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STATUTORY INSTRUMENTS

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**1995 No. 1038**

**The Air Navigation Order 1995**

**PART X**

**AERODROMES, AERONAUTICAL LIGHTS AND DANGEROUS LIGHTS**

**Aeronautical radio station records**

**94.**—(1) The person in charge of any aeronautical radio station the purpose of which is to provide navigational aid by radio or radar to an aircraft making an approach to land or landing at an aerodrome shall in respect of all aeronautical radio stations operated by him at that aerodrome:

- (a) keep a written record of functional tests, flight checks and particulars of any overhaul, repair, replacement or modification thereof; and
- (b) preserve the written record for a period of one year or such longer period as the Authority may in a particular case direct and shall within a reasonable time after being requested to do so by an authorised person produce such record to that person.

(2) The person in charge of an aeronautical radio station which is used for the provision of an air traffic control service by an air traffic control unit shall provide apparatus which is capable of recording the terms or content of any radio message or signal transmitted to any aircraft either alone or in common with other aircraft or received from any aircraft by the air traffic control unit.

(3) The apparatus provided in compliance with paragraph (2) shall be:

- (a) of a type the specification of which is approved by the Authority in relation to the particular aeronautical radio station;
- (b) installed, modified and maintained in a number approved by the Authority; and
- (c) in operation at all times when the aeronautical radio station is in operation for providing an air traffic control service;

and for the purpose of this article an approval shall be in writing and may be granted subject to such conditions as the Authority thinks fit.

(4) The person in charge of an aeronautical radio station shall ensure that each record made by the apparatus provided in compliance with paragraph (2) includes:

- (a) the identification of the aeronautical radio station;
- (b) the date or dates on which the record was made;
- (c) a means of determining the time at which each message or signal was transmitted;
- (d) the identity of the aircraft to or from which and the radio frequency on which the message or signal was transmitted or received; and
- (e) the time at which the record started and finished.

(5) If at any time the apparatus provided in compliance with paragraph (2) ceases to be capable of recording the matters required by this article to be included in the record the person in charge of the aeronautical radio station shall ensure that a written record is kept in which the particulars specified

in paragraph (4) are recorded together with a summary of communications exchanged between the aeronautical radio station and aircraft.

(6) The person in charge of the aeronautical radio station shall preserve any record made in compliance with paragraphs (2) and (5) for a period of 30 days from the date on which the message or signal was recorded or for such longer period as the Authority may in a particular case direct, and shall, within a reasonable time after being requested to do so by an authorised person, produce such record to that person.

(a) (7) (a) A person required by this article to preserve any record by reason of his being the person in charge of the aeronautical radio station shall, if he ceases to be such a person, subject to sub-paragraph (b), continue to preserve the record as if he had not ceased to be such a person, and in the event of his death the duty to preserve the record shall fall upon his personal representative.

(b) If another person becomes the person in charge of the aeronautical radio station the previous person in charge or his personal representative shall deliver the record to that other person on demand, and it shall be the duty of that other person to deal with the record delivered to him as if he were that previous person in charge.

(8) The provisions of this article shall not apply in respect of any aeronautical radio station of which the person in charge is the Authority or the Secretary of State.