall not be flown within 3 miles of an aerodrome;

(*c*) a balloon exceeding 6 feet in any linear dimension at any stage of its flight, including any basket or other equipment attached to the balloon, shall not be flown in controlled airspace;

(*d*) a kite shall not be flown within 3 miles of an aerodrome;

(*e*) an airship shall not be moored,

without the permission in writing of the Minister, and in accordance with any conditions subject to which that permission may be granted.

(2) A captive balloon when in flight shall be securely moored, and shall not be left unattended unless it is fitted with a device which ensures its automatic deflation if it breaks free of its moorings.

PART VIII

AERODROMES, AERONAUTICAL LIGHTS AND DANGEROUS LIGHTS

Aerodromes: public transport of passengers and instruction in flying

59.—(1) An aircraft engaged on a flight for the purpose of the public transport of passengers or for the purpose of instruction in flying shall not take off or land at any place in the United Kingdom other than—

(*a*) a Government aerodrome notified as available for the take-off and landing of aircraft so engaged, or in respect of which the person in charge of the aerodrome has given his permission for the particular aircraft to take off or land, as the case may be;

(*b*) an aerodrome licensed under this Order for the take-off and landing of aircraft so engaged,

and in accordance with any condition subject to which the aerodrome may have been so licensed or notified, or subject to which such permission may have been given:

Provided that the foregoing prohibition shall not apply in relation to—

(i) any aeroplane of which the maximum total authorised weight does not exceed 6,000 lb. not being engaged on a scheduled journey, on a flight intended to begin and end at the same aerodrome or on a flight for the purpose of instruction in flying;

(ii) any helicopter, not being engaged on a journey or flight as aforesaid;

(iii) any glider being flown under arrangements made by a flying club and carrying no person other than a member of the club.

(2) An aircraft engaged on a flight for the public transport of passengers shall not take off or land by night at any place in the United Kingdom unless adequate lighting is in operation on the aerodrome.

Use of Government aerodromes

60. The Minister may cause to be notified, subject to such conditions as he thinks fit, any Government aerodrome as an aerodrome available for take-off and landing by aircraft engaged on flights for the purpose of the public transport of passengers or for instruction in flying or by any classes of such aircraft.

Licensing of aerodromes

61.—(1) The Minister may licence any aerodrome in the United Kingdom, subject to such conditions as he thinks fit, for the take-off and landing of

aircraft engaged in flights for the purpose of the public transport of passengers, or for the purpose of instruction in flying, or of any classes of such aircraft.

(2) Without prejudice to the generality of paragraph (1) of this Article, if the person applying for the licence so requests, the Minister may grant a licence (in this Order referred to as "a licence for public use") which shall be subject to the condition that the aerodrome shall at all times when it is available for the take-off or landing of aircraft be so available to all persons on equal terms and conditions.

(3) The licensee of an aerodrome in respect of which a licence for public use is in force shall display in a prominent place at the aerodrome a copy of the licence and shall furnish to any person on request information concerning the terms of the licence.

(4) The licensee of an aerodrome licensed under this Order shall not cause or permit any condition of the licence to be contravened, in relation to an aircraft engaged on a flight for the public transport of passengers or for instruction in flying, but the licence shall not cease to be valid by reason only of such a contravention.

(5) A licence granted by the Minister in respect of an aerodrome shall, subject to the provisions of Article 54 of this Order, remain in force as may be specified in the licence.

Charges at aerodromes licensed for public use

62.—(1) The Minister may, in relation to any aerodrome in respect of which a licence for public use has been granted, or to such aerodromes generally or to any class thereof, prescribe the charges, or the maximum charges, which may be made for the use of the aerodrome and for any services performed at the aerodrome to or in connection with aircraft, and may further prescribe the conditions to be observed in relation to those charges and the performance of those services.

(2) The licensee of an aerodrome in relation to which the Minister has made any regulations under paragraph (1) of this Article shall not cause or permit any charges to be made in contravention of those regulations, and shall cause particulars of the prescribed charges to be kept exhibited at the aerodrome in such a place and manner as to be readily available for the information of any person affected thereby.

(3) The licensee of any aerodrome in respect of which a licence for public use has been granted shall, when required by the Minister, furnish to the Minister such particulars as he may require of the charges established by the licensee for the use of the aerodrome or of any facilities provided at the aerodrome for the safety, efficiency or regularity of air navigation.

Use of aerodromes by aircraft of Contracting States and of the Commonwealth

63. The person in charge of any aerodrome in the United Kingdom which is open to public use by aircraft registered in the United Kingdom (whether or not the aerodrome is a licensed aerodrome) shall cause the aerodrome, and all air navigation facilities provided thereat, to be available for use by aircraft registered in other Contracting States or in any part of the Commonwealth on the same terms and conditions as for use by aircraft registered in the United Kingdom.

Noise and vibration caused by aircraft on aerodromes

64. The Minister may prescribe the conditions under which noise and vibration may be caused by aircraft (including military aircraft) on Government aerodromes, licensed aerodromes or on aerodromes at which the manufacture, repair or maintenance of aircraft is carried out by persons carrying on business as manufacturers or repairers of aircraft, and subsection (2) of section forty-one of the Act shall apply to any aerodrome in relation to which the Minister has prescribed conditions as aforesaid.

Aeronautical lights

65.—(1) A person shall not establish or maintain an aeronautical light within the United Kingdom except with the permission of the Minister and in accordance with any conditions which may be prescribed, or subject to which the permission may be granted.

(2) A person shall not alter the character of an aeronautical light within the United Kingdom except with the permission of the Minister and in accordance with any conditions subject to which the permission may be granted.

(3) In the case of an aeronautical light, being a beacon, which is or may be visible from any waters within an area of a general lighthouse authority, the Minister shall not give his permission for the purpose of this Article except with the consent of that authority.

(4) A person shall not wilfully or negligently injure or interfere with any aeronautical light established and maintained by, or with the permission of, the Minister.

Dangerous lights

66.—(1) A person shall not exhibit in the United Kingdom any light which—

(*a*) by reason of its glare is liable to endanger aircraft taking off from or landing at an aerodrome ; or

(*b*) by reason of its liability to be mistaken for an aeronautical light is liable to endanger aircraft.

(2) If any light which appears to the Minister to be such a light as aforesaid is exhibited the Minister may cause a notice to be served upon the person who is the occupier of the place where the light is exhibited or having charge of the light, directing that person, within a reasonable time to be specified in the notice, to take such steps as may be specified in the notice for extinguishing or screening the light and for preventing for the future the exhibition of any other light which may similarly endanger aircraft.

(3) The notice may be served either personally or by post, or by affixing it in some conspicuous place near to the light to which it relates.

(4) In the case of a light which is or may be visible from any waters within the area of a general lighthouse authority, the powers of the Minister under this Article shall not be exercised except with the consent of that authority.

Customs airports

67.—(1) The Minister may, with the concurrence of the Commissioners of Customs and Excise and subject to such conditions as he may think fit, by order designate any aerodrome to be a place for the landing or departure of aircraft for the purpose of the enactments for the time being in force relating to customs.

(2) The Minister may, with the concurrence of the Commissioners of Customs and Excise, by order revoke any designation so made.

PART IX

GENERAL

Restriction with respect to carriage for hire or reward in aircraft registered outside the United Kingdom

68. An aircraft registered in a Contracting State other than the United Kingdom, or in a foreign country, shall not take on board or discharge any passengers or cargo in the United Kingdom, being passengers or cargo carried or to be carried for hire or reward, except with the permission of the Minister granted under this Article to the operator or the charterer of the aircraft or to the Government of the country in which the aircraft is registered, and in accordance with any conditions to which such permission may be subject.

Power to prevent aircraft flying

69.—(1) If it appears to the Minister or an authorised person that any aircraft is intended or likely to be flown—

(*a*) in such circumstances that any provision of Article 1, 3, 4, 14, 15, 23, 33 or 68 of this Order would be contravened in relation to the flight; or

(*b*) in such circumstances that the flight would be in contravention of any other provision of this Order or any regulations made thereunder and be a cause of danger to any person or property whether or not in the aircraft;

(*c*) while in a condition unfit for the flight, whether or not the flight would otherwise be in a contravention of any provision of this Order or of any regulation made thereunder,

the Minister or that authorised person may direct the operator or the commander of the aircraft that he is not to permit the aircraft to make the flight, and the Minister or that authorised person may take such steps as are necessary to detain the aircraft.

(2) For the purposes of paragraph (1) of this Article the Minister or any authorised person may enter upon and inspect any aircraft.

Right of access to aerodromes and other places

70. The Minister and any authorised person shall have the right of access at all reasonable times—

(*a*) to any aerodrome, for the purpose of inspecting the aerodrome, or

(*b*) to any aerodrome for the purpose of inspecting any aircraft on the aerodrome or any document which he has power to demand under this Order, or for the purpose of detaining any aircraft under the provisions of this Order; and

(*c*) to any place where an aircraft has landed, for the purpose of inspecting the aircraft or any document which he has power to demand under this Order and for the purpose of detaining the aircraft under the provisions of this Order:

Provided that access to a Government aerodrome shall only be obtained with the permission of the person in charge of the aerodrome.

Obstruction of persons

71. A person shall not wilfully obstruct or impede any person acting in the exercise of his powers or the performance of his duties under this Order.

Enforcement of directions

72. Any person who fails to comply with any direction given to him by the Minister or by any authorised person under any provision of this Order or any regulations made thereunder shall be deemed for the purposes of this Order to have contravened that provision.

Fees

73. The Minister may, with the consent of the Treasury, prescribe the fees to be paid in respect of the issue, validation, renewal, extension or variation of any certificate, licence or other document (including the issue of a copy thereof), or the undergoing of any examination, test, inspection or investigation or the grant of any permission or approval, required by, or for the purpose of, this Order or any regulations made thereunder.

Exercise of powers etc. of the Minister outside the United Kingdom

74. In so far as the exercise of any power or the performance of any duty of the Minister under this Order may be required outside the United Kingdom in any country where there is no representative of the Minister competent to exercise such power or to perform such duty the Minister may authorise in writing any person appearing to him to be qualified so to do or the holder for the time being of any office, to exercise such power or to perform such duty.

Penalties

75.—(1) If any provision of this Order or of any regulations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the commander thereof, if the operator or, as the case may be, the commander is not the person who contravened that provision shall (without prejudice to the liability of any other person under this Order for that contravention) be deemed for the purposes of the following provisions of this Article to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.

(2) If it is proved that an act or omission of any person which would otherwise have been a contravention by that person of a provision of this Order or of any regulations made thereunder was due to any cause not avoidable by the exercise of reasonable care by that person the act or omission shall be deemed not to be a contravention by that person of that provision.

(3) Where a person is charged with contravening a provision of this Order or of any regulations made thereunder by reason of his having been a member of the flight crew of an aircraft on a flight for the purpose of public transport the flight shall be treated (without prejudice to the liability of any other person under this Order) as not having been for that purpose if he proves that he neither knew nor had reason to know that the flight was for that purpose.

(4) If any person contravenes any provision of this Order, or of any regulations made thereunder, not being a provision referred to in paragraph (5) or paragraph (6) of this Article, he shall be liable on summary conviction, to a fine not exceeding ten pounds; or in the case of a second or subsequent conviction for the like offence to a fine not exceeding twenty pounds.

