

This Statutory Instrument has been made partly in consequence of a defect in S.I. 2016/765 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2018 No. 1160

CIVIL AVIATION

The Air Navigation (Amendment) (No. 2) Order 2018

<i>Made</i>	- - - -	<i>7th November 2018</i>
<i>Laid before Parliament</i>		<i>14th November 2018</i>
<i>Coming into force</i>	- -	<i>5th December 2018</i>

At the Court at Buckingham Palace, the 7th day of November 2018

Present,

The Queen's Most Excellent Majesty in Council

This Order is made in exercise of the powers conferred by sections 60(1), (2), (3)(d), (e), (h), (n) and (q) and 61(1)(a) of, and paragraph 2 of Part 3 of Schedule 13 to, the Civil Aviation Act 1982(a).

Her Majesty, by and with the advice of Her Privy Council, orders as follows:

Citation and commencement

1. This Order may be cited as the Air Navigation (Amendment) (No. 2) Order 2018 and comes into force on 5th December 2018.

Amendment of the Air Navigation Order 2016

2. The Air Navigation Order 2016(b) is amended as follows.

Prohibition on carrying on board sporting weapons or munitions of war

3. In article 99(1) for “article 100(2) and (3)” substitute “article 100(2), (2A) and (3)”.

4. After article 100(2) insert—

“(2A) Article 99 does not apply to a police officer who takes a munition of war on board an aircraft if—

- (a) the officer is acting in the course of the officer's duty; and
- (b) the munition of war is removed from the aircraft before the aircraft takes off.”.

(a) 1982 c.16. Section 60 was amended by the Aviation and Maritime Security Act 1990 (c.31), section 47.
(b) S.I. 2016/765, amended by S.I. 2017/1112 and S.I. 2018/623.

Aircrew

5. In article 168 for “Chapter 3” substitute “Chapter 2 of this Part”.

Penalties

6. After Schedule 13, Part 1, Chapter 9 insert—

“CHAPTER 10

<i>Provision of Part-ORO</i>	<i>Subject matter</i>
ORO.GEN.135(b)	Continued validity of an AOC
ORO.GEN.215	Facility requirements
ORO.MLR.110	Journey log
ORO.MLR.115	Record-keeping
ORO.FTL.240	Nutrition
ORO.FTL.245	Records of home base, flight times, duty and rest periods”.

7. In Schedule 13, Part 2, Chapter 4, after the entry for SPA.HEMS.100 insert—

“SPA.HOFO.105	Approval for helicopter offshore operations”.
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8. After Schedule 13, Part 2, Chapter 10 insert—

“CHAPTER 11

<i>Provision of Part-ORO</i>	<i>Subject matter</i>
ORO.GEN.110(a) to (i) inclusive	Operator responsibilities
ORO.GEN.120(b) to (d) inclusive	Means of compliance
ORO.GEN.130	Changes related to an AOC holder
ORO.GEN.140	Access
ORO.GEN.150(c)	Findings
ORO.GEN.155	Immediate reaction to a safety problem
ORO.GEN.200	Management system
ORO.GEN.205	Contracted activities
ORO.GEN.210	Personnel requirements
ORO.GEN.220	Record-keeping
ORO.AOC.110(b) and (f)	Leasing agreement
ORO.AOC.115	Code-share agreements
ORO.AOC.125(a)	Non-commercial operations of aircraft listed in the operations specifications by the holder of an AOC
ORO.AOC.130	Flight data monitoring–aeroplanes
ORO.AOC.135	Personnel requirements
ORO.AOC.140	Facility requirements
ORO.AOC.150	Documentation requirements
ORO.SPO.100	Common requirements for commercial specialised operators
ORO.MLR.100 (other than (c) and (h))	Operations manual – general
ORO.MLR.105	Minimum equipment list
ORO.FC.100 (other than (d))	Composition of flight crew
ORO.FC.105 (other than (d))	Designation as pilot-in-command/commander
ORO.FC.110	Flight engineer
ORO.FC.115	Crew resource management (CRM) training

