STATUTORY INSTRUMENTS

1975 No. 1515

CIVIL AVIATION

The Air Navigation (Third Amendment) Order 1975

Made - - - - - - -	17*th September* 1975
Laid before Parliament - - -	24*th September* 1975
Coming into operation:	
(*a*) *for the purposes of Article* 3(6), (7), (11) *and* (12) - - - -	17*th December* 1975
(*b*) *for all other purposes* - -	10*th November* 1975

At the Court at Balmoral, the 17th day of September 1975

Present,
The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 8 and 57 of the Civil Aviation Act 1949(**a**) as amended by section 62(1) of the Civil Aviation Act 1971(**b**) 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 Commencement

1. This Order may be cited as the Air Navigation (Third Amendment) Order 1975 and shall come into operation for the purposes of Article 3(6), (7), (11) and (12) on 17th December 1975 and for all other purposes on 10th November 1975.

Interpretation

2. The Interpretation Act 1889(**c**) shall apply 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 the Air Navigation Order 1974

3. The Air Navigation Order 1974(**d**), as amended (**e**), shall be further amended as follows:

(1) In Article 4, in paragraph (17) the words "paragraph (13) of"shall be deleted.

(**a**) 1949 c. 67. (**b**) 1971 c. 75. (**c**) 1889 c. 63.
(**d**) S.I. 1974/1114 (1974 II, p. 4057). (**e**) There is no relevant amending instrument.

(2) At the end of Article 20(1)(*d*), there shall be added: "If no period is indicated in the licence, it shall remain in force, subject as aforesaid, for the lifetime of the holder.".

(3) In Article 20 at the beginning of subparagraph (4)(*a*) there shall be inserted, "Subject to the provisions of subparagraph (*c*) of this paragraph,".

(4) In Article 20(4) after subparagraph (*b*), there shall be added the following subparagraph:

"(*c*) In the case of a certificate of test or a certificate of experience issued in accordance with Part C of the said Schedule on or after 10th November 1975 the holder of a Private Pilot's Licence shall not be entitled to exercise the privileges of an aircraft rating contained in the licence on a flight unless the certificate of test or certificate of experience required by subparagraph (*a*) of this paragraph is included in the personal flying log book required to be kept by him under Article 22 of this Order.".

(5) In Article 20(9), after "the aircraft rating included in his licence or that the licence" there shall be inserted: "or personal flying log book as the case may be".

(6) In Article 25, for paragraph (3) there shall be substituted:

"(3) (*a*) An aircraft to which this Article applies shall not fly unless, not less than 30 days prior to such flight, the operator of the aircraft has furnished to the Authority a copy of the whole of the operations manual for the time being in effect in respect of the aircraft.

(*b*) Any amendments or additions to the operations manual shall be furnished to the Authority by the operator before or immediately after they come into effect:

Provided that where an amendment or addition relates to the operation of an aircraft to which the operations manual did not previously relate, that aircraft shall not fly for the purpose of public transport until the amendment or addition has been furnished to the Authority.

(*c*) Without prejudice to the foregoing subparagraphs the operator shall make such amendments or additions to the operations manual as the Authority 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.".

(7) After Article 25, there shall be inserted the following new Article:

"*Training manual.*

25A(1) The operator of every aircraft registered in the United Kingdom and flying for the purpose of public transport shall:

(*a*) make a training manual available to every person appointed by the operator to give or to supervise the training, experience, practice or periodical tests required under Article 26(2) of this Order; and

(*b*) ensure that each copy of that training manual is kept up to date.

(2) Each training manual shall contain all such information and instructions as may be necessary to enable a person appointed by the operator to give or to supervise the training, experience, practice and periodical tests required under Article 26(2) of this Order to perform

his duties as such including in particular information and instructions relating to the matters specified in Part C of Schedule 11 to this Order.

(3) (*a*) An aircraft to which this Article applies shall not fly unless, not less than 30 days prior to such flight, the operator of the aircraft has furnished to the Authority a copy of the whole of his training manual relating to the crew of that aircraft.

(*b*) Any amendments or additions to the training manual shall be furnished to the Authority by the operator before or immediately after they come into effect:
Provided that where an amendment or addition relates to training, experience, practice or periodical tests on an aircraft to which the training manual did not previously relate, that aircraft shall not fly for the purpose of public transport until the amendment or addition has been furnished to the Authority.

(*c*) Without prejudice to the foregoing subparagraphs the operator shall make such amendments or additions to the training manual as the Authority 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.".

(8) In Schedule 5, after subparagraph (*b*) of the proviso to Scale P, there shall be inserted:

"In addition, on all flights on or after 1st January 1976 by turbine-powered aeroplanes having a maximum total weight authorised of 27,000 kg. or over, a four channel cockpit voice recorder.".