(5) If any person contravenes any provision specified in Part A of the Twelfth Schedule to this Order he shall be liable on summary conviction to a fine not exceeding fifty pounds; or in the case of a second or subsequent conviction for the like offence to a fine of one hundred pounds, or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(6) If any person contravenes any provision specified in Part B of the said Schedule he shall be liable on summary conviction or indictment to a fine not exceeding two hundred pounds or to imprisonment for a term of six months or to both such fine and imprisonment.

Extra territorial effect of the Order

76.—(1) Except where the context otherwise requires, the provisions of this Order,

(*a*) in so far as they apply (whether by express reference or otherwise) to aircraft registered in the United Kingdom, shall apply to such aircraft wherever they may be ;

(*b*) in so far as they apply as aforesaid to other aircraft shall apply to such aircraft when they are within the United Kingdom ;

(*c*) in so far as they prohibit, require or regulate (whether by express reference or otherwise) the doing of anything by persons in, or by any of the crew of, any aircraft registered in the United Kingdom, shall apply to such persons and crew, wherever they may be ; and

(*d*) in so far as they prohibit, require or regulate as aforesaid the doing of anything in relation to any aircraft registered in the United Kingdom by other persons shall, where such persons are British subjects or citizens of the Republic of Ireland, apply to them wherever they may be.

(2) Nothing in this Article shall be construed as extending to make any person guilty of an offence in any case in which it is provided by subsection (1) of section three of the British Nationality Act, 1948(a) (which limits the criminal liability of certain persons who are not citizens of the United Kingdom and colonies) that that person shall not be guilty of an offence.

Application of Order to the Crown and visiting forces etc.

77.—(1) Subject to the following provisions of this Article, the provisions of this Order shall apply to or in relation to aircraft belonging to or exclusively employed in the service of Her Majesty, not being military aircraft, as they apply to or in relation to other aircraft which are registered in the United Kingdom or are capable of being so registered and for the purposes of such application the Department or other authority for the time being responsible on behalf of Her Majesty for the management of the aircraft shall be deemed to be the operator of the aircraft and in the case of an aircraft belonging to Her Majesty, to be the owner of the interest of Her Majesty in the aircraft:

Provided that nothing in this Article shall render liable to any penalty any Department or other authority responsible on behalf of Her Majesty for the management of any aircraft.

(2) Save as otherwise expressly provided the naval, military and air force authorities and members of any visiting force and property held or used for the purpose of such a force shall be exempt from the provisions of this Order and of any regulations made thereunder to the same extent as if that force formed part of the forces of Her Majesty raised in the United Kingdom and for the time being serving there.

(3) Save as otherwise provided by paragraph (4) of this Article, paragraph (1) (*a*) of Article 56, and Article 64 of this Order, nothing in this Order shall apply to or in relation to any military aircraft.

(4) Where a military aircraft is flown by a civilian pilot and is not commanded by a person who is acting in the course of his duty as a member of any of Her Majesty's naval, military or air forces or as a member of a visiting force, the following provisions of this Order shall apply on the

(a) 11 & 12 Geo. 6. c. 56.

occasion of that flight, that is to say, Articles 37, 38, 39 and 57, and in addition Article 56 (so far as applicable) shall apply unless the aircraft is flown in compliance with Air Ministry Flying Orders.

Exemption from Order

78. The Minister may exempt from any of the provisions of this Order or any regulations made thereunder any aircraft or persons or classes of aircraft or persons, either absolutely or subject to such conditions as he thinks fit.

Interpretation

79.—(1) In this Order, unless the context otherwise requires—

"The Act" means the Civil Aviation Act, 1949;

"Aerial work" means any purpose (other than public transport) for which an aircraft is flown if hire or reward is given or promised in respect of the flight or the purpose of the flight;

"Aerial work aircraft" means an aircraft (other than a public transport aircraft) flying, or intended by the operator to fly, for the purpose of aerial work;

"Aerial work undertaking" means an undertaking whose business includes the performance of aerial work;

"Aerobatic manoeuvres" includes loops, spins, rolls, bunts, stall turns, inverted flying and any other similar manoeuvre;

"Aerodrome" means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the take-off and landing of aircraft;

"Aeronautical light" means any light established for the purpose of aiding air navigation;

"Aeronautical radio station" means a radio station on the surface, which transmits or receives signals for the purpose of assisting aircraft;

"Air traffic control unit" means a person appointed by the Minister or by any other person maintaining an aerodrome to give instructions and advice by means of radio signals to aircraft in the interests of safety and "Air traffic control service" shall be construed accordingly;

"Air transport undertaking" means an undertaking whose business includes the carriage by air of passengers or cargo for hire or reward;

"Appropriate aeronautical radio station" means in relation to an aircraft an aeronautical radio station serving the area in which the aircraft is for the time being;

"Appropriate air traffic control unit" means in relation to an aircraft the air traffic control unit serving the area in which the aircraft is for the time being;

"Authorised person" for the purposes of any provision of this Order means:—

(*a*) any constable, and

(*b*) any person authorised by the Minister either generally or in relation to a particular case or class of cases;

"Beneficial interest" has the same meaning as in Section 57 of the Merchant Shipping Act, 1894(a);

"Cargo" includes mail and animals;

"Certificate of airworthiness" includes any validation thereof and any flight manual or performance schedule relating to the certificate of airworthiness;

(a) 57 & 58 Vict. c. 60.

"Certificate of maintenance" and "certificate of compliance" have the meanings respectively assigned to them by paragraph (1) of Article 6 and paragraph (3) of Article 7 of this Order;

"Commander" in relation to an aircraft means the member of the flight crew designated as commander of that aircraft by the operator thereof, or, failing such a person the person who is for the time being the pilot in command of the aircraft;

"The Commonwealth" means the United Kingdom, any of the Channel Islands, the Isle of Man, Canada, Australia, New Zealand, the Union of South Africa, India, Pakistan, Ceylon, Ghana, the Federation of Malaya, the Federation of Rhodesia and Nyasaland and any other part of Her Majesty's dominions and includes any country or place outside Her Majesty's dominions in which for the time being Her Majesty has jurisdiction;

"Competent authority" means in relation to the United Kingdom, the Minister, and in relation to any other country the authority responsible under the law of that country for promoting the safety of civil aviation;

"Congested area" in relation to a city, town or settlement, means any area which is substantially used for residential, industrial, commercial or recreational purposes;

"Contracting State" means any State (including the United Kingdom) which is a party to the Convention on International Civil Aviation signed on behalf of the Government of the United Kingdom at Chicago on the seventh day of December, nineteen hundred and forty four;

"Controlled airspace" means control areas and control zones;

"Control area" means airspace which has been notified as such, and which extends upwards from a notified altitude;

"Control zone" means airspace which has been notified as such and which extends upwards from the surface;

"Co-pilot" in relation to an aircraft means a pilot who in performing his duties as such is subject to the direction of another pilot carried in the aircraft;

"Country" includes a territory;

"Crew" has the meaning assigned to it by paragraph (4) of this Article;

"Flight" and "to fly" have the meanings respectively assigned to them by paragraph (3) of this Article;

"Flight crew" in relation to an aircraft means those members of the crew of the aircraft who respectively undertake to act as pilot, flight navigator, flight engineer and flight radio operator of the aircraft;

"General lighthouse authority" has the same meaning as in Section 634 of the Merchant Shipping Act, 1894;

"Government aerodrome" means any aerodrome in the United Kingdom which is in the occupation of any Government Department or visiting force;

"Hire-purchase agreement" and "hirer" have the same meanings as in Section 21 of the Hire Purchase Act, 1938(a), and, in relation to Northern Ireland, as in Section 21 of the Hire Purchase Act (Northern Ireland), 1940(b);

"Instrument Flight Rules" means Instrument Flight Rules prescribed under Article 56 of this Order;

(a) 1 & 2 Geo. 6. c. 53. (b) 4 & 5 Geo. 6. c. 10 (N.I.).

" To land " in relation to aircraft includes alighting on the water ;

" Legal personal representatives " has the same meaning as in Section 742 of the Merchant Shipping Act, 1894 ;

" Licence " includes any certificate of competency or certificate of validity issued with the licence or required to be held in connection with the licence by the law of the country in which the licence is granted ;

" Licence for public use " has the meaning assigned to it by paragraph (2) of Article 61 of this Order ;

" Licensed aerodrome " means an aerodrome licensed under this Order ;

" Lifejacket " includes any device designed to support a person individually in or on the water ;

" Maximum total weight authorised " in relation to an aircraft means the maximum total weight of the aircraft and its contents at which the aircraft may take off in accordance with the certificate of airworthiness in force in respect of the aircraft ;

" Military aircraft " includes the naval, military or air force aircraft of any country and—

(*a*) any aircraft being constructed for the naval, military or air forces of any country under a contract entered into by the Minister ;

(*b*) any aircraft belonging to Her Majesty in respect of which there is in force a certificate issued by the Admiralty or the Secretary of State that the aircraft is to be treated for the purposes of this Order as a military aircraft ; and

(*c*) any aircraft in respect of which there is in force a certificate as aforesaid issued by the Minister ;

" The Minister " means the Minister of Aviation ;

" Nautical mile " means a distance of 6,080 feet ;

" Night " means the time between half an hour after sunset and half an hour before sunrise, sunset and sunrise being determined at surface level ;

" Notified " means set forth in a document issued by the Minister and entitled " Notam—United Kingdom " or " United Kingdom Air Pilot " ;

" Operator " has the meaning assigned to it by paragraph (5) of this Article ;

" Pilot in command " in relation to an aircraft means a person who for the time being is in charge of the piloting of the aircraft without being under the direction of any other pilot in the aircraft ;

" Prescribed " means prescribed by regulations made by the Minister under this Order, and the expression " prescribe " shall be construed accordingly ;

" Public transport " has the meaning assigned to it by paragraph (6) of this Article ;

" Public transport aircraft " means an aircraft flying, or intended by the operator of the aircraft to fly, for the purpose of public transport ;

" Replacement " in relation to any part of an aircraft or its equipment includes the removal and replacement of that part whether or not by the same part, and whether or not any work is done on it, but does not include the removal and replacement of a part which is designed to be removable solely for the purpose of enabling another part to be inspected, repaired, removed or replaced or cargo to be loaded ;

" Rules of the Air and Air Traffic Control " has the meaning assigned to it by paragraph (1) of Article 56 of this Order ;

" Scheduled journey " means one of a series of journeys which are undertaken between the same two places and which together amount to a systematic service ;

" Seaplane " has the same meaning as for the purpose of Section 52 of the Act ;

" Visiting force " means any such body, contingent or detachment of the forces of any country as is a visiting force for the purpose of the provisions of the Visiting Forces Act, 1952(a)—

(*a*) which apply to that country by virtue of paragraph (*a*) of sub-section (1) of section one of that Act, or

(*b*) which from time to time apply to that country by virtue of paragraph (*b*) of sub-section (1) of the said section one and of any Order in Council made or hereafter to be made under the said section one designating that country for the purpose of all the provisions of that Act following sub-section (2) of the said section one ;

" Visual Flight Rules " means Visual Flight Rules prescribed under paragraph (1) of Article 56 of this Order.

(2) In this Order any reference (except in the last foregoing paragraph) to a hire-purchase agreement includes a reference to a contract to which the Hire Purchase and Small Debt (Scotland) Act, 1932(b), applies ; and in relation to any such contract any reference to the hirer includes a reference to the hirer as defined for the purposes of that Act, or, as the case may require, the purchaser, and a reference to any person to whom the rights and liabilities under the contract of the hirer (as so defined) or purchaser have passed by assignation or operation of law or otherwise.