ORO.FC.120	Operator conversion training
ORO.FC.125	Differences training and familiarisation training
ORO.FC.130	Recurrent training and checking
ORO.FC.135	Pilot qualification to operate in either pilot's seat
ORO.FC.140	Operation on more than one type or variant
ORO.FC.145	Provision of training
ORO.FC.200	Composition of flight crew
ORO.FC.A.201	In-flight relief of flight crew members
ORO.FC.202	Single-pilot operations under IFR or at night
ORO.FC.205	Command course
ORO.FC.215	Initial operator's crew resource management (CRM) training
ORO.FC.220	Operator conversion training and checking
ORO.FC.230	Recurrent training and checking
ORO.FC.235	Pilot qualification to operate in either pilot's seat
ORO.FC.240 (other than (c))	Operation on more than one type or variant
ORO.FC.A.245 (other than (a) and (e))	Alternative training and qualification programme
ORO.FC.A.250(a)	Commanders holding a CPL(A)
ORO.FC.H.250	Commanders holding a CPL(H)
ORO.FC.330	Recurrent training and checking – operator proficiency check
ORO.CC.100	Number and composition of cabin crew
ORO.CC.110	Conditions for assignment to duties
ORO.CC.115	Conduct of training courses and associated checking
ORO.CC.120	Initial training course
ORO.CC.125	Aircraft type specific training and operator conversion training
ORO.CC.130	Differences training
ORO.CC.135	Familiarisation
ORO.CC.140	Recurrent training
ORO.CC.145	Refresher training
ORO.CC.200	Senior cabin crew member
ORO.CC.205	Reduction of the number of cabin crew during ground operations and in unforeseen circumstances
ORO.CC.210	Additional conditions for assignment to duties
ORO.CC.215	Training and checking programs and related documentation
ORO.CC.250	Operation on more than one aircraft type or variant
ORO.CC.255	Single cabin crew member operations
ORO.TC.105	Conditions for assignment to duties
ORO.TC.110	Training and checking
ORO.TC.115	Initial training
ORO.TC.120	Operator conversion training
ORO.TC.125	Differences training
ORO.TC.130	Familiarisation flights
ORO.TC.135	Recurrent training
ORO.TC.140	Refresher training
ORO.FTL.115	Crew member responsibilities
ORO.FTL.120	Fatigue risk management (FRM)
ORO.FTL.125	Flight time specification schemes
ORO.FTL.200	Home base
ORO.FTL.205	Flight duty period (FDP)
ORO.FTL.220	Split duty
ORO.FTL.225(a), (e) and (f)	Standby and duties at the airport
ORO.FTL.230	Reserve
ORO.FTL.235	Rest periods

ORO.FTL.250 Fatigue management training”.

9. After Schedule 13, Part 3, Chapter 11 insert—

“CHAPTER 12

<i>Provision of Part-ORO</i>	<i>Subject matter</i>
ORO.GEN.110(j) to (k) inclusive	Operator responsibilities
ORO.GEN.125	Terms of approval and privileges of an AOC holder
ORO.GEN.160	Occurrence reporting
ORO.AOC.100(a)	Application for an air operator certificate
ORO.AOC.120(a) and (b)	Approvals to provide cabin crew training and to issue cabin crew attestations
ORO.DEC.100	Declaration
ORO.SPO.110(a)	Authorisation of high risk commercial specialised operations
ORO.SPO.115	Changes
ORO.SPO.120	Continued validity
ORO.SEC.100	Flight crew compartment security – aeroplanes
ORO.SEC.105	Flight crew compartment security – helicopters
ORO.FTL.110	Operator responsibilities
ORO.FTL.210	Flight times and duty periods”.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends articles 99, 100 and 168 of the Air Navigation Order 2016 (“the 2016 Order”) and creates offences in respect of Annex III (Organisation Requirements for Air Operations, Part-ORO) and Annex V (Specific Approvals), Subpart K (Approval of helicopter offshore operations), of Commission Regulation (EU) No. 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No. 216/2008 (“the Air Operations Regulation”).

Articles 3 and 4 amend articles 99 and 100 of the 2016 Order which prohibit the carrying of a sporting weapon or munition of war on board an aircraft. It creates an exception where a police officer takes a munition of war on board an aircraft, provided the officer is acting in the course of the officer’s duty and the munition is removed from the aircraft before the aircraft takes off.

Article 5 makes a minor correction to article 168 of the 2016 Order.

Articles 6, 8 and 9 provide for criminal offences for breach of specified obligations relating to the Organisation Requirements for Air Operations as set out in Annex III to the Air Operations Regulation.

Article 7 provides for a criminal offence for breach of a specified obligation relating to the approval of helicopter offshore operations as set out in Annex V to the Air Operations Regulation.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector has not been produced as it creates no new requirements that would have such an effect.

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