STATUTORY INSTRUMENTS

1965 No. 126

CIVIL AVIATION

The Air Navigation (Sixth Amendment) Order 1965

Made - - - -	*29th January* 1965
Laid before Parliament	*4th February* 1965
Coming into Operation	
(*a*) *for the purposes of Article* 3 (2), (3), (16) *to* (18)	*1st September* 1965
(*b*) *for all other purposes*	*8th February* 1965

At the Court at Buckingham Palace, the 29th day of January 1965.

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 8, 57, 59 and 61 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:—

Citation and Operation

1. This Order may be cited as the Air Navigation (Sixth Amendment) Order 1965 and shall come into operation on 1st September 1965 for the purposes of Article 3 (2), (3), (16), (17) and (18) and on 8th February 1965 for all other purposes.

Interpretation

2.—(1) In this Order, " the principal Order " means the Air Navigation Order 1960(b) as amended(c).

(2) The Interpretation Act 1889(d) applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

Amendment of Air Navigation Order 1960

3. The principal Order shall be amended as follows:—

(1) In Article 10(4)—

After the figure (4) there shall be inserted the words

" Subject to such exceptions as may be prescribed ".

(a) 12, 13 & 14 Geo. 6. c. 67.
(b) S.I. 1960/972 (1960 I, p. 599).
(c) S.I. 1960/2410, 1962/1332, 1963/608, 1488, 1964/55 (1960 I, p. 680; 1962 II, p. 1423; 1963 I, p. 724; II, p. 2620; 1964 I, p. 80).
(d) 52 & 53 Vict. c. 63.

(2) In Article 15—

in paragraph (4)(*b*)(i) after the word " tests " there shall be inserted the words " or to conduct the aforesaid tests ", and after the word " trained " there shall be inserted the words " or tested ";

in paragraph (4)(*b*)(ii) the words " either the holder of a pilot's licence (other than a student pilot's licence) granted under this Order or was " shall be omitted;

the following shall be added after paragraph (7)—

" (8) Notwithstanding anything in this Article—

(i) the holder of a licence granted or rendered valid under this Order, being a licence endorsed to the effect that the holder does not satisfy in full the relevant international standard, shall not act as a member of the flight crew of an aircraft registered in the United Kingdom in or over the territory of a Contracting State other than the United Kingdom, except in accordance with permission granted by the competent authorities of that State;

(ii) the holder of a licence granted or rendered valid under the law of a Contracting State other than the United Kingdom, being a licence endorsed as aforesaid, shall not act as a member of the flight crew of any aircraft in or over the United Kingdom except in accordance with permission granted by the Minister, whether or not the licence is or is deemed to be rendered valid under this Order.".

(3) In Article 16—

in paragraph (1), after the flying machine pilot's licences in the list of licences, there shall be inserted the following:—

" Private pilot's licence (aeroplanes)
Commercial pilot's licence (aeroplanes)
Senior commercial pilot's licence (aeroplanes)
Airline transport pilot's licence (aeroplanes)
Private pilot's licence (helicopters and gyroplanes)
Commercial pilot's licence (helicopters and gyroplanes)
Airline transport pilot's licence (helicopters and gyroplanes).";

at the end of paragraph (1), the following shall be added—

" Provided that the Minister shall not grant any flying machine pilot's licences after 31st August 1965.";

in paragraph (2), proviso (*a*), for the words and figures " paragraph (10) " there shall be substituted the words and figures " paragraphs (10) and (11) ";

the following shall be added after proviso (*b*) to paragraph (2)—

" (*c*) on and after 1st September 1966, in the case of the holder of a flight navigator's, flight engineer's or flight radio-telegraphy operator's licence, on and after 1st September 1967, in the case of the holder of a student pilot's licence or private pilot's licence (aeroplanes), and on and after 1st September 1965 in the case of the holder of any other licence, the holder of a licence, other than a flight radio-telephony operator's licence, shall not be entitled to perform any of the functions to which his licence relates unless it includes a medical certificate issued and in force under paragraph (6A) of this Article;

(*d*) on and after 1st September 1967, in the case of the holder of a private pilot's licence (aeroplanes) or private pilot's licence (helicopters and gyroplanes) and on and after 1st September 1965 in the case of the holder of any other licence, the holder of a pilot's licence

shall not be entitled to perform functions on a flight unless the licence bears a valid certificate of test or a valid certificate of experience, which certificate shall in either case be appropriate to the functions he is to perform on that flight in accordance with Part C of the said Schedule and shall otherwise comply with that Part;