(3) An aircraft shall be deemed to be in flight—

(*a*) in the case of a piloted flying machine, from the moment when, after the embarkation of its crew for the purpose of taking off, it first moves under its own power, until the moment when it next comes to rest after landing ;

(*b*) in the case of a pilotless flying machine, or a glider, from the moment when it first moves for the purpose of taking off until the moment when it next comes to rest after landing ;

(*c*) in the case of an airship or free balloon, from the moment when it first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon ;

and the expressions " a flight " and " to fly " shall be construed accordingly.

(4) Every person employed or engaged in an aircraft in flight on the business of the aircraft shall be deemed to be a member of the crew thereof.

(5) References in this Order to the operator of an aircraft are, for the purpose of the application of any provision of this Order in relation to any particular aircraft, references to the person who at the relevant time has the management of that aircraft:

Provided that for the purposes of the application of any provision in Part II of this Order when by virtue of any charter or other agreement for the hire or loan of an aircraft a person other than an air transport undertaking or an aerial work undertaking has the management of that aircraft for a period not exceeding 14 days the foregoing provisions of this paragraph shall have effect as if that agreement had not been entered into.

(6) (*a*) Subject to the provisions of this paragraph, an aircraft in flight shall for the purposes of this Order be deemed to fly for the purpose of public transport—

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 67. (b) 22 & 23 Geo. 5. c. 38.

(i) if hire or reward is given or promised for the carriage of passengers or cargo in the aircraft on that flight; or

(ii) if any passengers or cargo are carried gratuitously in the aircraft on that flight by an air transport undertaking, not being persons in the employment of the undertaking (including, in the case of a body corporate, its directors and, in the case of a corporation established by the Air Corporations Act, 1949(a), members of the Corporation), persons authorised by the Minister to witness the training or tests referred to in paragraph (4) of Article 15 of this Order, or cargo intended to be used by any such passengers as aforesaid, or by the undertaking; or

(iii) for the purposes of Part II of this Order, if hire or reward is given or promised for the right to fly the aircraft on that flight otherwise than under a hire-purchase agreement.

(*b*) Where under a transaction effected by or on behalf of a member of an unincorporated association of persons on the one hand and the association of persons or any member thereof on the other hand, a person is carried in, or is given the right to fly, an aircraft in such circumstances that hire or reward would be deemed to be given or promised if the transaction were effected otherwise than as aforesaid, hire or reward shall, for the purposes of this Order, be deemed to be given.

(7) The expressions appearing in the "General Classification of Aircraft" set forth in Part A of the First Schedule to this Order shall have the meanings thereby assigned to them.

(8) The Interpretation Act, 1889(b), applies for the purpose of the interpretion of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

(9) A power to make regulations under this Order shall include the power to make different provisions with respect to different classes of aircraft, aerodromes, persons or property and with respect to different circumstances and with respect to different parts of the United Kingdom.

(10) Unless the context otherwise requires any reference in the Order o any Act of Parliament shall be construed as a reference to that Act as amended, extended or applied by or under any other Act.

Saving

80. Subject to the provisions of Articles 61 and 63 of this Order, nothing in this Order or the regulations made thereunder shall confer any right to land in any place as against the owner of the land or other persons interested therein.

Small aircraft

81. The provisions of this Order, other than Articles 38 and 58 thereof, shall not apply to—

(*a*) any balloon which at any stage of its flight is not more than 6 feet in any linear dimension including any basket or other equipment attached to the balloon;

(*b*) any kite weighing not more than 4 lb.;

(*c*) any other aircraft weighing not more than 11 lb. without its fuel.

(a) 12, 13 & 14 Geo. 6. c. 91. (b) 52 & 53 Vict. c. 63.

Revocation

82.—(1) Subject to the following provisions of this Article, the following Orders are hereby revoked, that is to say—

The Air Navigation (Stowaways) Order, 1949(**a**).

The Air Navigation Order, 1954(**b**).

The Air Navigation (Amendment) Order, 1956(**c**).

The Air Navigation (Second Amendment) Order, 1956(**d**).

The Air Navigation (Third Amendment) Order, 1956(**e**).

The Air Navigation (Fourth Amendment) Order, 1956(**f**).

The Air Navigation (Fifth Amendment) Order, 1957(**g**).

The Air Navigation (Sixth Amendment) Order, 1957(**h**).

The Air Navigation (Seventh Amendment) Order, 1957(**i**).

The Air Navigation (Eighth Amendment) Order, 1957(**j**).

The Air Navigation (Ninth Amendment) Order, 1958(**k**).

(2) (*a*) Subsection (2) of Section thirty-eight of the Interpretation Act, 1889, (which relates to the effect of repeals) shall apply to this Order as if this Order were an Act of Parliament and as if the Orders revoked by paragraph (1) of this Article were Acts of Parliament thereby repealed.

(*b*) This Order shall apply to or in relation to any certificate, licence, approval, permission, exemption, log book, record or other document issued, granted or made under any Order revoked by this Order, as it applies to a certificate, licence, approval, permission, exemption, log book, record or other document issued, granted or made under this Order.

(*c*) Any certificate, licence, approval, permission, exemption or other document issued or granted under any Order revoked by this Order in force at the date of the coming into operation of this Order shall, subject to the provisions of Article 54 of this Order, remain in force and shall have effect for the purposes of this Order as if it had been granted under the corresponding provisions thereof:

Provided that any such document which is expressed to remain in force for a definite period shall remain in force, unless renewed, only until the expiration of that period.

Citation and Commencement

83.—(1) This Order may be cited as the Air Navigation Order, 1960.

(2) This Order shall come into operation—

(*a*) on the twentieth day of June, 1960, for the purpose of enabling the Minister to make regulations thereunder and

(*b*) on the fifteenth day of August, 1960, for all other purposes.

W. G. Agnew.

(**a**) S.I. 1949/1832 (1949 I, p. 263).
(**b**) S.I. 1954/829 (1954 I, p. 259).
(**c**) S.I. 1956/82 (1956 I, p. 458).
(**d**) S.I. 1956/421 (1956 I, p. 460).
(**e**) S.I. 1956/1212 (1956 I, p. 461).
(**f**) S.I. 1956/1578 (1956 I, p. 464).
(**g**) S.I. 1957/278 (1957 I, p. 356).
(**h**) S.I. 1957/1072 (1957 I, p. 364).
(**i**) S.I. 1957/1370 (1957 I, p. 366).
(**j**) S.I. 1957/2050 (1957 I, p. 367).
(**k**) S.I. 1958/1251 (1958 I, p. 295).

FIRST SCHEDULE

Part A. *Articles* 2 (6), 19 (1) *and* 79 (6)

TABLE OF GENERAL CLASSIFICATION OF AIRCRAFT

Col. 1	*Col.* 2	*Col.* 3	*Col.* 4
Aircraft	Lighter than air aircraft	Non-mechanically driven	Free Balloon
			Captive Balloon
		Mechanically driven	Airship
	Heavier than air aircraft	Non-mechanically driven	Glider
			Kite
		Mechanically driven (flying machines)	Aeroplane (Landplane)
			Aeroplane (Seaplane)
			Aeroplane (Amphibian)
			Gyroplane
			Helicopter

Part B. *Article* 3 (2)

NATIONALITY AND REGISTRATION MARKS OF AIRCRAFT REGISTERED IN THE UNITED KINGDOM

1. The nationality mark of the aircraft shall be the capital letter "G" in Roman character and the registration mark shall be a group of four capital letters in Roman character assigned by the Minister on the registration of the aircraft. The letters shall be without ornamentation and a hyphen shall be placed between the nationality mark and the registration mark.

2. The nationality and registration marks shall be painted on the aircraft or shall be affixed thereto by any other means ensuring a similar degree of permanence in the following manner:—

I. *Position of marks*

(a) *Flying Machines and Gliders*

(i) *Wings:* Except on aircraft having no fixed wing surface, the marks shall appear once on the upper surface of the wing structure and once on the lower surface of the wing structure. They shall be on the right half of the upper surface and on the left half of the lower surface of the wing structure unless they extend across the whole of both the upper and lower surfaces of the wing structure. So far as possible the marks shall be located equidistant from the leading and trailing edges of the wings. The tops of the letters shall be towards the leading edge of the wing.

(ii) *Fuselage (or equivalent structure) or Vertical Tail Surface:* The marks shall also be either on each side of the fuselage (or equivalent structure) between the wings and the tail surfaces, or on the upper halves of the vertical tail surfaces. When on a single vertical tail surface they shall be on both sides of the tail. When there is more than one vertical tail surface, the marks shall appear on the outboard sides of the outer tails.

(b) *Airships and Balloons*

(i) *Airships:* The marks shall be on each side of the airship and also on the upper surface on the line of symmetry. They shall be placed lengthwise near the maximum cross-section of the airship.

(ii) *Spherical Balloons:* The marks shall be in two places diametrically opposite. They shall be placed near the maximum horizontal circumference of the balloon.

(iii) *Non-Spherical Balloons:* The marks shall be on each side. They shall be placed near the maximum cross-section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cables.

(iv) In the case of all airships and balloons the side marks shall be so placed as to be visible both from the sides and from the ground.

II. *Size of Marks*

(a) *Flying Machines and Gliders*

(i) *Wings:* The letters constituting each group of marks shall be of equal height. The height of the letters shall be at least 20 inches.

(ii) *Fuselage (or equivalent structure) or Vertical Tail Surfaces:* The marks on the fuselage (or equivalent structure) shall not interfere with the visible outlines of the fuselage (or equivalent structure). The marks on the vertical tail surfaces shall be such as to leave a margin of at least two inches along each side of the vertical tail surface. The letters constituting each group of marks shall be of equal height The height of the marks shall be at least 6 inches.

(b) *Airships and Balloons*

The letters constituting each group of marks shall be of equal height. The height of the letters shall be at least 30 inches.

III. *Width and Spacing of Marks*

(*a*) The width of each letter (except the letter I) and the length of the hyphen between the nationality mark and registration mark shall be two-thirds of the height of a letter.

(*b*) The letters and hyphen shall be formed by solid lines and shall be of a colour clearly contrasting with the background on which they appear. The thickness of the lines shall be one-sixth of the height of a letter.

(*c*) Each letter shall be separated from the letter which it immediately precedes or follows by a space equal to half the width of a letter. A hyphen shall be regarded as a letter for this purpose.

3. The nationality and registration marks shall be displayed to the best advantage, taking into consideration the constructional features of the aircraft and shall always be kept clean and visible.

4. In addition to the foregoing requirements of this Schedule the nationality and registration marks shall also be inscribed, together with the name and address of the registered owner of the aircraft, on a fireproof metal plate affixed in a prominent position to the fuselage or car or basket, as the case may be, and near the main entrance to the aircraft.

SECOND SCHEDULE

Articles 1 (1), 4 (1), 31 (5) *and* 55 (5)

A AND B CONDITIONS

The A conditions or the B Conditions referred to in paragraph (1) of Article 1 and of Article 4, paragraph (5) of Article 31, and paragraph (5) of Article 55 of this Order are as follows:—

A Conditions

(1) The aircraft shall be either an aircraft in respect of which a certificate of airworthiness or validation has previously been in force under the provisions of the Order, or an aircraft identical in design with an aircraft in respect of which such a certificate is or has been in force.

(2) The aircraft shall fly only for the purpose of enabling it to :—

(*a*) qualify for the issue or renewal of a certificate of airworthiness or of the validation thereof or the approval of a modification of the aircraft, after an application has been made for such issue, renewal, validation or approval, as the case may be ; or

(*b*) proceed to or from a place at which any inspection, test or weighing of the aircraft is to take place for a purpose referred to in sub-paragraph (*a*).

