

SCHEDULES

SCHEDULE 9

Articles 114(2) and (3), 116(5) and 117(4)

PUBLIC TRANSPORT – OPERATIONAL REQUIREMENTS

PART 1

Information and Instructions which must be included in an Operations Manual

1. Information and instructions relating to the following matters must be included in an operations manual—

- (a) The number of the crew to be carried in the aircraft, on each stage of any route to be flown.
- (b) The respective capacities in which the crew members are to act.
- (c) Instructions as to the order and circumstances in which command is to be assumed by members of the crew.
- (d) The respective duties of each member of the crew and the other members of the operating staff.
- (e) The scheme referred to in article 175(1).
- (f) Such technical detailed information concerning the aircraft, its engines and equipment and concerning the performance of the aircraft as may be necessary to enable the flight crew of the aircraft to perform their respective duties.
- (g) The manner in which the quantities of fuel and oil to be carried by the aircraft are to be computed and records of fuel and oil carried and consumed on each stage of the route to be flown are to be maintained (and the instructions must take account of all circumstances likely to be encountered on the flight, including the possibility of failure of one or more of the aircraft engines).
- (h) The manner in which the quantity, if any, of oxygen and oxygen equipment to be carried in the aircraft for the purpose of complying with Scale L1 or L2 in Part 1 of Schedule 6 is to be computed.
- (i) The check system to be followed by the crew of the aircraft before and on take-off, on landing and in an emergency, so as to ensure that the operating procedures contained in the operations manual and in the flight manual or performance schedule for the aircraft are complied with.
- (j) The circumstances in which a radio watch is to be maintained.
- (k) The circumstances in which oxygen is to be used by the crew of the aircraft, and by passengers.
- (l) Subject to paragraph 2, communication, navigational aids, aerodromes, local regulations, in-flight procedures, approach and landing procedures and such other information as the operator considers necessary for the proper conduct of flight operations (which must be contained in a route guide, which may be in the form of a separate volume).
- (m) The reporting in flight to the notified authorities of meteorological observations.

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- (n) Subject to paragraph 2, the minimum altitudes for safe flight on each stages of the route to be flown (which must not be lower than any which may be applicable under the law of the United Kingdom or of the countries whose territory is to be flown over) and any planned diversion from that route.
- (o) The required information referred to in article 131(2).
- (p) Emergency flight procedures, including procedures for the instruction of passengers in the position and use of emergency equipment and procedures to be adopted when the pilot in command of the aircraft becomes aware that another aircraft or a vessel is in distress and needs assistance.
- (q) In the case of aircraft intended to fly at an altitude of more than 49,000 feet the procedures for the use of cosmic radiation detection equipment.
- (r) The labelling and marking of dangerous goods, the manner in which the dangerous goods must be loaded on or suspended beneath an aircraft, the responsibilities of members of the crew for the carriage of dangerous goods and the action to be taken in the event of emergencies arising involving dangerous goods.
- (s) Such detailed information about any permission granted to the operator under article [F178A(2)] as may be necessary to enable the pilot in command of the aircraft to determine whether article 69(8)(b) can be complied with.
- (t) Procedures for the operation of any airborne collision avoidance system carried on the aircraft.
- (u) The establishment and maintenance of an accident prevention and flight safety programme.
- (v) In the case of a helicopter, the maximum approved passenger seating configuration.

Textual Amendments

F1 Word in Sch. 9 Pt. 1 para. 1(s) substituted (14.12.2017) by [The Air Navigation \(Amendment\) Order 2017 \(S.I. 2017/1112\)](#), arts. 1, 47

2. In relation to any flight which is not one of a series of flights between the same two places and to the extent that it is not practicable to comply with sub-paragraphs 1(l) and 1(n), it is sufficient if the manual contains such information and instructions as will enable the equivalent data to be ascertained before take-off.

PART 2

Information and Instructions which must be included in a Training Manual

1. The following information and instructions must be included in a training manual—
 - (a) The manner in which the training, practice and periodical tests required under article 114(2) and specified in Part 3 of this Schedule are to be carried out.
 - (b) The minimum qualifications and experience which an operator requires of persons appointed by the operator to give or to supervise the training, practice and periodical tests.
 - (c) The type of training, practice and periodical tests which each such person is appointed to give or to supervise.
 - (d) The type of aircraft for which each such person is appointed to give or to supervise the said training, practice and periodical tests.

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- (e) The minimum qualifications and experience required for each member of the crew undergoing the required training, practice and periodical tests.
- (f) The current syllabus for, and specimen forms for recording, the required training, practice and periodical tests.
- (g) The manner in which instrument flight conditions and engine failure are to be simulated in the aircraft in flight.
- (h) The extent to which the required training and testing is permitted in the course of flights for the purpose of public transport.
- (i) The use to be made in the required training and testing of apparatus approved for the purpose by the CAA.