(*e*) a person shall not be entitled to perform the functions to which an instrument rating (aeroplanes), flying instructor's rating or assistant flying instructor's rating relates unless his licence bears a certificate, signed by a person authorised by the Minister to sign such certificates, indicating that the holder of the licence has, within the period of 13 months in the case of an instrument rating (aeroplanes) and an assistant flying instructor's rating, and 25 months in the case of a flying instructor's rating, preceding the day on which he performs those functions, passed a test of his ability to perform the functions to which the rating relates, being a test carried out in flight in the case of the two last-named ratings, and in the case of the first-named rating, either in flight or by means of apparatus approved by the Minister in which flight conditions are simulated on the ground;

(*f*) a person who, on the last occasion when he took a test for the purposes of sub-paragraphs (*d*) or (*e*) of this paragraph, failed that test shall not be entitled to fly in the capacity for which that test would have qualified him had he passed it.";

in paragraph (3) the second and third sentences shall be omitted;

in paragraph (4) the words " and a rating " shall be deleted;

the following shall be substituted for paragraph (6)—

" (6) Every applicant for and holder of a licence granted under this Article other than a flight radio-telephony operator's licence shall upon such occasions as the Minister may require submit himself to medical examination by a person approved by the Minister either generally or in a particular case who shall make a report to the Minister in such form as the Minister may require.

(6A) On and after 1st September 1966 in the case of the holder of a flight-navigator's, flight engineer's or flight radio-telegraphy operator's licence, on and after 1st September 1967 in the case of the holder of a student pilot's licence or a private pilot's licence (aeroplanes) and on and after 1st September 1965 in the case of the holder of any other licence—

(*a*) where the medical examination referred to in paragraph (6) of this Article is conducted in the United Kingdom, the Minister or any person approved by him as competent to do so may, after receiving the report made by the person conducting the medical examination, issue a medical certificate subject to such conditions as he thinks fit to the effect that he has assessed the holder of the licence as fit to perform the functions to which the licence relates. The certificate shall, without prejudice to proviso (*b*) to paragraph (2) of this Article, be valid for such period as is therein specified, and shall be deemed to form part of the licence;

(*b*) where the medical examination is conducted outside the United Kingdom the person conducting the examination shall, in addition to making a report to the Minister in accordance with the preceding paragraph, issue a certificate certifying, if such is, in his opinion, the case, that the holder of the licence is fit to perform the functions to which the licence relates and the said certificate shall, if countersigned by a person authorised by the Minister in that behalf under Article 74 of the principal Order, be deemed to be a medical certificate for the purposes

of this Article, and shall be valid for such period as may be specified therein in writing by the said authorised person.";

in paragraph (10) the words " flying machines " where they appear in parentheses shall be deleted and for the words " a flying machine " there shall be substituted the words " an aircraft ";

after paragraph (10) there shall be added the following—

" (11) Nothing in this Order shall prohibit the holder of a pilot's licence from acting as pilot of an aircraft not exceeding 12,500 lb. maximum total weight authorised when with the authority of the Minister he is testing any person in pursuance of Article 16(1) or (3) of this Order, notwithstanding that the type of aircraft in which the test is conducted is not specified in the aircraft rating included in his licence.".

(4) In Article 21—

for paragraph (2)(*a*)(ii) there shall be substituted the following—

" (ii) ensure that each copy of the operations manual is kept up to date; and

(iii) ensure that on each flight every member of the crew has access to a copy of every part of the operations manual which is relevant to his duties on the flight.".

(5) In Article 22—

in paragraph (1)(*c*), after the word " equipped " there shall be inserted the words in parentheses " (including such manning and equipment as may be prescribed) ".

(6) In Article 29A(2), for the figure " 60 " there shall be substituted the figure " 30 ".

(7) In Article 55—

the following shall be substituted for paragraph (5)—

" (5) A person shall not purport to issue any certificate for the purposes of this Order or the Regulations made thereunder unless he is authorised to do so under this Order.".

(8) In Article 56—

in paragraph (3)(*c*), for the reference to " Air Ministry Flying Orders " there shall be substituted a reference to " Ministry of Defence Flying Orders".