(3) The aircraft and its engines shall be certified as fit for flight by the holder of a licence as an aircraft maintenance engineer entitled in accordance with the provisions of the Fourth Schedule to this Order so to certify, or by a person approved by the Minister for the purpose of issuing certificates under this condition.

(4) The aircraft shall carry the minimum flight crew specified in any certificate of airworthiness or validation which has previously been in force under this Order in respect of the aircraft, or is or has previously been in force in respect of any other aircraft of identical design.

(5) The aircraft shall not carry any passengers or cargo except passengers performing duties in the aircraft in connection with the flight.

(6) The aircraft shall not fly over any congested area of a city, town or settlement except to the extent that it is necessary to do so in order to take off from or land at a Government aerodrome or a licensed aerodrome in accordance with normal aviation practice.

(7) Without prejudice to the provisions of paragraph (2) of Article 14 of this Order, the aircraft shall carry such flight crew as may be necessary to ensure the safety of the aircraft.

B Conditions

(1) The flight shall be made under the supervision of a person approved by the Minister for the purposes of these Conditions, and subject to any additional conditions which may be specified in such approval.

(2) If it is not registered in the United Kingdom or under the law of any country referred to in Article 1 of this Order, the aircraft shall be marked in a manner approved by the Minister for the purposes of these Conditions, and the provisions of Articles 10, 11, 15, 26, 29, 51 and 52 of this Order shall be complied with in relation to the aircraft as if it was registered in the United Kingdom so far as such provisions are applicable to the aircraft in the circumstances.

(3) The aircraft shall fly only for the purpose of :—

(*a*) experimenting with or testing the aircraft (including in particular its engines) and its equipment ; or

(*b*) enabling the aircraft to qualify for the issue or validation of a certificate of airworthiness or the approval of a modification of the aircraft ; or

(*c*) proceeding to or from a place at which any experiment, test, inspection or weighing of the aircraft is to take place for a purpose referred to in sub-paragraph (*a*) or (*b*).

(4) The aircraft shall carry such flight crew as may be necessary to ensure the safety of the aircraft.

(5) The aircraft shall not carry any passengers or cargo except passengers performing duties in the aircraft in connection with the flight.

(6) The aircraft shall not fly over any congested area of a city, town or settlement except to the extent that it is necessary to do so in order to take off from or land at a Government aerodrome, a licensed aerodrome or in accordance with normal aviation practice, or at a place approved by the Minister under condition (1).

THIRD SCHEDULE

Article 5

1. *Categories of Aircraft*

Transport Category (Passenger).

Transport Category (Cargo).

Aerial Work Category.

Private Category.

Special Category.

2. The purposes for which the aircraft may fly are as follows:—

Transport Category (Passenger): Any purpose.

Transport Category (Cargo): Any purpose, other than the public transport of passengers.

Aerial Work Category: Aerial work only.

Private Category: Any purpose other than public transport or aerial work.

Special Category: Any other purpose specified in the certificate of airworthiness but not including the carriage of passengers unless expressly permitted.

FOURTH SCHEDULE

Article 8 (2)

MAINTENANCE ENGINEERS: PRIVILEGES OF LICENCES

An aircraft maintenance engineer may, subject to the conditions of his licence, issue certificates as follows:—

Aircraft Maintenance Engineers—Category A (Aircraft)

In relation to aircraft (not including engines)—

(*a*) certificates of maintenance in accordance with the maintenance schedules approved under this Order;

(*b*) certificates of compliance in respect of inspections, repairs, replacements and modifications so approved;

(*c*) certificates of fitness of aircraft for flight under the "A Conditions".

Aircraft Maintenance Engineers—Category B (Aircraft)

In relation to aircraft (not including engines)—

Certificates of compliance in respect of inspections, overhauls, repairs, replacements and modifications approved under this Order.

Aircraft Maintenance Engineers—Category C (Engines)

In relation to engines—

(*a*) certificates of maintenance in accordance with the maintenance schedules approved under this Order;

(*b*) certificates of compliance in respect of inspections, repairs, replacements and modifications so approved;

(*c*) certificates of fitness of aircraft engines for flight under the "A Conditions".

Aircraft Maintenance Engineers—Category D (Engines)

In relation to engines—

certificates of compliance in respect of inspections, overhauls, repairs, replacements and modifications approved under this Order.

Aircraft Maintenance Engineers—

Category X (Compasses)
Category X (Instruments)
Category X (Electrical)
Category X (Automatic Pilots)

In relation respectively to compasses, instruments, electrical equipment or automatic pilots—

(*a*) certificates of maintenance in accordance with the maintenance schedules approved under this Order;

(*b*) certificates of compliance in respect of inspections, repairs, replacements and modifications so approved.

Aircraft Radio Maintenance Engineers—Category A (Radio)

In relation to aircraft radio stations :—

(*a*) certificates of maintenance in accordance with the maintenance schedules approved under this Order;

(*b*) certificates of compliance in respect of inspections, repairs, replacements and modifications so approved.

Aircraft Radio Maintenance Engineers—Category B (Radio)

Certificates of compliance in respect of inspections, overhauls, repairs, replacements and modifications of any aircraft radio apparatus approved under this Order.

FIFTH SCHEDULE

Articles 7 (2) *and* 9 (2)

AIRCRAFT EQUIPMENT

1. Every aircraft registered in the United Kingdom shall be provided, when flying in the circumstances specified in the first column of the Table set forth in paragraph (4) of this Schedule, with the scales of equipment respectively indicated in that Table:

Provided that, if the aircraft is flying in a combination of such circumstances the scales of equipment shall not on that account be required to be duplicated.

2. The equipment carried in an aircraft as being necessary for the airworthiness of the aircraft shall be taken into account in determining whether this Schedule is complied with in respect of that aircraft.

3. The following items of equipment shall not be required to be of a type approved by the Minister :—

(i) The equipment referred to in Scale A (ii).

(ii) First Aid Equipment and Handbook, referred to in Scale B.

(iii) Time-pieces, referred to in Scale F.

(iv) Torches, referred to in Scales G, H and J.

(v) Whistles, referred to in Scale H.

(vi) Sea anchors, referred to in Scales I and J.

(vii) Rocket signals, referred to in Scale I.

(viii) Equipment for mooring, anchoring or manoeuvring aircraft on the water, referred to in Scale I.

(ix) Paddles referred to in Scale J.

(x) Food and water, referred to in Scale J.

4. TABLE

Aircraft and Circumstances of Flight	Scale of Equipment Required														
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	Extras
(1) *Flying machines flying for purposes other than public transport*															
(*a*) when flying at night	A		C	D											
(*b*) when flying under Instrument Flight Rules															
(i) outside controlled airspace	A			D											
(ii) within controlled airspace	A				E	F									E (iv) duplicated
(*c*) when carrying out aerobatic manoeuvres	A												M		
(*d*) on all other flights	A														
(2) *Flying machines flying for the purpose of public transport*															
(*a*) when flying under Instrument Flight Rules															
(i) in the case of flying machines of which the maximum total weight authorised exceeds 2,500 lb.	A	B			E	F									E (iv) duplicated
(ii) in the case of flying machines of which the maximum total weight authorised does not exceed 2,500 lb.															
(*a*) outside controlled airspace	A	B		D		F (i) only									
(*b*) within controlled airspace	A	B			E	F									E (iv) duplicated
(*b*) when flying at night															
(i) in the case of flying machines of which the maximum total weight authorised exceeds 2,500 lb.	A	B	C		E	F	G								E (iv) duplicated

Aircraft and Circumstances of Flight	Scale of Equipment Required														
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	Extras
(ii) in the case of flying machines of which the maximum total weight authorised does not exceed 2,500 lb.	A	B	C	D		F (i) only	G								
(*c*) when flying over water beyond gliding distance from land	A	B		D		F (i) only		H							
(*d*) when flying over water at such a distance from the nearest land that, while flying in still air at the speed specified in the relevant certificate of airworthiness as the speed for compliance with regulations governing flights over water, it would be unable to reach the nearest land in the following times: (i) in the case of an aeroplane classified in its certificate of airworthiness as being of performance group A, C or X—90 minutes (ii) in the case of an aeroplane having no performance group classification in the certificate of airworthiness and of such a weight and performance that it is capable of a gradient of climb of at least 1 in 200 at an altitude of 5,000 feet in the international standard atmosphere specified in, or ascertainable by reference to, the certificate of airworthiness in force in respect of that aircraft—90 minutes (iii) in the case of all other flying machines—30 minutes...	A	B		D		F (i) only		H		J					
(*e*) on all flights which involve manoeuvres on water ...	A	B		D		F (i) only		H	I	J					

(*f*) when flying at a height of 10,000 feet or more above mean sea level	A	B		D		F (i) only					K				
(*g*) on flights when the weather reports or forecasts available at the aerodrome at the time of departure indicate that conditions favouring ice formation are likely to be met	A	B		D		F (i) only						L			
(*h*) when carrying out aerobatic manoeuvres	A	B		D		F (i) only							M		
(*i*) on all flights on which the aircraft carries a flight crew of more than one person														N	
(*j*) on all other flights	A	B		D		F (i) only									
(3) *Gliders flying for purposes other than public transport or aerial work* (*a*) when flying by night	A (ii) only		C												
(4) *Gliders flying for the purpose of public transport or aerial work* (*a*) when outside controlled airspace under Instrument Flight Rules	A	B		D		F (i) only									
(*b*) when flying by night	A	B	C	D		F (i) only	G								
(*c*) when carrying out aerobatic manoeuvres	A	B		D		F (i) only							M		
(*d*) on all other flights	A	B		D		F (i) only									

5. The scales of equipment indicated in the foregoing Table shall be as follows :—

Scale A

(i) Spare fuses for all electrical circuits the fuses of which can be replaced in flight, consisting of 10 per cent of the number of each rating or three of each rating, whichever is the greater ;

(ii) Maps, charts, codes and other documents and navigational equipment necessary, in addition to any other equipment required under this Order, for the intended flight of the aircraft, including any diversion which may reasonably be expected.

(iii) Subject to Scale B (iii), a safety belt or safety harness for every seat in use.

Scale B

(i) First-Aid equipment of good quality, sufficient in quantity, having regard to the number of persons on board the aircraft, and including the following :

Roller bandages, triangular bandages, absorbent gauze, adhesive plaster, white absorbent lint, cotton wool (or wound dressings in place of the lint and cotton wool), burn dressings, safety pins ;

Haemostatic bandages or tourniquet, scissors ;

Antiseptic, analgesic and stimulant drugs ;

A handbook on First Aid.

(ii) In the case of a flying machine used for the public transport of passengers in which, while the flying machine is at rest on the ground, the sill of any external door intended for the disembarkation of passengers, whether normally or in an emergency,

(*a*) is more than six feet from the ground when the undercarriage of the machine is in the normal position for taxying, or

(*b*) would be more than six feet from the ground if the undercarriage or any part thereof should collapse, break or fail to function,

apparatus readily available for use at each such door consisting of a device or devices which will enable passengers to reach the ground safely in an emergency while the flying machine is on the ground, and can be readily fixed in position for use.

(iii) A safety harness for every pilot's seat in use, in place of the safety belt referred to under Scale A :

Provided that the Minister may permit a safety belt to be fitted if he is satisfied that it is not reasonably practicable to fit a safety harness.

(iv) If the commander cannot, from his own seat, see all the passengers' seats in the aircraft, a means of indicating to the passengers that seat belts should be fastened.