PART 3

Required Crew Training, Experience, Practice and Periodical Tests

Crew

1.—(1) The training, experience, practice and periodical tests required under article 114(2) for members of the crew of an aircraft to which that paragraph applies must be as follows.

(2) Every member of the crew must have—

- (a) been tested by or on behalf of the operator as to the crew member's knowledge of the use of the emergency and life saving equipment required to be carried in the aircraft on the flight and have a valid test result;
- (b) practised under the supervision of the operator or of a person appointed by the operator for the purpose, within the test validity period, the carrying out of the duties required of the crew member in case of an emergency occurring to the aircraft—
 - (i) in an aircraft of the type to be used on the flight; or
 - (ii) in apparatus approved by the CAA for the purpose and controlled by a person so approved by the CAA.

Pilots

2.—(1) Every pilot included in the flight crew who is intended by the operator to fly as pilot in circumstances requiring compliance with the Instrument Flight Rules must have been tested by or on behalf of the operator—

- (a) as to the pilot's competence to perform the pilot's duties while executing normal manoeuvres and procedures in flight; and
- (b) as to the pilot's competence to perform the pilot's duties in instrument flight conditions while executing emergency manoeuvres and procedures in flight,

in each case in an aircraft of the type to be used on the flight and including the use of the instruments and equipment provided in the aircraft, and have a valid test result.

(2) A pilot's ability to execute normal manoeuvres and procedures must be tested in the aircraft in flight.

(3) The other tests required by sub-paragraph (1) may be conducted either in the aircraft in flight, or under the supervision of a person approved by the CAA for the purpose by means of a flight simulator approved by the CAA.

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(4) The tests specified in sub-paragraph (1)(b) when conducted in the aircraft in flight must be carried out either in actual instrument flight conditions or in instrument flight conditions simulated by means approved by the CAA.

(5) Every pilot included in the flight crew whose licence does not include an instrument rating or who is not intended by the operator to fly in circumstances requiring compliance with the Instrument Flight Rules, even though the licence includes such a rating, must have been tested by or on behalf of the operator in flight in an aircraft of the type to be used on the flight—

- (a) as to the pilot's competence to act as pilot of that aircraft, while executing normal manoeuvres and procedures; and
- (b) as to the pilot's competence to act as pilot of that aircraft while executing emergency manoeuvres and procedures,

and have a valid test result.

(6) In relation to every pilot included in the flight crew who is seated at the flying controls during the take-off or landing and who is intended by the operator to fly as pilot in circumstances requiring compliance with the Instrument Flight Rules—

- (a) the pilot must have been tested as to the pilot's proficiency in using instrument approach-to-land systems of the type in use at the aerodrome of intended landing and any destination alternate aerodromes and have a valid test result; and
- (b) the test required by sub-paragraph (a) must have been carried out—
 - (i) in flight in instrument flight conditions; or
 - (ii) in instrument flight conditions simulated by means approved by the CAA; or
 - (iii) under the supervision of a person approved by the CAA for the purpose by means of a flight simulator approved by the CAA.

(7) In the case of a helicopter, every pilot included in the flight crew whose licence does not include an instrument rating but who is intended to fly at night under visual flight conditions, must have been tested by or on behalf of the operator, in a helicopter of the type to be used on the flight, as to the pilot's competence to act as pilot of that helicopter—

- (a) while executing normal manoeuvres and procedures; and
- (b) while executing specified manoeuvres and procedures in flight in instrument flight conditions simulated by means approved by the CAA,

and have a valid test result.

(8) Every pilot included in the flight crew and who is seated at the flying controls during take-off or landing must have carried out within the test validity period, at least three take-offs and three landings in aircraft of the type to be used on the flight when seated at the flying controls.

Flight engineers

3.—(1) Every flight engineer included in the flight crew must have been tested by or on behalf of the operator—

- (a) as to the engineer's competence to perform the engineer's duties while executing normal procedures in flight, in an aircraft of the type to be used on the flight; and
- (b) as to the engineer's competence to perform the engineer's duties while executing emergency procedures in flight, in an aircraft of the type to be used on the flight,

and have a valid test result.

(2) A flight engineer's ability to carry out normal procedures must be tested in an aircraft in flight and the other tests required by this paragraph may be conducted—

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- (a) in the aircraft in flight; or
- (b) under the supervision of a person approved by the CAA for the purpose by means of a flight simulator approved by the CAA.

Flight radiotelephony operators and flight navigators

4. Every flight radiotelephony operator and flight navigator whose inclusion in the flight crew is required under article 111(1)(a) must have been tested by or on behalf of the operator as to their competence to perform their duties in conditions corresponding to those likely to be encountered on the flight—

- (a) in the case of a flight radiotelephony operator using radio equipment of the type installed in the aircraft to be used on the flight, and including a test of the operator's ability to carry out emergency procedures; and
- (b) in the case of a flight navigator, using equipment of the type to be used in the aircraft on the flight for purposes of navigation,

and have a valid test result.

