
STATUTORY INSTRUMENTS

1995 No. 1038

The Air Navigation Order 1995

PART V

OPERATION OF AIRCRAFT

Public transport—operating conditions

32.—(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 and flight in specified meteorological conditions or at night are complied with.

(2) The assessment of the ability of an aircraft to comply with paragraph (1) 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) 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; or
- (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.

(4) Without prejudice to the provisions of paragraph (3), 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 2 power units. For the purposes of this paragraph, flying time shall be calculated at normal cruising speed with one power unit inoperative.

- (a) (5) (a) Without prejudice to the provisions of paragraph (3) a helicopter in respect of which there is in force under this Order a certificate of airworthiness designating the helicopter as being of performance group B (in this paragraph called “a group B helicopter”) shall not fly over water for the purpose of public transport so as to be more than 20 seconds flying time from a point from which it can make an autorotative descent to land suitable for an emergency landing (in this paragraph called “the specified circumstances”) unless it is equipped with apparatus approved by the Authority enabling it to land safely on water (in this paragraph called “the required apparatus”).
- (b) Without prejudice to paragraph (3) a group B helicopter equipped with the required apparatus, which is flying under and in accordance with the terms of an air operator’s certificate but not under and in accordance with the terms of a police air operator’s certificate, shall not fly in the specified circumstances on any flight for more than three

minutes except with the permission in writing of the Authority and in accordance with any conditions subject to which that permission may have been granted.

- (c) Without prejudice to the provisions of paragraph (3) a group B helicopter equipped with the required apparatus which is flying under and in accordance with the terms of a police air operator’s certificate on which is carried any passenger who is not:
 - (i) a police officer;
 - (ii) an employee of a police authority;
 - (iii) a medical attendant;
 - (iv) the holder of a valid pilot’s licence who intends to act as a member of the flight crew of an aircraft flying under and in accordance with the terms of a police air operator’s certificate and who is being carried for the purpose of training or familiarisation; or
 - (v) such other person being carried for purposes connected with police operations as may be permitted in writing by the Authority

shall not fly in the specified circumstances on any flight for more than 20 minutes.

- (d) Without prejudice to the provisions of paragraph (3) a group B helicopter equipped with the required apparatus which is flying under and in accordance with the terms of a police air operator’s certificate on which no passenger is carried other than a person who is:
 - (i) a police officer;
 - (ii) an employee of a police authority;
 - (iii) a medical attendant;
 - (iv) the holder of a valid pilot’s licence who intends to act as a member of the flight crew of an aircraft flying under and in accordance with the terms of a police air operator’s certificate and who is being carried for the purpose of training or familiarisation; or
 - (v) such other person being carried for purposes connected with police operations as may be permitted in writing by the Authority;

shall not fly over water on any flight for more than 10 minutes so as to be more than 5 minutes from a point from which it can make an autorotative descent to land suitable for an emergency landing.

- (e) Without prejudice to the provision of paragraph (3) a group B helicopter shall not fly for the purpose of public transport over that part of the bed of the River Thames which lies between the following points:

Hammersmith Bridge	(51°29'16"N)
	(00°13'45"W)
Greenwich Reach	(51°29'03"N)
	(00°00'37"W)

between the ordinary high water marks on each of its banks unless it is equipped with the required apparatus.

- (f) For the purpose of this paragraph flying time shall be calculated on the assumption that a helicopter is flying in still air at the speed specified in the certificate of airworthiness in force in respect of the helicopter as the speed for compliance with regulations governing flights over water.
- (a) (6) (a) Without prejudice to the provisions of paragraph (3), a helicopter in respect of which there is in force under this Order a certificate of airworthiness designating

the helicopter as being of performance group A2 (in this paragraph called “a group A2 helicopter”), which is flying under and in accordance with the terms of an air operator’s certificate but not under and in accordance with the terms of a police air operator’s certificate, shall not fly over water for the purpose of public transport for more than 15 minutes during any flight unless it is equipped with apparatus approved by the Authority enabling it to land safely on water (in this paragraph called “the required apparatus”).

(b) Without prejudice to the provisions of paragraph (3) a group A2 helicopter not equipped with the required apparatus which is flying under and in accordance with the terms of a police air operator’s certificate on which any passenger is carried who is not:

- (i) a police officer;
- (ii) an employee of a police authority;
- (iii) a medical attendant;
- (iv) the holder of a valid pilot’s licence who intends to act as a member of the flight crew of an aircraft flying under and in accordance with the terms of a police air operator’s certificate and who is being carried for the purpose of training or familiarisation; or
- (v) such other person being carried for purposes connected with police operations as may be permitted in writing by the Authority;

shall not fly over any water on any flight for more than 15 minutes.

(7) Notwithstanding the provisions of paragraph (1), a helicopter in respect of which there is in force under this Order a certificate of airworthiness designating the helicopter as being of performance group A or group A (Restricted) may fly for the purpose of public transport in accordance with the weight and related performance requirements prescribed for helicopters designated as being of:

- (a) performance group A (Restricted) in the case of a helicopter designated as being of performance group A if:
 - (i) the maximum total weight authorised of the helicopter is less than 5700 kg; and
 - (ii) the total number of passengers carried on the helicopter does not exceed 15; or
- (b) performance group B if:
 - (i) the maximum total weight authorised of the helicopter is less than 2730 kg; and
 - (ii) the total number of passengers carried does not exceed 9.