Scale C

(i) Equipment for displaying the lights required by the Rules of the Air and Air Traffic Control ;

(ii) Electrical equipment, supplied from the main source of supply in the aircraft, to provide sufficient illumination to enable the flight crew properly to carry out their duties during flight ;

(iii) Unless the aircraft is equipped with radio, devices for making the visual signal specified in the Rules of the Air and Air Traffic Control as indicating a request for permission to land.

Scale D

(i) Either (*a*) a turn and slip indicator ; or

(*b*) a gyroscopic bank and pitch indicator and a gyroscopic direction indicator ;

(ii) A sensitive pressure altimeter adjustable for changes in barometric pressure.

Scale E

(i) A turn and slip indicator;

(ii) A gyroscopic bank and pitch indicator;

(iii) A gyroscopic direction indicator;

(iv) A sensitive pressure altimeter adjustable for changes in barometric pressure.

Scale F

(i) A timepiece with a sweep second hand;

(ii) A means of indicating whether the power supply to the gyroscopic instruments is adequate;

(iii) A rate of climb and descent indicator;

(iv) If the maximum total weight authorised of the aircraft is more than 12,500 lb., a means of indicating the outside air temperature;

(v) If the maximum total weight authorised of the aircraft is more than 12,500 lb., two air speed indicators.

Scale G

(i) Landing lights consisting of two single filament lamps, or one dual filament lamp with separately energised filaments;

(ii) An electric lighting system to provide illumination in every passenger compartment;

(iii) (*a*) If the aircraft, in accordance with its certificate of airworthiness, may carry more than nineteen persons over three years of age:— two electric torches and an emergency lighting system to provide illumination in the passenger compartments sufficient to facilitate the evacuation of the aircraft notwithstanding the failure of the lighting systems specified in sub-paragraph (ii);

(*b*) In the case of any other aircraft, one electric torch for each member of the crew of the aircraft;

(iv) In the case of an aircraft of which the maximum total weight authorised exceeds 12,500 lb., means of observing the existence and build up of ice on the aircraft.

Scale H

For each person on board, a lifejacket equipped with a whistle and waterproof torch:

Provided that lifejackets constructed and carried solely for use by children under three years of age need not be equipped with a whistle.

Scale I

(i) Additional flotation equipment, capable of supporting one-fifth of the number of persons on board, and provided in a place of stowage accessible from outside the flying machine;

(ii) Parachute distress rocket signals capable of making, from the surface of the water, the pyrotechnical signal of distress specified in the Rules of the Air and Air Traffic Control and complying with Part III of the Thirteenth Schedule to the Merchant Shipping (Life Saving Appliances) Rules, 1958(a);

(iii) A sea anchor and other equipment necessary to facilitate mooring, anchoring or manoeuvring the flying machine on water, appropriate to its size, weight, and handling characteristics.

Scale J

(i) Dinghies sufficient to accommodate all persons on board the flying machine with the following equipment:—

(*a*) means for maintaining buoyancy;

(*b*) a sea anchor;

(*c*) life lines, and means of attaching one dinghy to another;

(*d*) paddles or other means of propulsion;

(a) S.I. 1958/602 (1958 I, p. 1420).

(*e*) means of protecting the occupants from the elements;

(*f*) a waterproof torch;

(*g*) marine type pyrotechnical distress signals;

(*h*) means of making sea water drinkable;

(*i*) for each person the dinghy is designed to carry:

8 ounces of glucose toffee tablets;

4 ounces of sweetened condensed milk in durable containers;

2 pints of fresh water in durable containers:

Provided that in any case in which it is not reasonably practicable owing to lack of stowage space in the dinghy to carry the quantities of condensed milk and water above prescribed, an equal quantity by weight of glucose toffee tablets may be substituted for the former and as large a quantity of fresh water as is reasonably practicable in the circumstances may be substituted for the latter. In no case however shall the quantity of water carried be less than is sufficient, when added to the amount of fresh water capable of being produced by means of the equipment specified in item (*h*) of this sub-paragraph, to provide 2 pints of water for each person the dinghy is designed to carry;

(*j*) first aid equipment.

Items (*f*) to (*j*), inclusive, shall be contained in a pack stowed with the dinghy.

(ii) For every four, or proportion of four, dinghies:—one dinghy radio transmitter.

Scale K

(i) In every flying machine in which a pressure greater than 700 millibars is maintained throughout the flight in the control compartment and in every compartment in which passengers are carried:—

a supply of oxygen sufficient, in the event of failure to maintain such pressure, for continuous use by all the crew during the whole time in which, after such failure, the flying machine flies at a height over 10,000 feet above mean sea level, together with suitable and sufficient apparatus to enable the crew to use the oxygen.

(ii) In any other flying machine:—

(*a*) a supply of oxygen sufficient for continuous use by all the crew and, if passengers are carried, by three-tenths of the number of passengers, during any time exceeding twenty minutes in which the flying machine flies at a height over 10,000 feet but not over 13,000 feet above mean sea level, together with suitable and sufficient apparatus to enable such persons to use the oxygen; and

(*b*) a supply of oxygen sufficient for continuous use by all persons on board during the whole time in which the flying machine flies at a height over 13,000 feet above mean sea level, together with suitable and sufficient apparatus to enable all such persons to use the oxygen.

Scale L

Equipment to prevent the impairment through ice formation of the functioning of the controls, means of propulsion, lifting surfaces, windows or equipment of the aircraft so as to endanger the safety of the aircraft.

Scale M

Safety harness for every seat in use.

Scale N

An intercommunication system for use by all members of the flight crew and including microphones, not of a hand-held type, for use by the pilot and flight engineer (if any).

SIXTH SCHEDULE

Article 10

RADIO APPARATUS TO BE CARRIED IN AIRCRAFT

1. Every aircraft registered in the United Kingdom shall be provided, when flying in the circumstances specified in the first column of the Table set forth in paragraph (2) of this Schedule, with the scales of equipment respectively indicated in that Table:

Provided that, if the aircraft is flying in a combination of such circumstances the scales of equipment shall not on that account be required to be duplicated.

2. TABLE

Aircraft and Circumstances of Flight	Scale of Equipment Required			
	A	B	C	D
(1) *All aircraft*—				
(*a*) when flying under Instrument Flight Rules within controlled airspace ...	A	B		
(*b*) where required by Regulations made under Article 56 of this Order to comply in whole or in part with Instrument Flight Rules in Visual Meteorological Conditions	A*	B*		
(*c*) when flying within any airspace in respect of which special rules may be prescribed by the said Regulations in relation to a particular aerodrome, so as to require two-way radio communication with that aerodrome	A*			
(2) *All aircraft when flying for the purpose of public transport*—				
(*a*) *under Instrument Flight Rules:*				
(i) while making an approach to landing	A	B	C	D
(ii) on all other occasions	A	B	C	
(*b*) *under Visual Flight Rules:*				
(i) over a route on which navigation is not effected solely by visual reference to landmarks	A	B		
(ii) over water, beyond gliding distance from any land	A			

* Unless the appropriate Air Traffic Control Unit otherwise permits in relation to the particular flight.

3. The scales of radio apparatus indicated in the foregoing Table shall be as follows:—

Scale A

Radio apparatus capable of maintaining two-way communication with the appropriate aeronautical radio stations.

Scale B

Radio apparatus capable of enabling the aircraft to be navigated on the intended route.

Scale C

Radio apparatus capable of receiving from the appropriate aeronautical radio stations meteorological broadcasts relevant to the intended flight.

Scale D

Radio apparatus capable of receiving signals from one or more aeronautical radio stations on the surface to enable the aircraft to be guided to a point from which a visual landing can be made at the aerodrome at which the aircraft is to land.

4. All aircraft when flying to, from or over Berlin, Germany, shall be equipped with radio navigation apparatus appropriate to the route, including automatic direction finding apparatus and any one of the following:—

(i) apparatus which will enable the aircraft to be navigated by means of signals received from radio navigation land stations forming part of the Decca radio navigation system, or

(ii) apparatus capable of giving both the visual and the aural indications of radio signals received from visual/aural radio ranges, or

(iii) apparatus capable of giving visual indications of bearings of the aircraft by means of signals received from very high frequency omni-directional radio ranges.

In this sub-paragraph "automatic direction finding apparatus" means radio navigation apparatus which automatically indicates the bearing of any radio station transmitting the signals received by such apparatus, and "visual/aural radio range" means a radio navigation land station the signals from which provide track guidance for aircraft along four paths, two of which are identifiable by visual, and two by aural indications at the receiving station in the aircraft.

SEVENTH SCHEDULE

Article 11

AIRCRAFT, ENGINE AND PROPELLER LOG BOOKS

1. *Aircraft Log Book*

The following entries shall be included in the aircraft log book:

(*a*) the name of the constructor, the type of the aircraft, the number assigned to it by the constructor and the date of the construction of the aircraft;

(*b*) the nationality and registration marks of the aircraft;

(*c*) the name and address of the operator of the aircraft;

(*d*) particulars of the date and duration of each flight, or, if more than one flight was made on one day, the number of flights and total duration of flights on that day;

(*e*) particulars of all maintenance work carried out on the aircraft or its equipment;

(*f*) particulars of any defects occurring in the aircraft or in any equipment required to be carried therein by or under this Order, and of the action taken to rectify such defects including a reference to the relevant entries in the technical log required by paragraphs (5) and (6) of Article 6 of this Order;

(*g*) particulars of any overhauls, repairs, replacements and modifications relating to the aircraft or any such equipment as aforesaid:

Provided that entries shall not be required to be made under sub-paragraphs (*e*), (*f*) and (*g*) in respect of any engine or variable pitch propeller.

2. *Engine Log Book*

The following entries shall be included in the engine log book:

(*a*) the name of the constructor, the type of the engine, the number assigned to it by the constructor and the date of the construction of the engine;

(*b*) the nationality and registration marks of each aircraft in which the engine is fitted;

(*c*) the name and address of the operator of each such aircraft;

(*d*) particulars of the date and duration of each occasion on which the engine is run in flight, or, if the engine is run on more than one occasion on one day, the number of occasions and the total duration of the running of the engine on that day;

(*e*) particulars of all maintenance work done on the engine;

(*f*) particulars of any defects occurring in the engine, and of the rectification of such defects, including a reference to the relevant entries in the technical log required by paragraphs (5) and (6) of Article 6 of this Order;

(*g*) particulars of all overhauls, repairs, replacements and modifications relating to the engine or any of its accessories.

3. *Variable Pitch Propeller Log Book*

The following entries shall be included in the variable pitch propeller log book:

(*a*) the name of the constructor, the type of the propeller, the number assigned to it by the constructor and the date of the construction of the propeller;

(*b*) the nationality and registration marks of each aircraft, and the type and number of each engine, to which the propeller is fitted;

(*c*) the name and address of the operator of each such aircraft;

(*d*) particulars of the date and duration of each occasion on which the propeller is run in flight, or, if the propeller is run on more than one occasion on one day, the number of occasions and the total duration of the running of the propeller on that day;

(*e*) particulars of all maintenance work done on the propeller;

(*f*) particulars of any defects occurring in the propeller, and of the rectification of such defects, including a reference to the relevant entries in the technical log required by paragraphs (5) and (6) of Article 6 of this Order;

(*g*) particulars of any overhauls, repairs, replacements and modifications relating to the propeller.

EIGHTH SCHEDULE

Article 14 (4)

AREAS SPECIFIED IN CONNECTION WITH THE CARRIAGE OF FLIGHT NAVIGATORS AS MEMBERS OF THE FLIGHT CREWS OF PUBLIC TRANSPORT AIRCRAFT

The following areas are hereby specified for the purposes of paragraph (4) of Article 14 of this Order.

