STATUTORY INSTRUMENTS

1978 No. 284

CIVIL AVIATION

The Air Navigation (Third Amendment) Order 1978

Made - - - -	1*st March* 1978
Laid before Parliament	9*th March* 1978
Coming into Operation	1*st April* 1978

At the Court at Buckingham Palace, the 1st day of March 1978

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on 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 1978 and shall come into operation on 1st April 1978.

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 Air Navigation Order 1976

3. The Air Navigation Order 1976**(d)**, as amended **(e)**, shall be further amended as follows:

(1) In Article 8(2) for the proviso thereto there shall be substituted the following new proviso:

"Provided that the Authority shall not specify the General Purpose Category in any certificate of airworthiness issued or renewed on or after 1st April 1978.".

(a) 1949 c. 67.
(b) 1971 c. 75.
(c) 1889 c. 63.
(d) S.I. 1976/1783.
(e) S.I. 1977/1255, 2160.

(2) In Article 11:

(*a*) in paragraph (2) for the words "a log book" there shall be substituted the words "the aircraft log book kept in respect of the aircraft pursuant to Article 15 of this Order";

(*b*) in paragraph (3) for sub-paragraph (*b*) there shall be substituted the following new sub-paragraph:

"(*b*) radio apparatus provided for use in an aircraft or in any survival craft carried in an aircraft, whether or not such apparatus is provided in compliance with this Order or any regulation made thereunder,";

(*c*) for paragraph (6) there shall be substituted the following new paragraph:

"(6) Subject to the provisions of Article 57 of this Order, a certificate of compliance shall be preserved by the operator of the aircraft to which it relates 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.".

(3) In Article 15:

(*a*) in paragraph (1):

(i) the words "public transport aircraft and aerial work" shall be deleted;

(ii) after the words "to this Order" there shall be inserted the words "and in the case of an aircraft having a maximum total weight authorised not exceeding 2,730 kg., shall be of a type approved by the Authority.";

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

"(2) (*a*) Each entry in the log book, other than such an entry as is referred to in sub-paragraphs 2(*d*)(ii) or 3(*d*)(ii) of Schedule 7 to this Order, shall be made as soon as practicable after the occurrence to which it relates, but in no event more than 7 days after the expiration of the certificate of maintenance (if any) in force in respect of the aircraft at the time of the occurrence;

(*b*) Each entry in the log book, being such an entry as is referred to in sub-paragraphs 2(*d*)(ii) or 3(*d*)(ii) of Schedule 7 to this Order shall be made upon each occasion that any maintenance, overhaul, repair, replacement, modification or inspection is undertaken on the engine or propeller as the case may be.".

(4) In Schedule 7:

(*a*) for sub-paragraph 2(*d*) there shall be substituted the following new sub-paragraph:

"(*d*) either (i) the date of each flight and the duration of the period between take-off and landing or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take-offs and landings on that day; or,

(ii) the aggregate duration of periods between take-off and landing for all flights made by that aircraft since the

immediately preceding occasion that any maintenance, overhaul, repair, replacement, modification or inspection was undertaken on the engine;";

(*b*) for sub-paragraph 3(*d*) there shall be substituted the following new paragraph:

"(*d*) either (i) the date of each flight and the duration of the period between take off and landing or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take offs and landings on that day; or,

(ii) the aggregate duration of periods between take-off and landing for all flights made by that aircraft since the immediately preceding occasion that any maintenance, overhaul, repair, replacement, modification or inspection was undertaken on the propeller;".

(5) In Schedule 9 Part A in paragraphs 1, 2 and 3:

(*a*) for paragraph (*b*) of the proviso to the privileges of the Private Pilot's Licence (Aeroplanes) there shall be substituted:

"(*b*) he shall not receive any remuneration for his services as a pilot on a flight other than remuneration for the giving of such instruction or the conducting of such flying tests as are specified in paragraph (*a*) of this proviso;";

(*b*) for paragraph (*b*) of the proviso to the privileges of the Private Pilot's Licence (Helicopters and Gyroplanes) there shall be substituted:

"(*b*) he shall not receive any remuneration for his services as a pilot on a flight other than remuneration for the giving of such instruction or the conducting of such flying tests as are specified in paragraph (*a*) of this proviso;";

(*c*) for paragraph (*b*) of the proviso to the privileges of the Private Pilot's Licence (Balloons and Airships) there shall be substituted:

"(*b*) he shall not receive any remuneration for his services as a pilot on a flight other than remuneration for the giving of such instruction or the conducting of such flying tests as are specified in paragraph (*a*) of this proviso;".

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Air Navigation Order 1976, as amended. In addition to minor and drafting amendments the following changes are made:

(1) A Certificate of Airworthiness issued or renewed after 1st April 1978 may not specify the General Purpose Category. (Article 3(1))

(2) Radio apparatus provided for use in any aircraft registered in the United Kingdom, or for use in any survival craft carried therein, may not now be installed or placed on board after being overhauled repaired or modified unless there is in force in respect of it a certificate of compliance certifying that the overhaul, repair or modification has been carried out in a manner, and with material, of a type approved by the Civil Aviation Authority. Hitherto this requirement applied only to public transport aircraft. (Article 3(2)).

(3) Aircraft, engine and propeller log books are now required to be kept in respect of aircraft registered in the United Kingdom. Hitherto this requirement applied only to public transport aircraft and aerial work aircraft. Such log books kept in respect of an aircraft having a maximum total weight authorised not exceeding 2,730 kg shall be of a type approved by the Civil Aviation Authority. (Article 3(3)).

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