Pilot in Command of Aircraft

5.—(1) The pilot designated as pilot in command of the aircraft for the flight must have demonstrated to the satisfaction of the operator within the test validity period that the pilot has adequate knowledge of the route to be taken, the aerodromes of take-off and landing, and any destination alternate aerodromes, including in particular the pilot's knowledge of the following which are relevant to the route—

- (a) the terrain;
- (b) the seasonal meteorological conditions;
- (c) the meteorological, communications and air traffic facilities, services and procedures;
- (d) the search and rescue procedures; and
- (e) the navigational facilities.

(2) In determining whether a pilot's knowledge of the matters referred to in sub-paragraph (1) is sufficient to render the pilot competent to perform the duties of pilot in command on the flight, the operator must take into account the pilot's flying experience in conjunction with the following—

- (a) the experience of other members of the intended flight crew;
- (b) the influence of terrain and obstructions on departure and approach procedures at the aerodromes of take-off and intended landing and at destination alternate aerodromes;
- (c) the similarity of the instrument approach procedures and let-down aids to those with which the pilot is familiar;
- (d) the dimensions of runways which may be used in the course of the flight in relation to the performance limits of aircraft of the type to be used on the flight;
- (e) the reliability of meteorological forecasts and the probability of difficult meteorological conditions in the areas to be traversed;
- (f) the adequacy of the information available regarding the aerodrome of intended landing and any destination alternate aerodromes;
- (g) the nature of air traffic control procedures and the familiarity of the pilot with such procedures;
- (h) the influence of terrain on route conditions and the extent of the assistance obtainable en-route from navigational aids and air-to-ground communication facilities; and

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- (i) the extent to which it is possible for the pilot to become familiar with unusual aerodrome procedures and features of the route by means of ground instruction and training devices.

Deemed compliance

6.—(1) For the purposes of paragraph 2(1), 2(5) or 3(1) a pilot or flight engineer is deemed to have complied with the specified requirements in paragraphs 2(1)(b), 2(5)(b) or 3(1)(b) within the test validity period if—

- (a) they have qualified in accordance with the specified requirements on at least two occasions within the period of 13 months immediately preceding the flight; and
- (b) such occasions are separated by an interval of not less than four months.

(2) For the purposes of paragraph 5(1) a pilot is deemed to have complied with the specified requirements if, having become qualified to act as pilot in command on flights between the same places over the same route more than 13 months before commencement of the flight, the pilot has within the period of 13 months immediately preceding the flight flown as pilot of an aircraft between those places over that route.

Contents of records

7. The records required to be maintained by an operator under article 114(3) must be accurate and up-to-date records kept so as to show, on any date, in relation to each person who has during the period of two years immediately preceding that date flown as a member of the crew of any public transport aircraft operated by that operator—

- (a) the date and detailed information about each test required by this Part and undergone by that person during the period, including the name and qualifications of the examiner;
- (b) the date on which that person last practised the carrying out of duties referred to in paragraph 1(2);
- (c) the operator's conclusions, based on each such test and practice as to that person's competence to perform that person's duties; and
- (d) the date and detailed information about any decision taken by the operator during the period in accordance with paragraph 5(1), including detailed information about the evidence on which that decision was based.

Production of records to authorised person

8. The operator must, whenever called on to do so by any authorised person—
- (a) produce for the inspection of any such person all records referred to in paragraph 7;
 - (b) supply to any such person all such information that person may require in connection with any such records; and
 - (c) produce for inspection by any such person all log books, certificates, papers and other documents, whatsoever which may reasonably be required to be seen for the purpose of determining whether such records are complete or of verifying the accuracy of their contents.

Supply of records to crew member

9. At the request of any person for whom the operator is required to keep records under this Part, the operator must supply to that person, or to any other operator of aircraft for the purpose of commercial or public transport by whom that person may subsequently be employed, detailed

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information about any qualifications in accordance with this Schedule obtained by such person whilst in the operator's service.

Definitions and validity periods

10. For the purposes of this Part—

- (a) “visual flight conditions” means weather conditions such that the pilot is able to fly by visual reference to objects outside the aircraft;
- (b) “instrument flight conditions” means weather conditions such that the pilot is unable to fly by visual reference to objects outside the aircraft;
- (c) a “valid test result” is a test result—
 - (i) where the person tested met the minimum standard set in relation to the test; and
 - (ii) the test validity period has not expired in relation to that test;
- (d) “test validity period”, subject to paragraph 6, means a period commencing with the date of test and ending—
 - (i) in the case of paragraph 2(8), three months;
 - (ii) in the case of paragraphs 2(1)(b), 2(5)(b), 2(6)(a), 2(7)(b) and 3(1)(b), six months; and
 - (iii) in the case of paragraphs 1, 2(1)(a), 2(5)(a), 2(7)(a), 3(1)(a), 4 and 5(1), 13 months, after the end of the month in which the test was taken.

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