Area A—Arctic

All that area north of latitude 66° 33′ north, excluding any part thereof lying within 300 nautical miles of Norway.

Area B—Antarctic

All that area south of latitude 50° south.

Area C—Sahara

All that area enclosed by rhumb lines joining successively the following points:—

32°	north	latitude	03°	west	longitude
24°	„	„	14°	„	„
14°	„	„	14°	„	„
18°	„	„	28°	east	„
24°	„	„	28°	„	„
28°	„	„	23°	„	
32°	„	„	03°	west	

Area D—Arabian Desert

All that area enclosed by rhumb lines joining successively the following points:—

30°	north	latitude	38°	east	longitude
16°	"	"	46°	"	"
20°	"	"	52°	"	"
29°	"	"	43°	"	"
30°	"	"	38°	"	"

Area E—South America (Central)

All that area enclosed by rhumb lines joining successively the following points:—

05°	north	latitude	75°	west	longitude
04°	"	"	60°	"	"
10°	south	"	40°	"	"
30°	"	"	60°	"	"
30°	"	"	70°	"	"
18°	"	"	69°	"	"
14°	"	"	75°	"	"
05°	"	"	80°	"	"
05°	north	"	75°	"	"

Area F—South America (Patagonia)

All that area enclosed by rhumb lines joining successively the following points:—

50°	south	latitude	75°	west	longitude
40°	"	"	75°	"	"
40°	"	"	62°	"	"
50°	"	"	65°	"	"
50°	"	"	75°	"	"

Area G—Pacific Ocean

All that area enclosed by rhumb lines joining successively the following points:—

50°	south	latitude	75°	west	longitude
20°	"	"	73°	"	"
05°	"	"	85°	"	"
05°	north	"	80°	"	"
15°	"	"	105°	"	"
30°	"	"	125°	"	"
55°	"	"	140°	"	"
67°	"	"	180°	"	"
60°	"	"	180°	"	"
20°	"	"	128°	east	"
04°	"	"	128°	"	"
00°		"	160°	"	"
50°	south	"	160°	"	"
50°	"	"	75°	west	"

excluding any part thereof lying within 300 nautical miles of New Zealand.

Area H—Australia

All that area enclosed by rhumb lines joining successively the following points:—

18°	south	latitude	123°	east	longitude
26°	"	"	118°	"	"
30°	"	"	118°	"	"
30°	"	"	145°	"	"
26°	"	"	145°	"	"
21°	"	"	140°	"	"
18°	"	"	123°	"	"

Area I—Indian Ocean

All that area enclosed by rhumb lines joining successively the following points:—

50°	south	latitude	110°	east	longitude
20°	"	"	110°	"	"
13°	"	"	120°	"	"
10°	"	"	100°	"	"
18°	north	"	89°	"	"
00°		"	80°	"	"
24°	north	"	65°	"	"
05°	south	"	43°	"	"
20°	"	"	60°	"	"
25°	"	"	60°	"	"
30°	"	"	35°	"	"
50°	"	"	35°	"	"
50°	"	"	110°	"	"

Area J—Atlantic Ocean

All that area enclosed by rhumb lines joining successively the following points:—

50°	south	latitude	15°	east	longitude
05°	"	"	10°	"	"
02°	north	"	05°	"	"
02°	"	"	10°	west	"
15°	"	"	25°	"	"
55°	"	"	15°	"	"
67°	"	"	40°	"	"
67°	"	"	60°	"	"
45°	"	"	45°	"	"
40°	"	"	63°	"	"
19°	"	"	63°	"	"
05°	south	"	30°	"	"
50°	"	"	55°	"	"
50°	"	"	15°	east	"

NINTH SCHEDULE

Article 16

FLIGHT CREW OF AIRCRAFT: LICENCES AND RATINGS

PART A—LICENCES

Minimum Age, Period of Validity, Privileges

1. *Student Pilots*

Student Pilot's Licence (Flying Machines, Balloons and Airships)

Minimum age—17 *years*

Maximum Period of Validity

(*a*) 24 months, if the holder is less than 40 years of age on the date on which the licence is granted or renewed; or

(*b*) 12 months, if the holder is 40 years of age or more on that date.

Privileges: The licence—

(*a*) shall entitle the holder to fly as pilot in command of an aircraft for the purpose of becoming qualified for the grant or renewal of a pilot's licence;

(*b*) shall be valid only for flights within the United Kingdom, the Channel Islands and the Isle of Man, and within any other territory specified in the licence;

(*c*) shall not entitle the holder to fly as pilot in command of an aircraft in which any passenger is carried;

(*d*) shall be valid only for flights carried out in accordance with instructions given by a person holding a pilot's licence granted under this Order, being a licence which includes a flying instructor's rating or an assistant flying instructor's rating entitling him to give instruction in flying the type of aircraft to be flown.

2. *Flying Machine Pilots*

Private Pilot's Licence (*Flying Machines*)

Minimum age—17 years

Maximum Period of Validity

(*a*) 24 months, if the holder is less than 40 years of age on the date on which the licence is granted or renewed; or

(*b*) 12 months, if the holder is 40 years of age or more on that date.

Privileges: The licence—

(i) shall entitle the holder to fly as pilot in command or co-pilot of a flying machine of any of the types specified in the aircraft rating included in the licence, when the aircraft is flying for any purpose other than public transport or aerial work;

(ii) shall not entitle the holder to act as pilot in command by night while carrying any passenger in the aircraft unless a night rating is included in the licence, and unless an instrument rating is included therein or he has within the preceding 6 months carried out as pilot in command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun is not less than 12 degrees below the horizon.

Commercial Pilot's Licence (*Flying Machines*)

Minimum age—18 years

Maximum Period of Validity—6 months.*

Privileges: In addition to the privileges given above for the Private Pilot's licence, the holder of the licence shall be entitled to fly as—

(i) pilot in command of any flying machine of which the maximum total weight authorised does not exceed 12,500 lb. and of a type specified in Part I of the aircraft rating included in the licence, when the flying machine is engaged in a flight for the purpose of public transport or aerial work: Provided that he shall not fly such an aircraft on a scheduled journey unless his licence includes an instrument rating;

(ii) co-pilot of any flying machine of a type specified in Part 1 or Part 2 of such aircraft rating: Provided that he shall not fly under instrument flight rules in controlled airspace as co-pilot of a flying machine required by or under this Order to carry more than one pilot unless his licence includes an instrument rating:

Provided also that the holder of the licence shall not fly as pilot in command on a flight carrying passengers at night unless an instrument rating is included in his licence or he has within the immediately preceding 90 days carried out as pilot in command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun is not less than 12 degrees below the horizon.

Senior Commercial Pilot's Licence (*Flying Machines*)

Minimum age—21 years

Maximum Period of Validity—6 months.*

Privileges: In addition to the privileges given above for the Private Pilot's Licence, the holder of the licence shall be entitled to fly—

* In respect of the privileges of a Private Pilot's Licence the maximum period of validity shall be as given for that licence.

(i) as pilot in command of any flying machine of which the maximum total weight authorised does not exceed 30,000 lb. and of a type specified in Part I of the aircraft rating included in the licence;

(ii) as co-pilot of any flying machine of a type specified in Part 1 or Part 2 of such aircraft rating.

Airline Transport Pilot's Licence (Flying Machines)

Minimum age—21 years.

Maximum Period of Validity—6 months.*

Privileges: In addition to the privileges given above for the Private Pilot's Licence, the holder of the licence shall be entitled to fly—

(i) as pilot in command of any flying machine of a type specified in Part 1 of the aircraft rating included in the licence;

(ii) as co-pilot of any flying machine of a type specified in Part 1 or Part 2 of such aircraft rating.

3. *Balloon and Airship Pilots*

Private Pilot's Licence (Balloons and Airships)

Minimum age—17 years.

Maximum Period of Validity

(*a*) 24 months, if the holder is less than 40 years of age on the date on which the licence is granted or renewed; or

(*b*) 12 months, if the holder is 40 years of age or more on that date.

Privileges: The holder of the licence shall be entitled to fly, when the balloon or airship is flying for any purpose other than public transport or aerial work, as

(i) pilot in command of any type of balloon or airship specified in Part 1 of the aircraft type rating included in the licence;

(ii) co-pilot of any type of balloon or airship specified in Part 1 or Part 2 of such aircraft rating.

Commercial Pilot's Licence (Balloons)

Minimum age—18 years.

Maximum Period of Validity—6 months.*

Privileges: In addition to the privileges given above for the Private Pilot's Licence in respect of balloons, the holder of the licence shall be entitled to fly as pilot in command or co-pilot of any type of balloon specified in the aircraft rating included in the licence.

Commercial Pilot's Licence (Airships)

Minimum age—18 years.

Maximum Period of Validity—6 months.*

Privileges: In addition to the privileges given above for the Private Pilot's Licence in respect of airships, the holder of the licence shall be entitled to fly as—

(i) pilot in command of any airship of a type specified in Part 1 of the aircraft rating included in the licence;

(ii) co-pilot of any airship of a type specified in Part 2 of such aircraft rating.

* In respect of the privileges of a Private Pilot's Licence the maximum period of validity shall be as given for that licence.

4. Glider Pilots

Commercial Pilot's Licence (Gliders)

Minimum age—18 years.

Maximum Period of Validity—6 months.

Privileges: The holder of the licence shall be entitled to fly as pilot in command or co-pilot of—

(*a*) any glider of which the maximum total weight authorised does not exceed 1,500 lb.;

(*b*) any glider of which the maximum total weight authorised exceeds 1,500 lb. and which is of a type specified in the rating included in the licence.

5. Other Flight Crew

Flight Navigator's Licence

Minimum age—21 years.

Maximum Period of Validity—12 months.

Privileges: The holder of the licence shall be entitled to act as flight navigator in any aircraft.

Flight Engineer's Licence

Minimum age—21 years.

Maximum Period of Validity—12 months.

Privileges: The holder of the licence shall be entitled to act as flight engineer in any type of aircraft specified in the aircraft rating included in the licence.

Flight Radiotelephony Operator's General Licence

Minimum age—18 years.

Maximum Period of Validity—24 months.

Privileges: The holder of the licence shall be entitled to operate radiotelephony apparatus in any aircraft.

Flight Radiotelephony Operator's Restricted Licence

Minimum age—17 years.

Maximum Period of Validity—24 months.

Privileges: The holder of the licence shall be entitled to operate radiotelephony apparatus in any aircraft if the stability of the frequency radiated by the transmitter is maintained automatically but shall not be entitled to operate the transmitter, or to adjust its frequency, except by the use of external switching devices.

Flight Radiotelegraphy Operator's Licence

Minimum age—20 years.

Maximum Period of Validity—12 months.

Privileges: The holder of the licence shall be entitled to operate radiotelegraphy and radiotelephony apparatus in any aircraft.

Flight Radiotelegraphy Operator's Temporary Licence

Minimum age—18 years.

Maximum Period of Validity—12 months.

Privileges: The holder of the licence shall be entitled to operate radiotelegraphy and radiotelephony apparatus in any aircraft under the supervision of a person who is the holder of a flight radiotelegraphy operator's licence.

PART B—RATINGS

1. The following ratings may be included in a pilot's licence (other than a student pilot's licence) granted under Part III of this Order, and, subject to the

provisions of this Order and of the licence, the inclusion of a rating in a licence shall have the consequences respectively specified as follows:—

Aircraft Rating. The licence shall entitle the holder to act as pilot only of aircraft of the types specified in the aircraft rating and different types of aircraft may be specified in respect of different privileges of a licence.

