
STATUTORY INSTRUMENTS

2001 No. 2128

The Air Navigation (Overseas Territories) Order 2001

PART IV

Aircraft Crew and Licensing

Composition of crew of aircraft

20.—(1) An aircraft shall not fly unless it carries a flight crew of the number and description required by the law of the country in which it is registered.

(2) An aircraft registered in the Territory shall carry a flight crew adequate in number and description to ensure the safety of the aircraft and of at least the number and description specified in the certificate of airworthiness issued or rendered valid under this Order or, if no certificate of airworthiness is required under this Order to be in force, the certificate of airworthiness, if any, last in force under this Order in respect of that aircraft.

- (a) (3) (a) A flying machine registered in the Territory and flying for the purpose of public transport having a maximum total weight authorised exceeding 5,700 kg shall carry not less than two pilots as members of the flight crew thereof.
- (b) (i) Subject to sub-paragraphs (ii) and (iii), an aeroplane registered in the Territory and flying for the purpose of public transport in circumstances where the aircraft commander is required to comply with the Instrument Flight Rules and having a maximum total weight authorised of 5,700 kg or less and powered by:
- (aa) one or more turbine jets;
 - (bb) one or more turbine propeller engines and provided with a means of pressurising the personnel compartments;
 - (cc) two or more turbine propeller engines and certificated to carry more than nine passengers;
 - (dd) two or more turbine propeller engines and certificated to carry fewer than 10 passengers and not provided with a means of pressurising the personnel compartments, unless it is equipped with an autopilot which has been approved by the Governor for the purposes of this article and which is serviceable on take-off; or
 - (ee) two or more piston engines, unless it is equipped with an autopilot which has been approved by the Governor for the purposes of this article and which is serviceable on take-off;

shall carry not less than two pilots as members of the flight crew thereof.

- (ii) An aeroplane described in sub-paragraphs (i)(dd) or (i)(ee) which is equipped with an approved autopilot shall not be required to carry two pilots notwithstanding that before take-off the approved autopilot is found to be unserviceable, if the aeroplane flies in accordance with arrangements approved by the Governor.

- (iii) An aeroplane described in sub-paragraphs (i)(cc), (dd) or (ee) which is flying under and in accordance with the terms of a police air operator's certificate shall not be required to carry two pilots.
- (c) (i) Subject to sub-paragraphs (ii) and (iii), a helicopter registered in the Territory which has a maximum total weight authorised of 5,700 kg or less and a maximum approved seating configuration of nine or less which if flying for the purpose of public transport in circumstances where the aircraft commander is required to comply with the Instrument Flight Rules or which is flying by night with visual ground reference shall carry not less than two pilots as members of the flight crew thereof unless it is equipped with an autopilot with, at least, altitude hold and heading mode which is serviceable on take off.
 - (ii) A helicopter described in sub-paragraph (c)(i) which is equipped with an approved autopilot shall not be required to carry two pilots notwithstanding that before take-off the approved autopilot is found to be unserviceable, if the helicopter flies in accordance with arrangements approved by the Governor.
 - (iii) A helicopter described in sub-paragraph (c)(i) which is flying under and in accordance with the terms of a police air operator's certificate shall not be required to carry two pilots.
- (a) (4) (a) An aircraft registered in the Territory engaged on a flight for the purpose of public transport shall carry:
 - (i) a flight navigator as a member of the flight crew; or
 - (ii) navigational equipment suitable for the route to be flown;if on the route or any diversion therefrom, being a route or diversion planned before take-off, the aircraft is intended to be more than 500 nautical miles from the point of take-off measured along the route to be flown, and to pass over part of an area specified in Schedule 7 to this Order.
- (b) The flight navigator carried in compliance with this article shall be carried in addition to any person who is carried in accordance with this article to perform other duties.
- (5) An aircraft registered in the Territory which is required by article 15 of this Order to be equipped with radio communications apparatus shall carry a flight radiotelephony operator as a member of the flight crew.
- (6) The Governor may, in the interests of safety, direct the operator of an aircraft registered in the Territory that all or any aircraft operated by him, when flying in circumstances specified in the direction, shall carry, in addition to the flight crew required to be carried by the provisions of this article, such additional persons as members of the flight crew as he may specify in the direction.
 - (a) (7) (a) This paragraph applies to any flight for the purpose of public transport by an aircraft registered in the Territory:
 - (i) on which is carried 20 or more passengers; or
 - (ii) which may in accordance with its certificate of airworthiness carry more than 35 passengers and on which at least one passenger is carried.
 - (b) The crew of an aircraft on a flight to which this paragraph applies shall include cabin attendants carried for the purposes of performing in the interests of the safety of passengers, duties to be assigned by the operator or the commander of the aircraft but who shall not act as members of the flight crew.
 - (c) (i) Subject to sub-paragraph (ii), on a flight to which this paragraph applies, there shall be carried not less than one cabin attendant for every 50 or fraction of 50 passenger seats installed in the aircraft.

(ii) The number of cabin attendants calculated in accordance with sub-paragraph (i) need not be carried if the Governor has granted written permission to the operator to carry a lesser number on that flight and the operator carries the number specified in that permission and complies with any other terms and conditions subject to which such permission is granted.

(8) The Governor may, in the interests of safety, direct the operator of any aircraft registered in the Territory that all or any aircraft operated by him when flying in circumstances specified in the direction shall carry, in addition to the cabin attendants required to be carried therein by the foregoing provisions of this article, such additional persons as cabin attendants as he may specify in the direction.