(9) In Article 77—

in paragraph (1) the words " which are registered in the United Kingdom or are capable of being so registered " shall be deleted;

in paragraph (2) after the word " force " where it occurs for the second time there shall be inserted the words " and any international headquarters and the members thereof " and after that word where it occurs for the third and fourth times there shall be inserted the words " or headquarters ";

in paragraph (4), after the words " visiting force " there shall be inserted the words " or international headquarters ", and for the reference to Air Ministry Flying Orders there shall be substituted a reference to Ministry of Defence Flying Orders.

(10) In Article 79(1)—

after the definition of " Instrument Flight Rules " there shall be inserted the following—

" " International Headquarters " means an international headquarters

designated by Order in Council under Section 1 of the International Headquarters and Defence Organisations Act 1964(a);";

in the definition of " Maximum total weight authorised ", after the words " take off " there shall be inserted the words " anywhere in the world, in the most favourable circumstances ";

in the definition of " Military aircraft ", for the words " Admiralty or the Secretary of State " there shall be substituted the words " Secretary of State for Defence ".

(11) In Article 79(9), there shall be added at the end the following words—

" and to make such incidental and supplementary provisions as are necessary or expedient for carrying out the purposes of the Regulations ".

(12) In Part B of Schedule 1—

in paragraph 2. I(a)(i), for the first two sentences there shall be substituted the following—

" (i) *Wings:* Except on aircraft having no fixed wing surface, the marks shall appear on the lower surface of the wing structure, and shall be on the left half of the lower surface of the wing structure unless they extend across the whole surface of both wings.";

in paragraph 2. II(a)(ii), for the last sentence there shall be substituted the following—

" The height of the marks shall be at least 12 inches:

Provided that

(*a*) where the aircraft has been registered in the United Kingdom before 1st February 1965, a height of 6 inches shall be sufficient until 1st November 1967; and

(*b*) where owing to the structure of the aircraft a height of 12 inches is not reasonably practicable, the height shall be the greatest height reasonably practicable in the circumstances, but not less than 6 inches.".

(13) In Schedule 2, for paragraph (5) of the B Conditions, there shall be substituted the following—

" (5) The aircraft shall not carry any cargo, or any persons other than the flight crew except the following:—

(*a*) persons employed by the operator who carry out during the flight duties in connection with the purposes specified in paragraph (3) of these Conditions;

(*b*) persons employed by manufacturers of component parts of the aircraft (including the engine) who carry out during the flight duties in connection with the purposes so specified;

(*c*) persons approved by the Minister under Article 5(8) of this Order as qualified to furnish reports for the purposes of that Article;

(*d*) persons, other than those carried under the preceding provisions of this paragraph, who are carried in the aircraft in order to carry out a technical evaluation of the aircraft or its operation.".

(14) In Schedule 5—

in Scale J in paragraph 5, for the words " dinghies " and " dinghy ", wherever they appear, there shall be substituted respectively the words " liferafts " and " liferaft ".

(a) 1964 c. 5.

(15) In Schedule 6—

for sub-paragraph (2) of the Table in paragraph 2 there shall be substituted the following:—

"(2) *All aircraft when flying for the purpose of public transport under Instrument Flight Rules:*

(i) while making an approach to landing ..... A B C D

(ii) on all other occasions ..... A B C

(3) *All aircraft over 5,000 lb. maximum total weight authorised when flying for the purpose of public transport under Visual Flight Rules* ..... A B.

(4) *All aircraft not over 5,000 lb. maximum total weight authorised when flying for the purpose of public transport 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";

in paragraph 4, sub-paragraph (ii) and the definition of "visual/aural radio range" shall be omitted.

(16) In Part A of Schedule 9—

in paragraph 2, all the entries under the heading "Maximum Period of Validity", including the footnotes thereto, shall be deleted, and the words "5 years" shall be substituted therefor;

after paragraph 2 there shall be inserted the following—

"2A. *Aeroplane pilots*

Private Pilot's Licence (Aeroplanes)

Minimum age—17 years

Maximum Period of Validity—5 years

Privileges: The licence—

(i) shall entitle the holder to fly as pilot in command or co-pilot of an aeroplane of any of the types specified in the aircraft rating included in the licence, except when—

(*a*) the aeroplane is flying for the purpose of public transport or aerial work; or

(*b*) the holder of the licence receives any remuneration in respect of the flight, not being remuneration for the giving of instruction in an aeroplane owned, or operated under arrangements entered into, by a flying club of which the person giving and the person receiving the instruction are members;

(ii) shall not entitle the holder to act as pilot in command at night on a flight on which any passenger is carried unless—

(*a*) his licence includes a night rating (aeroplanes); and

(*b*) his licence includes an instrument rating (aeroplanes) or he has within the immediately 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 was not less than 12 degrees below the horizon.

