
STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 4

Airworthiness of Aircraft

CHAPTER 2

Initial airworthiness – [F1Non-Part-21] aircraft

Certificate of airworthiness for State aircraft registered in the United Kingdom

37.—(1) This article applies to a [F1non-Part-21] aircraft registered in the United Kingdom which is a State aircraft but which is not a military aircraft.

(2) There must be in force for the aircraft either a national certificate of airworthiness or [F2a Part-21] certificate of airworthiness issued by the CAA.

(3) If there is in force [F3a Part-21] certificate of airworthiness issued by the CAA the aircraft must—

- (a) comply with the Basic F4... Regulation and any implementing rules made under that Regulation which would apply if it were [F5a Part-21] aircraft;
- (b) comply with any United Kingdom national requirements made in accordance with [F6article 70(1)] of the Basic F7... Regulation and in CAP 747 which would apply if it were [F8a Part-21] aircraft;
- (c) comply with any United Kingdom national requirements for State aircraft in CAP 747; and
- (d) not fly within the airspace of another State without the permission of the competent authority of that State.

(4) In this article, “CAP 747” means CAA publication CAP 747 entitled “Mandatory Requirements for Airworthiness”^{F9} ... M1.

Textual Amendments

- F1** Word in art. 37(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), reg. 1, **Sch. 1 para. 12(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in art. 37(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), reg. 1, **Sch. 1 para. 12(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in art. 37(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), reg. 1, **Sch. 1 para. 12(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the
The Air Navigation Order 2016, Section 37. (See end of Document for details)

- F4** Word in art. 37(3)(a) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), reg. 1, **Sch. 1 para. 12(c)(ii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in art. 37(3)(a) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), reg. 1, **Sch. 1 para. 12(c)(ii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in art. 37(3)(b) substituted (13.4.2022) by The Air Navigation (Amendment) Order 2022 (S.I. 2022/321), arts. 1(1), **4**
- F7** Word in art. 37(3)(b) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), reg. 1, **Sch. 1 para. 12(c)(iii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in art. 37(3)(b) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), reg. 1, **Sch. 1 para. 12(c)(iii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in art. 37(4) omitted (14.12.2017) by virtue of The Air Navigation (Amendment) Order 2017 (S.I. 2017/1112), arts. 1, **11**

Marginal Citations

- M1** Issue 3, incorporating amendments to 2014/02 and dated 25th November 2014, was published by The Stationery Office on behalf of the CAA, under ISBN 9780117928824. It is also available online for download at <http://www.caa.co.uk/CAP747>

Changes to legislation:

There are currently no known outstanding effects for the The Air Navigation Order 2016, Section 37.