
STATUTORY INSTRUMENTS

1995 No. 1038

The Air Navigation Order 1995

PART V

OPERATION OF AIRCRAFT

Operation of radio in aircraft

41.—(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.

- (a) (2) (a) Whenever an aircraft is in flight in such circumstances that it is required by or under this Order to be equipped with radio communications apparatus, subject to subparagraph (b), 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.
- (b) (i) The radio watch may be discontinued or continued on another frequency to the extent that a message as aforesaid so permits.
- (ii) The watch may be kept by a device installed in the aircraft if:
 - (aa) the appropriate aeronautical radio station has been informed to that effect and has raised no objection;
 - (bb) 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) Whenever an aircraft is in flight in such circumstances that it is required by or under this Order to be equipped with radio or radio navigation equipment a member of the flight crew shall operate that equipment in such a manner as he may be instructed by the appropriate air traffic control unit or as may be notified in relation to any notified air space in which the aircraft is flying.

(4) 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; and
- (d) such public correspondence messages as may be permitted by or under the aircraft radio station licence referred to in paragraph (1).

- (a) (5) (a) In every aircraft registered in the United Kingdom which is equipped with radio communications apparatus, subject to sub-paragraph (b) a telecommunication log book shall be kept in which the following entries shall be made:
- (i) the identification of the aircraft radio station;
 - (ii) 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;
 - (iii) the date and time, and particulars of all messages and signals sent or received, including in particular details of any distress signals or distress messages sent or received;
 - (iv) particulars of any action taken upon the receipt of a distress signal or distress message; and
 - (v) particulars of any failure or interruption of radio communications and the cause thereof.
- (b) A telecommunication log book shall not be required to be kept in respect of communication by radiotelephone with a radio station on land or on a ship which provides a radio service for aircraft.
- (6) 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.
- (7) 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.
- (8) 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 below flight level 150 or is taking off or landing.