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STATUTORY INSTRUMENTS

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**2016 No. 765**

**The Air Navigation Order 2016**

**PART 5**

**Operations**

**CHAPTER 7**

**Additional requirements for public transport operations**

*SECTION 3*

*Operator responsibilities*

**Public transport – operator’s responsibilities in relation to crew**

**114.**—(1) The operator of an aircraft registered in the United Kingdom must not permit the aircraft to fly for the purpose of public transport without first designating from among the flight crew a pilot to be the pilot in command of the aircraft for the flight.

(2) Subject to paragraph (5), the operator of an aircraft registered in the United Kingdom must not permit any person to be a member of the crew during any public transport flight (except a flight for the sole purpose of training persons to perform duties in aircraft) unless—

- (a) that person has had the training, experience, practice and periodical tests specified in Part 3 of Schedule 9 for the duties to be performed; and
- (b) the operator is satisfied that person is competent to perform their duties, and in particular to use the equipment provided in the aircraft for the purpose of those duties.

(3) The operator must maintain, preserve, produce and supply information respecting records relating to the matters specified in paragraph (2) in accordance with Part 3 of Schedule 9.

(4) During any flight for the purpose of the public transport of passengers the operator of an aircraft registered in the United Kingdom must not permit any member of the flight crew to simulate emergency manoeuvres and procedures which the operator has reason to believe will adversely affect the flight characteristics of the aircraft.

(5) Paragraph (2) does not apply to the operator of a balloon registered in the United Kingdom provided that the operator—

- (a) ensures that any person acting as a member of the crew during any flight for the purpose of public transport has had the training, experience, practice and periodical tests for the duties to be performed required by—
  - (i) paragraph 1 of Part 3 of Schedule 9 within a period of three years immediately preceding the commencement of the flight; and
  - (ii) paragraph 2(5)(b) of Part 3 of Schedule 9 within a period of 13 months immediately preceding the commencement of the flight; and
- (b) specifies the periods mentioned in sub-paragraphs (a)(i) and (ii) in its operations manual.