Commercial Pilot's Licence (Aeroplanes)

Minimum age—18 years

Maximum Period of Validity—5 years

Privileges: In addition to the privileges given above for the Private

Pilot's Licence (Aeroplanes), the holder of the licence shall be entitled to fly as—

(i) pilot in command of any aeroplane of a type specified in Part 1 of the aircraft rating included in the licence when the aeroplane is engaged in a flight for any purpose whatsoever:

Provided that—

(*a*) he shall not, unless his licence includes an instrument rating, fly such an aeroplane on any scheduled journey;

(*b*) he shall not fly such an aeroplane at night on a flight on which any passenger is carried unless his licence includes an instrument rating 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 was not less than 12 degrees below the horizon;

(*c*) he shall not, unless his licence includes an instrument rating, fly any such aeroplane of which the maximum total weight authorised exceeds 5,000 lb. on any flight for the purpose of public transport, except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome;

(*d*) he shall not fly such an aeroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 12,500 lb.;

(ii) co-pilot of any aeroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the aeroplane is engaged in a flight for any purpose whatsoever.

Senior Commercial Pilot's Licence (*Aeroplanes*)

Minimum age—21 years

Maximum Period of Validity—5 years

Privileges: In addition to the privileges given above for the Private Pilot's Licence (Aeroplanes), the holder of the licence shall be entitled to fly as—

(i) pilot in command of any aeroplane of a type specified in Part 1 of the aircraft rating included in the licence when the aeroplane is engaged in a flight for any purpose whatsoever:

Provided that—

(*a*) he shall not, unless his licence includes an instrument rating, fly such an aeroplane on any scheduled journey;

(*b*) he shall not fly such an aeroplane at night on a flight on which any passenger is carried unless his licence includes an instrument rating 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 was not less than 12 degrees below the horizon;

(*c*) he shall not, unless his licence includes an instrument rating, fly any such aeroplane of which the maximum total weight authorised exceeds 5,000 lb. on any flight for the purpose of public transport, except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome;

(*d*) he shall not fly such an aeroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 45,000 lb.;

(ii) co-pilot of any aeroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the aeroplane is engaged in a flight for any purpose whatsoever.

Airline Transport Pilot's Licence (Aeroplanes)
Minimum age—21 years
Maximum Period of Validity—5 years

Privileges: In addition to the privileges given above for the Private Pilot's Licence (Aeroplanes), the holder of the licence shall be entitled to fly as—

(i) pilot in command of any aeroplane of a type specified in Part 1 of the aircraft rating included in the licence when the aeroplane is engaged in a flight for any purpose whatsoever:
Provided that—

(*a*) he shall not, unless his licence includes an instrument rating, fly such an aeroplane on any scheduled journey;

(*b*) he shall not fly such an aeroplane at night on a flight on which any passenger is carried unless his licence includes an instrument rating 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 was not less than 12 degrees below the horizon;

(*c*) he shall not, unless his licence includes an instrument rating, fly any such aeroplane of which the maximum total weight authorised exceeds 5,000 lb. on any flight for the purpose of public transport, except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome;

(*d*) he shall not at any time after he attains the age of 60 years, fly such an aeroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 45,000 lb.;

(ii) co-pilot of any aeroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the aeroplane is engaged in a flight for any purpose whatsoever.

2B. Helicopter and Gyroplane Pilots

Private Pilot's Licence (Helicopters and Gyroplanes)
Minimum age—17 years
Maximum Period of Validity—5 years
Privileges: The licence—

(i) shall entitle the holder to fly as pilot in command or co-pilot of a helicopter or gyroplane of any of the types specified in the aircraft rating included in the licence, except when—

(*a*) the helicopter or gyroplane is flying for the purpose of public transport or aerial work; or

(*b*) the holder of the licence receives any remuneration in respect of the flight, not being remuneration for the giving of instruction in a helicopter or gyroplane owned, or operated under arrangements entered into, by a flying club of which the person giving and the person receiving the instruction are members;

(ii) shall not entitle the holder to act as pilot in command at night on a flight on which any passenger is carried unless his licence includes a night rating (helicopters and gyroplanes) and he has within the preceding 90 days carried out as pilot in command not less than 5 flights each consisting of a take-off, a transition from

hover to forward flight, a climb to at least 500 ft., and a landing, at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon.

