
STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 1

Interpretation and categorisation

CHAPTER 1

Interpretative matter

Meaning of “public transport”

6.—(1) For the purposes of this Order and subject to Chapter 2, an aircraft in flight is flying on a public transport flight if—

- (a) it is an A to A commercial air transport helicopter operation; or
- (b) the conditions specified in paragraph (2) are satisfied.

(2) The conditions referred to in paragraph (1) are—

- (a) the flight is not a flight for the purpose of commercial air transport; and
- (b) the flight is—

- (i) for the carriage of passengers or cargo and valuable consideration is given or promised for that flight in the aircraft; or
- (ii) operated by the holder of a national air operator’s certificate, an EU-OPS air operator certificate or a Part-CAT air operator certificate and any passengers or cargo are carried gratuitously in the aircraft except for persons specified in paragraph (3) or cargo specified in paragraph (4).

(3) The persons referred to in paragraph (2)(b)(ii) are persons in the employment of the operator (including, in the case of a body corporate, its directors), or persons authorised by the CAA either making any inspection or witnessing any training, practice or test for the purposes of this Order, EU-OPS or the EASA Air Operations Regulation.

(4) The cargo referred to in paragraph (2)(b)(ii) is cargo intended to be used by any persons specified in paragraph (3) or by the operator.