Instrument Rating (Flying Machines) shall entitle the holder of the licence to act as pilot of a flying machine flying in controlled airspace in accordance with the Instrument Flight Rules:

Provided that the holder shall not be so entitled unless the licence bears a certificate, signed by a person authorised by the Minister for that purpose, indicating that the holder has, within the previous 13 months, passed an instrument flying test conducted by that person.

Night Rating (Private Pilot's Licence—Flying Machines)—shall entitle the holder of a private pilot's licence to act as pilot in command of a flying machine carrying passengers by night.

Towing Rating (Flying Machines) shall entitle the holder of the licence to act as pilot of a flying machine while towing a glider in flight for the purpose of public transport or aerial work.

Flying Instructor's Rating shall entitle the holder of the licence to give instruction in flying aircraft of such types as may be specified in the rating for that purpose. The maximum period of validity of a flying instructor's rating shall be 12 months.

Assistant Flying Instructor's Rating shall entitle the holder of the licence to give instruction in flying aircraft of such types as may be specified in the rating for that purpose:

Provided that—

(*a*) such instruction shall only be given under the supervision of a person present during the take-off and landing at the aerodrome at which the instruction is to begin and end and holding a pilot's licence endorsed with a flying instructor's rating; and

(*b*) an assistant flying instructor's rating shall not entitle the holder of the licence to give directions to the person undergoing instruction in respect of the performance by that person of:—

(i) his first solo flight; or

(ii) his first solo flight by night; or

(iii) his first solo cross-country flight otherwise than by night; or

(iv) his first solo cross-country flight by night.

The maximum period of validity of an assistant flying instructor's rating shall be twelve months.

2. An aircraft rating may be included in every flight engineer's licence. The licence shall entitle the holder to act as flight engineer only of aircraft of a type specified in the aircraft rating.

3. For the purposes of this Schedule:—

"Solo flight" means a flight on which the pilot of the aircraft is not accompanied by a person holding a pilot's licence granted or rendered valid under this Order.

"Cross-country flight" means any flight during the course of which the aircraft is more than 3 miles from the aerodrome of departure.

TENTH SCHEDULE

Article 21

PUBLIC TRANSPORT—OPERATIONAL REQUIREMENTS

PART A. OPERATIONS MANUAL

Information and instructions relating to the following matters shall be included in the operations manual referred to in paragraph (2) of Article 21 of this Order :—

(i) the number of the crew to be carried in the aircraft, on each stage of any route to be flown, and the respective capacities in which they are to act, and instructions as to the order and circumstances in which command is to be assumed by members of the crew ;

(ii) the respective duties of each member of the crew and the other members of the operating staff, including the method of supervision of flight operations ;

(iii) the particulars referred to in paragraph (7) of Article 45 of this Order ;

(iv) such technical particulars (not being particulars contained in a flight manual forming part of the certificate of airworthiness) concerning the aircraft, its engines and equipment and concerning the performance of the aircraft as may be necessary to enable the flight crew of the aircraft to perform their respective duties ;

(v) the manner in which the quantities of fuel and oil to be carried by the aircraft are to be computed and records of fuel and oil carried and consumed on each stage of the route to be flown are to be maintained ; the instructions shall take account of all circumstances likely to be encountered on the flight including the possibility of failure of one or more of the aircraft engines ;

(vi) the check system to be followed by the crew of the aircraft prior to and on take-off, on landing and in an emergency, so as to ensure that the operating procedures contained in the operations manual and in the flight manual or performance schedule forming part of the relevant certificate of airworthiness are complied with ;

(vii) the circumstances in which a radio watch is to be maintained ;

(viii) the circumstances in which oxygen is to be used by the crew of the aircraft, and by passengers ;

(ix) communication, search and rescue facilities, navigational aids, aerodromes, local regulations, in-flight procedures, instrument approach and landing procedures and such other information as the operator may deem necessary for the proper conduct of flight operations ; the information referred to in this paragraph shall be contained in a route guide, which may be in the form of a separate volume ;

(x) the reporting in flight to the appropriate authorities of information relating to hazardous and other weather conditions experienced ;

(xi) the minimum altitudes for safe flight on each stage of the route to be flown and any planned diversion therefrom, such minimum altitudes being not lower than any which may be applicable under the law of the United Kingdom or of the countries whose territory is to be flown over ;

(xii) such matters as may be prescribed relating to weather conditions for take-off and landing ;

(xiii) emergency flight procedures, including procedures for the instruction of passengers in the position and use of emergency equipment, procedures for the reporting to search and rescue agencies of particulars of emergency and survival equipment carried on board the aircraft, and procedures to be adopted when the commander of the aircraft becomes aware that another aircraft or a vessel is in distress and needs assistance:

Provided that in relation to any flight which is not one of a series of flights between the same two places it shall be sufficient if, to the extent that it is not practicable to comply with paragraphs (ix), (xi) and (xii), the manual contains such information and instructions as will enable the equivalent data to be ascertained before take-off.

Article 22

PART B. CREW TRAINING AND TESTS

1. The training, experience, practice and periodical tests required under paragraph (2) of Article 22 of this Order in the case of members of the crew of an aircraft engaged on a flight for the purpose of public transport shall be as follows:—

(1) *The Crew*

Every member of the crew shall—

(*a*) have been tested within the relevant period by or on behalf of the operator as to his knowledge of the use of the emergency and life saving equipment required to be carried in the aircraft on the flight; and

(*b*) have practised within the relevant period under the supervision of the operator or of a person appointed by him for the purpose the carrying out of the duties required of him in case of an emergency occurring to the aircraft, either in an aircraft of the type to be used on the flight or in apparatus approved by the Minister for the purpose and controlled by persons so approved.

(2) *Pilots*

(*a*) Every pilot included in the flight crew who is intended by the operator to fly as pilot in conditions requiring compliance with Instrument Flight Rules (which conditions are hereafter in this Schedule referred to as " IMC ") shall within the relevant period have been tested by or on behalf of the operator as to his competence to perform his duties in an aircraft of the type to be used on the flight, including a test of his ability—

(i) to execute normal and emergency manœuvres and procedures in flight in such aircraft in IMC, actual or simulated, and

(ii) to use in IMC, actual or simulated, the instruments and equipment provided for use in such conditions in the arcraft to be used on the flight.

A pilot's ability to carry out normal manœuvres and procedures shall be tested in the aircraft in flight. The other tests required by this sub-paragraph may be conducted either in the aircraft in flight, or under the supervision of a person approved by the Minister for the purpose, by means of apparatus so approved in which flight conditions are simulated on the ground.

(*b*) Every pilot included in the flight crew whose licence does not include an instrument rating or who, notwithstanding the inclusion of such a rating in his licence, is not intended by the operator to fly as pilot in IMC, shall within the relevant period have been tested, by or on behalf of the operator, in flight in an aircraft of the type to be used on the flight as to his competence to act as pilot thereof, including a test of his ability to execute normal and emergency manœuvres and procedures.

(3) *Flight Engineers*

Every flight engineer included in the flight crew shall within the relevant period have been tested by or on behalf of the operator, either in flight, or, under the supervision of a person approved by the Minister for the purpose, by means of apparatus so approved in which flight conditions are simulated on the ground, as to his competence to perform the duties of flight engineer in aircraft of the type to be used on the flight, including his ability to execute emergency procedures in the course of such duties.

(4) *Flight Navigators and Flight Radio Operators*

Every flight navigator and flight radio operator whose inclusion in the flight crew is required under paragraphs (4) and (5) respectively of Article 14 of this Order shall within the relevant period have been tested by or on behalf

of the operator as to his competence to perform his duties in conditions corresponding to those likely to be encountered on the flight—

(*a*) in the case of a flight navigator, using equipment of the type to be used in the aircraft on the flight for purposes of navigation;

(*b*) in the case of a flight radio operator using radio equipment of the type installed in the aircraft to be used on the flight, and including a test of his ability to carry out emergency procedures.

(5) *Aircraft Commanders*

(*a*) The pilot designated as commander of the aircraft for the flight shall within the relevant period—

(i) have demonstrated to the satisfaction of the operator that he has adequate knowledge of the route to be taken, the aerodromes of take-off and landing, and any alternate aerodromes, including in particular his knowledge of—

the terrain,

the seasonal meteorological conditions,

the meteorological, communications, and air traffic facilities, services and procedures,

the search and rescue procedures, and

the navigational facilities,

relevant to the route;

(ii) have been tested as to his proficiency in using instrument approach-to-land systems of the type in use at the aerodrome of intended landing and any alternate aerodromes, such test being carried out either in flight in IMC or IMC simulated by means approved by the Minister, or under the supervision of a person approved by the Minister for the purpose by means of apparatus so approved in which flight conditions are simulated on the ground;

(iii) have carried out as pilot in command not less than three take-offs and three landings in aircraft of the type to be used on the flight.

(*b*) In determining whether a pilot's knowledge of the matters referred to in sub-paragraph (*a*) (i) is sufficient to render him competent to perform the duties of aircraft commander on the flight, the operator shall take into account the pilot's flying experience in conjunction with the following—

(i) the experience of other members of the intended flight crew;

(ii) the influence of terrain and obstructions on departure and approach procedures at the aerodromes of take-off and intended landing and at alternate aerodromes;

(iii) the similarity of the instrument approach procedures and let-down aids to those with which the pilot is familiar;

(iv) the dimensions of runways which may be used in the course of the flight in relation to the performance limits of aircraft of the type to be used on the flight;

(v) the reliability of meteorological forecasts and the probability of difficult meteorological conditions in the areas to be traversed;

(vi) the adequacy of the information available regarding the aerodrome of intended landing and any alternate aerodromes;

(vii) the nature of air traffic control procedures and familiarity of the pilot with such procedures;

(viii) the influence of terrain on route conditions and the extent of the assistance obtainable en route from navigational aids and air-to-ground communication facilities;

(ix) the extent to which it is possible for the pilot to become familiar with unusual aerodrome procedures and features of the route by means of ground instruction and training devices.

(6) For the purposes of this Schedule, the expression " relevant period " means a period which immediately precedes the commencement of the flight, being a period—

(*a*) in the case of sub-paragraph (5) (*a*) (iii) of this paragraph. of three months;

(*b*) in the case of sub-paragraphs (2), (3), and (5) (*a*) (ii) of this paragraph, of six months;

(*c*) in the case of sub-paragraphs (1), (4) and (5) (*a*) (i) of this paragraph, of twelve months:

Provided that—

(i) any pilot of the aircraft to whom the provisions of sub-paragraph (2) or (5) (*a*) (ii) and any flight engineer of the aircraft to whom the provisions of sub-paragraph (3) of this paragraph apply shall for the purposes of the flight be deemed to have complied with such requirements respectively within the relevant period if he has qualified to perform his duties in accordance therewith on two occasions within the period of twelve months immediately preceding the flight, such occasions being separated by an interval of not less than four months;

(ii) the requirements of sub-paragraph (5) (*a*) (i) shall be deemed to have been complied with within the relevant period by a pilot designated as commander of the aircraft for the flight if, having become qualified so to act on flights between the same places over the same route more than twelve months before commencement of the flight, he has within the period of twelve months immediately preceding the flight flown as pilot of an aircraft between those places over that route.