Commercial Pilot's Licence (Helicopters and Gyroplanes)

Minimum age—18 years

Maximum period of validity—5 years

Privileges: In addition to the privileges given above for the Private Pilot's Licence (Helicopters and Gyroplanes), the holder of the licence shall be entitled to fly as—

(i) pilot in command of any helicopter or gyroplane of a type specified in Part 1 of the aircraft rating included in the licence when the helicopter or gyroplane is engaged on a flight for any purpose whatsoever:

Provided that—

(*a*) he shall not fly such a helicopter or gyroplane at night on a flight on which any passenger is carried unless he has within the preceding 90 days carried out as pilot in command not less than 5 flights, each consisting of a take-off, a transition from hover to forward flight, a climb to at least 500 ft., and a landing, at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon;

(*b*) he shall not fly such a helicopter or gyroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 12,500 lb.;

(ii) co-pilot of any helicopter or gyroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the helicopter or gyroplane is engaged in a flight for any purpose whatsoever.

Airline Transport Pilot's Licence (Helicopters and Gyroplanes)

Minimum age—21 years

Maximum period of validity—5 years

Privileges: In addition to the privileges given above for the Private Pilot's Licence (Helicopters and Gyroplanes) the holder of the licence shall be entitled to fly as—

(i) pilot in command of any helicopter or gyroplane of a type specified in Part 1 of the aircraft rating included in the licence when the helicopter or gyroplane is engaged in a flight for any purpose whatsoever:

Provided that he shall not fly such a helicopter or gyroplane at night on a flight on which any passenger is carried unless he has within the immediately preceding 90 days carried out as pilot in command not less than 5 flights, each consisting of a take-off, a transition from hover to forward flight, a climb to at least 500 ft., and a landing, at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon;

(ii) co-pilot of any helicopter or gyroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the helicopter or gyroplane is engaged in a flight for any purpose whatsoever.";

in paragraph 5 under the headings " Flight Radiotelephony Operator's General Licence " and " Flight Radiotelephony Operator's Restricted Licence ", all the entries headed " Maximum Period of Validity ", including the footnotes thereto, shall be deleted and the words " 5 years " shall be substituted therefor.

(17) In Part B of Schedule 9—

for the item headed "*Instrument Rating (Flying Machines)*", there shall be substituted the following—

"*Instrument Rating* (*Aeroplanes*) shall entitle the holder of the licence to act as pilot of an aeroplane flying in controlled airspace in accordance with the instrument flight rules.";

for the item headed "*Night Rating* (*Private Pilot's Licence—Flying Machines*)" there shall be substituted the following—

"*Night Rating* (*Aeroplanes*) shall entitle the holder of a private pilot's licence (aeroplanes) to act as pilot in command at night of an aeroplane in which any passenger is carried.

Night Rating (*Helicopters and Gyroplanes*) shall entitle the holder of a private pilot's licence (helicopters and gyroplanes) to act as pilot in command at night of a helicopter or gyroplane in which any passenger is carried.";

under the headings "*Flying Instructor's Rating*" and "*Assistant Flying Instructor's Rating*" the final sentence shall in each case be omitted.

(18) The following shall be added to Schedule 9 as Part C thereof—

"PART C—CERTIFICATE OF TEST OR EXPERIENCE (AIRCRAFT RATING)

Person who may sign Certificate

1. A certificate of test or a certificate of experience required by proviso (*d*) to Article 16(2) of this Order shall be signed by a person authorised by the Minister to sign certificates of that kind and shall comply with the following provisions of this Part of this Schedule.

Matters to be certified

2. The certificate shall certify the following particulars:—

(*a*) the date on which it was signed;

(*b*) (i) in the case of a certificate of test, that the person signing the certificate is satisfied that on a date specified in the certificate the holder of the licence of which the certificate forms part passed a flying test;

(ii) in the case of a certificate of experience, that on the date on which the certificate was signed the holder of the licence of which it forms part produced his personal flying log book to the person signing the certificate and satisfied him that he had five hours' experience as a pilot of aircraft within the period of 6 months or 13 months preceding that date, whichever is the case;

(*c*) the type of aircraft or apparatus in or by means of which the test was conducted, or the type or types of aircraft in which the experience was gained;

(*d*) whether the test or experience was in the capacity of pilot in command or co-pilot.

