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STATUTORY INSTRUMENTS

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**2016 No. 765**

**The Air Navigation Order 2016**

**PART 4**

Airworthiness of Aircraft

CHAPTER 2

Initial airworthiness – [F1Non-Part-21] aircraft

**National certificate of airworthiness ceasing to be in force and issue of airworthiness directives for [F1non-Part-21] aircraft**

**39.**—(1) Subject to paragraph (3), a national certificate of airworthiness issued for a [F2non-Part-21] aircraft registered in the United Kingdom ceases to be in force if—

- (a) the aircraft or any part of the aircraft or such of its equipment as is necessary for the airworthiness of the aircraft has been overhauled, repaired, replaced, modified or maintained;
- (b) maintenance or an inspection of the aircraft or of any equipment necessary for the airworthiness of the aircraft is required by a maintenance programme established under article 54;
- (c) maintenance of the aircraft or of any equipment necessary for the airworthiness of the aircraft has been made mandatory by a directive issued by the CAA;
- (d) an inspection for the purpose of ascertaining whether the aircraft remains airworthy has been made mandatory by a directive issued by the CAA; or
- (e) any modification of the aircraft or of any equipment which is necessary for the airworthiness of the aircraft, has been made mandatory by a directive issued by the CAA for the purpose of ensuring that the aircraft remains airworthy.

(2) A certificate of airworthiness which has ceased to be in force under paragraph (1) becomes valid again on the issue of a certificate of release to service under this Order or in accordance with paragraph 21A.163(d) of Part 21 relating to the overhaul, repair, replacement, modification, maintenance or inspection.

(3) A certificate of airworthiness which would not be in force by reason of paragraph (1) remains in force if the aircraft is flying in the circumstances specified in article 44(3).

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**Textual Amendments**

- F1** Word in [art. 39](#) heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), reg. 1, [Sch. 1 para. 14](#) (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the  
The Air Navigation Order 2016, Section 39. (See end of Document for details)

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**F2** Word in art. 39 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), reg. 1, **Sch. 1 para. 14** (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 39.