2.—(1) The records required to be maintained by an operator under paragraph (2) of Article 22 of this Order shall be accurate and up to date records so kept as to show, on any date, in relation to each person who has during the period of two years immediately preceding that date flown as a member of the crew of any public transport aircraft operated by that operator—

(*a*) the date and particulars of each test required by this Schedule undergone by that person during the said period including the name and qualifications of the examiner;

(*b*) the date upon which that person last practised the carrying out of the duties referred to in paragraph 1 (1) (*b*) of this Schedule;

(*c*) the operator's conclusions based on each such test and practice as to that person's competence to perform his duties;

(*d*) the date and particulars of any decision taken by the operator during the said period in pursuance of paragraph 1 (5) (*a*) (i) of this Schedule including particulars of the evidence upon which that decision was based.

(2) The operator shall whenever called upon to do so by any authorised person produce for the inspection of any person so authorised all records referred to in the preceding sub-paragraph and furnish to any such person all such information as he may require in connection with any such records and produce for his inspection all log books, certificates, papers and other documents whatsoever which he may reasonably require to see for the purpose of determining whether such records are complete or of verifying the accuracy of their contents.

(3) The operator shall at the request of any person in respect of whom he is required to keep records as aforesaid furnish to that person, or to any operator of aircraft for the purpose of public transport by whom that person may subsequently be employed, particulars of any qualifications in accordance with this Schedule obtained by such person whilst in his service.

ELEVENTH SCHEDULE

Articles 51 *and* 52

DOCUMENTS TO BE CARRIED BY AIRCRAFT REGISTERED IN THE UNITED KINGDOM

On a flight for the purpose of public transport:—

Documents A, B, C, D, E, F and, if the flight is international air navigation, Document G.

On a flight for the purpose of aerial work:—

Documents A, B, C, E, F and, if the flight is international air navigation, Document G.

On a flight, being international air navigation, for a purpose other than public transport or aerial work:—

Documents A, B, C and G.

For the purposes of this Schedule:—

"A" means the licence in force under the Wireless Telegraphy Act, 1949(a), in respect of the aircraft radio station installed in the aircraft, and the current telecommunication log book required by this Order;

"B" means the certificate of airworthiness in force in respect of the aircraft;

"C" means the licences of the members of the flight crew of the aircraft;

"D" means one copy of the load sheet, if any, required by Article 23 of this Order in respect of the flight;

"E" means one copy of each certificate of maintenance, if any, in force in respect of the aircraft;

"F" means the technical log referred to in paragraph (7) of Article 6 of this Order;

"G" means the certificate of registration in force in respect of the aircraft.

For the purposes of this Schedule:—

"International air navigation" means any flight which includes passage over the territory of any country other than the United Kingdom not being any of the Channel Islands, the Isle of Man, any country to which there is power to extend the Act under subsection (1) of section 66 thereof or any British Protected State.

TWELFTH SCHEDULE

Article 75

PENALTIES

PART A—PROVISIONS REFERRED TO IN PARAGRAPH (5) OF ARTICLE 75

Article 1.	Article 29 (except paragraph (2)).
Article 3.	Paragraph (1) of Article 39.
Paragraph (5) of Article 7.	Paragraph (1) of Article 40.
Article 11.	Article 48.
Paragraph (3) of Article 12.	Article 53.
Article 18.	Paragraph (2) of Article 57.
Article 20.	Article 63.
Article 21.	Paragraph (1) of Article 66.
Paragraph (5) of Article 23.	Article 68.
	Article 71.

(a) 12, 13 & 14 Geo. 6. c. 54.

PART B—PROVISIONS REFERRED TO IN PARAGRAPH (6) OF ARTICLE 75

Article 4.
Paragraph (1) of Article 6.
Article 7 (except paragraph (5)).
Article 9.
Article 10.
Article 12 (except paragraph (3)).
Article 14.
Article 15.
Article 19.
Article 22.
Article 23 (except paragraph (5)).
Articles 24 to 28, inclusive.
Paragraph (2) of Article 29.
Articles 30 to 38, inclusive.
Paragraph (2) of Article 39.
Paragraph (2) of Article 40.
Article 41.
Article 42.
Articles 44 to 47, inclusive.
Article 49.
Article 55 (except paragraph (3)).
Article 56 (except paragraph (4)).
Article 57 (except paragraph (2)).
Article 58.
Article 59.
Paragraph (4) of Article 61.
Article 65.
Article 72.

A TABLE SHOWING THE COMPARABLE PROVISIONS IN THE AIR NAVIGATION ORDER, 1954, AS AMENDED

Provision in the Air Navigation Order, 1954 (as amended)	Comparable provision in the Air Navigation Order, 1960
1	1
2	1 (1) Proviso (ii)
3	2 (1), (6), (7) and (8)
4	2 (2) and (3)
5	2 (12)
6, 7	2 (10) and (11)
8	3 (1) and (3) (*a*)
9	3 (2)
10	3 (3) (*b*)
11	4
12	5 (1) to (6)
13	13
14	7, 12 and 5 (7) and (8)
15	8
16	6
17	26, 24 (1), (2) and (4), 23, 30 and 6 (5) and (6)
18	21, 22 and Tenth Schedule
19	25
20	24 (3)
21	15
22	14
23	16
24	17
25	16 and Ninth Schedule and 15 (4)
26	19
27	11, 29 (4) (5) and (6) and 18
28	51
29	6 (4) and (8) and 23 (5)
30	52
31	54

Provision in the Air Navigation Order, 1954 (as amended)	Comparable provision in the Air Navigation Order, 1960
32	55
33	9
34	10, 6 (1), 14 (5), 8 and 29 (1)
34A to 34H	43 to 50
35	57
36	33
37	34
38	58
39	37
40	39
41	40
42	9 (5)
43	36
44	35
45	16 (2) Proviso (i), 16 (3) and (4) and Ninth Schedule (Part B)
46	20 and Ninth Schedule (Part A)
47, 48	56
49	68
50	61
51	62
52	63
53	60
54	59
55	—
56	64
57	65
58	66
59	67
60	—
61	69
62	70
63	71
64	73
65	—
66	74
67	75
68	76
69	77
70	—
71	—
72	78
73	79
74	80
75	82
76	83
Schedule I	First Schedule (Part B)
Schedule II	To be prescribed by regulations under Article 56
Schedule III	To be prescribed by regulations under Article 73
Schedule IV	First Schedule (Part A)

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order revokes and re-enacts with modifications the Air Navigation Order, 1954, as amended, and incorporates certain provisions of the Air Navigation (General) Regulations, 1954, S.I. 1954/900 (1954 I, p. 442), as amended, and of the Air Navigation (Radio) Regulations, 1954, S.I. 1954/925 (1954 I, p. 356). Schedule II (Rules of the Air and Air Traffic Control) and Schedule III (Fees) to the Air Navigation Order, 1954, are not re-enacted by the present Order, but power is conferred on the Minister of Aviation to make corresponding regulations. (Articles 56 and 73.)

The principal modifications are as follows:—

(*a*) Gliders, balloons and kites flown solely within the United Kingdom are in general exempted from the requirements of registration (Article 1 (1)) and of a certificate of airworthiness, unless flown for public transport or aerial work (Article 4 (1)).

(*b*) Power is conferred on the Minister to modify by regulations the aircraft registration provisions of the Order so as to facilitate the temporary interchange of aircraft between United Kingdom operators and other operators. (Article 2.)

(*c*) A body corporate is no longer disqualified from owning an aircraft registered in the United Kingdom by reason of the chairman and two-thirds of the directors not being qualified to do so. An alien residing or having a place of business in the United Kingdom may register an aircraft there, but an aircraft so registered may not fly for public transport or aerial work. An aircraft chartered by demise to a person qualified to own an aircraft registered in the United Kingdom may be so registered notwithstanding that the owner of the aircraft is an unqualified person. (Article 2.)

(*d*) Provision is made for a technical log in which commanders of aircraft must record the flying hours of, and any defects in, the aircraft; and for a certificate of compliance to cover inspections, overhauls, repairs, replacements and modifications. (Articles 5 to 7.)

(*e*) Glider pilots and persons under training are now allowed to operate aircraft radiotelephony installations in certain circumstances without having a flight radiotelephony operator's licence. (Article 15.)

(*f*) A new provision allows the holder of a flight crew licence issued by a State party to the Chicago Convention of 1944 to act, without validation of the licence, as a member of the flight crew of an aircraft registered in the United Kingdom when the aircraft is not flying for public transport or aerial work. (Article 15.)

(*g*) The number of types of flight crew licences has been reduced. (Article 16.)

(*h*) An operations manual is required for all public transport aircraft, without exception, and a copy of the manual is required to be carried on the aircraft. (Article 21.)

(*i*) The particulars required to be included in the load sheet have been modified. (Article 23.)

(*j*) A limit of length is set to the combination of towing aircraft and glider. Signals are required to be arranged beforehand between the glider and the towing aircraft, and the snatch pick-up of gliders is prohibited. (Article 30.)

(*k*) The dropping or projection of articles, animals or persons, save in emergency or for certain specified purposes, is prohibited subject to any exemption which may be granted by the Minister under Article 78. The raising or lowering of articles, etc., by helicopters will be lawful without exemption if the aircraft's certificate of airworthiness so permits. (Article 32.)

(*l*) Stowaways are now dealt with in the Order (Article 42), and the Air Navigation (Stowaways) Order, 1949 is revoked. (Article 82.)

(*m*) The provisions as to flight times, rest periods and duty periods are extended to aircraft operated by transport undertakings whether or not the particular flight is for public transport, but excluding flying clubs and flying schools. (Article 43.)

(*n*) The discretion of a commander of an aircraft to allow a departure from the flight time limitations in case of unavoidable and unforeseen delay to a flight is applied to all aircraft and is no longer confined to public transport aircraft. (Article 50.)

(*o*) The purposes for which the Minister may make regulations prohibiting or restricting flying over a specified area are extended to include the national interest as well as national defence. (Article 57.)

(*p*) The requirement that aircraft engaged in the public transport of passengers may only land and take-off in the United Kingdom at government or licensed aerodromes is modified—

(i) by a revision of the exception, in particular by restricting it in the case of aeroplanes to those not exceeding 6,000 lb. maximum total weight authorised when not engaged on certain types of flight;

(ii) by extending the requirement to aircraft in use for instruction in flying.

(Article 59.)

(*q*) Aircraft registered in a country party to the Chicago Convention of 1944 or in a foreign country may henceforth not take on board or discharge passengers or cargo in the United Kingdom for hire or reward except with the permission of the Minister, notwithstanding that they may do so in accordance with an international agreement. (Article 68.)

(*r*) The maximum penalties for offences against the Order are arranged in the following categories:—

(i) the maximum penalties which may be imposed under s. 8 (4) of the Civil Aviation Act, 1949;

(ii) a middle category for less serious offences;

(iii) a category for minor offences.

(Article 75 and the Twelfth Schedule.)

(*s*) An aircraft is no longer treated as a military aircraft by reason of its being commanded by a person on duty in Her Majesty's Forces or in a visiting force, but under Article 15 (5) such persons are excepted from the requirement of civil flight crew licences. The Order does not apply to military aircraft except when flown by civilians, in which case only certain Articles apply. (Article 77.)

(*t*) The definition of " military aircraft " is changed so as to include aircraft being constructed for military purposes under a Government contract, and power is given to a Secretary of State and the Admiralty to certify that aircraft owned by Her Majesty are to be treated as military aircraft for the purposes of the Order. The Minister of Aviation is given similar power in relation to any aircraft. (Article 79.)

(*u*) Provision is made to exclude from the application of the Order (except where otherwise provided) toy balloons and kites and model aircraft. (Article 81.)