Nature of flying test

3. The flying test referred to in paragraph 2 of this Part of this Schedule shall be a test of the pilot's competence to fly the aircraft as pilot in command or co-pilot and may, at the discretion of the Minister, be conducted either in an aircraft in flight or by means of apparatus approved by the Minister in which flight conditions are simulated on the ground.

Classification of flights into Groups

4. For the purposes of this Part of this Schedule, flights shall be divided into Groups according to the following Table:—

Group	Circumstances of flight		
	Aircraft flown	Remuneration of licence-holder in respect of flight	Other circumstances
A	Single-engined aircraft below 12,500 lb.*	Unremunerated	Not public transport or aerial work
B	Multi-engined aircraft below 12,500 lb.*	Unremunerated	Not public transport or aerial work
C	Above 12,500 lb.*	Unremunerated	Not public transport or aerial work
D	Any aircraft	Remunerated	Not public transport, aerial work or carriage of passengers
E	Any aircraft	Remunerated	For the carriage of passengers but not for public transport or aerial work
F	Any aircraft	Remunerated or unremunerated	For aerial work
G	Any aircraft	Remunerated or unremunerated	For public transport

* Maximum total weight authorised.

Requirement of test or experience

5. A certificate shall not be appropriate to the functions to be performed on flights in Group E or G unless it is a certificate of test, but in the case of Groups A, B, C, D and F it may be either a certificate of test or a certificate of experience.

Type or Class of Aircraft

6.—(1) A certificate of test shall not be appropriate to the functions to be performed unless it certifies that the test was conducted as follows—

For the purposes of Group A: in an aircraft of the same class as that in which the functions are to be performed;

For the purposes of Group B: in a multi-engined aircraft of the same class as that in which the functions are to be performed;

For the purposes of Groups C to G: in an aircraft of the same type as that in which the functions are to be performed or by means of apparatus approved by the Minister in which flight conditions in such an aircraft are simulated on the ground.

(2) A certificate of experience shall not be appropriate to the functions to be performed unless it certifies that the experience was gained as follows:

For the purposes of Group A: 5 hours' experience in an aircraft of the same class as that in which the functions are to be performed;

For the purposes of Group B: 5 hours' experience in an aircraft of the same class as that in which the functions are to be performed, of which at least one flight shall have been in a multi-engined aircraft;

For the purposes of Groups C, D and F: 5 hours' experience in an aircraft of the same class as that in which the functions are to be performed of which at least one flight shall have been in an aircraft of the same type as that in which the functions are to be performed.

(3) For the purposes of this paragraph the class to which an aircraft belongs shall be determined according to column 4 of the Table in Part A of the First Schedule to this Order.

Capacity in which functions are performed

7. A certificate of test or of experience in the capacity of pilot in command shall be appropriate to functions performed in the capacity of pilot in command or co-pilot. A certificate of test or of experience in the capacity of co-pilot shall be appropriate to functions performed in the capacity of co-pilot.

Period of experience

8. A certificate of experience shall have no effect unless the experience certified was gained within the period of 13 months preceding the signing of the certificate in the case of Groups A to D, and 6 months preceding the signing of the certificate in the case of Group F.

Period of validity of certificate

9.—(*a*) A certificate of test shall not be valid in relation to a flight made more than 13 months in the case of Groups A to E, or 6 months in the case of Groups F and G, after the date of the flying test which it certifies:

Provided that in the case of Groups F and G two certificates of test shall together be deemed to constitute a valid certificate if they certify flying tests conducted on two occasions within the period of 13 months preceding the flight on which the functions are to be performed, such occasions being separated by an interval of not less than 4 months, and if both certificates are appropriate to those functions.

(*b*) A certificate of experience shall not be valid in relation to a flight made more than 6 months after it was signed in the case of Group F or more than 13 months after it was signed in the case of any other Group."

