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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 – non-EASA aircraft**

**Issue of national permits to fly**

**40.**—(1) Subject to paragraph (2), the CAA or a person approved by the CAA for that purpose must issue for any non-EASA aircraft registered in the United Kingdom a national permit to fly if it is satisfied that the aircraft is fit to fly having regard to the airworthiness of the aircraft and the conditions to be attached to the permit.

(2) The CAA or a person approved by the CAA for that purpose must refuse to issue a national permit to fly for a non-EASA aircraft registered in the United Kingdom if it appears to the CAA that the aircraft is eligible for, and ought to fly under and in accordance with, a national certificate of airworthiness.

(3) The CAA or a person approved by the CAA for that purpose may issue a national permit to fly subject to such conditions it deems appropriate relating to the airworthiness, operation or maintenance of the aircraft.

(4) Nothing in this Order obliges the CAA or a person approved by the CAA for that purpose to accept an application for the issue, variation or renewal of a national permit to fly if the application is not supported by such reports from such persons approved under article 268 as the CAA may specify, either generally or in a particular case or class of cases.