(9) In Part A of Schedule 9:

(*a*) in paragraph 2:

(i) in the entry relating to the Private Pilot's Licence (Aeroplanes) for the words "Maximum Period of Validity—5 years" there shall be substituted "No Maximum Period of Validity";

(ii) in the entries relating respectively to the Commercial Pilot's Licence (Aeroplanes), Senior Commercial Pilot's Licence (Aeroplanes) and Airline Transport Pilot's Licence (Aeroplanes) for the words "Maximum Period of Validity—5 years", wherever those words appear, there shall be substituted "Maximum Period of Validity—10 years";

(*b*) in paragraph 3:

(i) in the entry relating to the Private Pilot's Licence (Helicopters and Gyroplanes) for the words "Maximum Period of Validity—5 years" there shall be substituted "No Maximum Period of Validity";

(ii) in the entries relating respectively to the Commercial Pilot's Licence (Helicopters and Gyroplanes) and the Airline Transport Pilot's Licence (Helicopters and Gyroplanes) for the words "Maximum Period of Validity—5 years", wherever those words appear, there shall be substituted "Maximum Period of Validity—10 years";

(*c*) in paragraph 4 in the entry relating to the Private Pilot's Licence (Balloons and Airships) for the words "Maximum Period of Validity—5 years" there shall be substituted "No Maximum Period of Validity";

(*d*) in paragraph 6 in the entries relating respectively to the Flight Navigator's Licence, Flight Engineer's Licence, Flight Radiotelephony Operator's General Licence and the Flight Radiotelephony Operator's

Restricted Licence for the words "Maximum Period of Validity—5 years", wherever those words appear, there shall be substituted "Maximum Period of Validity—10 years".

(10) In Part C of Schedule 9:

(*a*) in paragraph 2 for "Article 20(4)(*a*) or 20(5)" there shall be substituted "Article 20(4) or 20(5)";

(*b*) for paragraph 2(*b*) there shall be substituted:

"(*b*) that the person signing the certificate is satisfied that on a date specified in the certificate the holder of the licence or personal flying logbook of which the certificate forms part, as the case may be, passed an appropriate test of his ability to perform the functions to which the certificate relates;";

(*c*) for paragraph 5(*b*) there shall be substituted:

"(*b*) in the case of a pilot or flight engineer, that on the date on which the certificate was signed the holder of the licence or personal flying logbook of which it forms part, as the case may be, produced his personal flying logbook to the person signing the certificate and satisfied him that he had appropriate experience in the capacity to which his licence relates within the appropriate period specified in paragraph 6 of this Part of this Schedule.".

(11) In Schedule 11, after Part B there shall be added the following new Part:

"Part C—TRAINING MANUAL

The following information and instructions in relation to the training, experience, practice and periodical tests required under Article 26(2) of this Order shall be included in the training manual referred to in Article 25A(2) of this Order;

(i) the manner in which the training, practice and periodical tests required under Article 26(2) and specified in Part B of Schedule 11 to this Order are to be carried out;

(ii)(*a*) the minimum qualifications and experience which the operator requires of persons appointed by him to give or to supervise the said training, practice and periodical tests; and

(*b*) the type of training, practice and periodical tests which each such person is appointed to give or to supervise; and

(*c*) the type of aircraft in respect of which each such person is appointed to give or to supervise the said training, practice and periodical tests;

(iii) the minimum qualifications and experience required of each member of the crew undergoing the said training, practice and periodical tests;

(iv) the syllabus for, and specimen forms for recording, the said training, practice and periodical tests;

(v) the manner in which instrument flight conditions and engine failure are to be simulated in the aircraft in flight;

(vi) the extent to which the said training and testing is permitted in the course of flights for the purpose of public transport;

(vii) the use to be made in the said training and testing of apparatus approved for the purpose by the Authority.".

(12) In Part B of Schedule 13, after "Article 25", there shall be inserted "Article 25A".

N. E. Leigh

EXPLANATORY NOTE

(This Note is not part of the Order.)

In addition to some minor and drafting amendments the following changes are made:

(1) A Private Pilot licence holder who obtains a certificate of test or a certificate of experience after 10th November 1975 will now be required to carry that certificate in his personal flying log book and not in his licence (Article 3).

(2) The operator of public transport aircraft will now be required to furnish a copy of his operations manual to the Civil Aviation Authority not less than 30 days prior to operating such aircraft. Previously an operator was only required to furnish his operations manual to the Authority on request (Article 3(6)).

(3) The operator of every United Kingdom registered aircraft which flies for the purpose of public transport will now be required to make available a training manual to the person appointed by him to supervise the training of crew. The training manual must be furnished not less than 30 days before the aircraft flies and any amendments to the manual must be submitted to the Authority before coming into effect. The Authority may also require amendments to the manual in the interests of air safety. (Article 3(7)).

(4) On flights on or after 1st January 1976 turbine-powered aeroplanes having a maximum total weight authorised of 27,000 kg. or over will now be required to carry a four-channel cockpit voice recorder (Article 3(8)).

(5) The five year maximum period of validity for Private Pilots' Licences is abolished. There will no longer be a maximum period of validity for such licences (Article 3(9)).

(6) The maximum period of validity of professional pilots licences, flight navigators licences, flight engineers licences and flight radiotelephony operators licences is increased from 5 years to 10 years (Article 3(9)).

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