(19) In sub-paragraph (ix) of Part A of Schedule 10, the word " instrument " shall be omitted.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Air Navigation Order 1960, as previously amended. In addition to some minor and drafting amendments, the following changes are made in the Articles and Schedules mentioned below:—

(1) The Minister of Aviation is given power to prescribe exceptions to the requirement that radio apparatus in aircraft shall always be maintained in serviceable condition (Article 10(4)).

(2) From 1st September 1965 the holding of a pilot's licence within the previous six months will no longer be a qualification for acting as pilot in command of an aircraft without being the holder of an appropriate licence in the circumstances described in Article 15(4) (Article 15(4) (*b*) (ii)).

(3) From 1st September 1965 a new Article 15(8) will provide that if a United Kingdom licence is endorsed to the effect that the holder does not satisfy the full international standard he is not allowed to fly over foreign territory without permission of the local authorities; a corresponding restriction will be imposed on holders of foreign licences, who will require the Minister's permission for flight over the United Kingdom. This gives effect to Article 40 of the Chicago Convention of 1944.

(4) Separate licences and night ratings will, from 1st September 1965, be introduced for aeroplane pilots and for helicopter and gyroplane pilots. No further flying machine licences can be issued after 31st August 1965 (Article 16(1) and Schedule 9).

(5) From 1st September 1966, in the case of a flight navigator's, flight engineer's and flight radio-telegraphy operator's licence, 1st September 1967, in the case of a student pilot's licence and private pilot's licence (aeroplanes) and 1st September 1965 in the case of all other licences (except a flight radio-telephony operator's licence) the holder of a flight crew licence is required to hold a medical certificate as part of his licence (Article 16).

(6) From 1st September 1965, the maximum period of validity for specified types of pilot's licence and for a flight radio-telephony operator's licence will be five years, but the pilot's licence will require a certificate, signed periodically by a person authorised by the Minister, certifying that the holder of the licence has passed a specified flight test or had specified flying experience. Private pilots, however, will not require these certificates until 1st September 1967 (Article 16 and Schedule 9).

(7) From 1st September 1965 examiners conducting tests under Article 16(1) or (3) in aircraft not exceeding 12,500 lb. maximum total weight authorised need no longer have the appropriate aircraft rating (Article 16 (11)).

(8) Only those parts of the operations manual which are relevant to the crew's duties on the flight are required to be carried in the aircraft. Relevant parts must be available to all members of the crew and not only to the flight crew as before (Article 21(2) (*a*) (ii)).

(9) Power is conferred to prescribe the matters concerning manning and equipment of aerodromes about which the operator of a public transport aircraft must satisfy himself (Article 22).

(10) The period during which records made by flight recorders are required to be preserved is reduced to 30 days (Article 29A(2)).

(11) The prohibition on purporting to issue certain certificates without being authorised to do so is extended to include all certificates issued under the Order or Regulations (Article 55(5)).

(12) The provisions relating to visiting forces' aircraft are extended to aircraft of an international headquarters designated under s.1 of the International Headquarters and Defence Organisation Act 1964 (Article 77(2) and (4)).

(13) "Maximum total weight authorised" will now mean the maximum total weight for take-off anywhere in the world in the most favourable circumstances (Article 79(1)).

(14) Power is conferred upon the Minister, when making Regulations, to make incidental and supplementary provisions (Article 79(9)).

(15) Nationality and registration marks are no longer required on the upper surface of the wing structure of flying machines and gliders, but the required height of those on the fuselage and vertical tail surfaces of newly registered aircraft is increased to 12 inches. Other aircraft may continue with marks only 6 inches high until 1st November 1967 (Schedule 1, Part B).

(16) The classes of persons who may be carried in aircraft flying under the B Conditions are modified (Schedule 2).

(17) All aircraft over 5,000 lb. maximum total weight authorised when flying for the purpose of public transport under Visual Flight Rules are required to carry Scales A and B of radio apparatus at all times (Schedule 6).

(18) Apparatus for receiving signals from visual/aural radio ranges is removed from the list of radio navigation apparatus one of which must be carried, in addition to automatic direction finding apparatus, by aircraft flying to or from Berlin (Schedule 6, paragraph 4).

(19) Subject to certain exceptions, a Private Pilot's Licence will, from 1st September 1965 no longer be able to be used for a flight for which the pilot is remunerated (Schedule 9).

(20) Holders of Commercial and Senior Commercial Pilots' Licences will, from 1st September 1965, be entitled to act as pilots in command of any aircraft flying for any purpose other than public transport (Schedule 9).