
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Air Navigation (No. 2) Order 1995 (the “Principal Order”).

In addition to minor and drafting amendments, the principal changes have the effect that:

(1) The United Kingdom register of civil aircraft need not be kept on the premises of the Civil Aviation Authority (article 2(1)).

(2) An aeroplane flying in specified circumstances need not carry two pilots if it is flying in accordance with a police air operator’s certificate (article 2(2) and (3)).

(a) (3) (a) A licence granted under the law of a Contracting State other than the United Kingdom is no longer deemed to be rendered valid under the Principal Order for the purposes of entitling the holder to act as pilot of an aircraft flying in any controlled airspace in circumstances requiring compliance with the Instrument Flight Rules (article 2(4)).

(b) The specified minimum weather provisions no longer apply (article 2(14)(d), (15) and (21)(b)).

(c) Controlled airspace is no longer sub-divided for the purposes of Schedules 4 and 5 (carriage of aircraft equipment and radio navigation equipment). Equipment requirements now apply equally in respect of all controlled airspace. A non-public transport aircraft flying in Class D or Class E airspace is not required to carry distance measuring equipment (article 2(18) and (19)).

(d) The holder of a Private Pilot’s Licence or Basic Commercial Pilot’s Licence who has neither an instrument rating nor an Instrument Meteorological Conditions rating may not fly on a flight outside controlled airspace when the flight visibility is less than 3km (article 2(20)(a) and (c)).

(e) Class D airspace is no longer sub-divided into airspace that is notified for the purposes of Schedule 8 to the Principal Order and airspace which is not so notified (article 2(20)(b), (d) and (e), 21(a) and (c) and (22)).

(4) Every person in an aircraft which is not registered in the United Kingdom must obey all lawful commands of the commander while that aircraft is in the United Kingdom (article 2(7)).

(5) The charterer of an aircraft is added to the list of persons referred to in article 111(1) of the Principal Order (Penalties) insofar as that article concerns article 102 of that Order (Restrictions with respect to carriage for valuable consideration in aircraft registered outside the United Kingdom) (article 2(12)).

(6) A person flying a small aircraft (for which a definition has been introduced) which weighs more than 7kg must do so in accordance with specified conditions (article 2(9), (14)(c), (17) and (23)(b)).

(7) The requirement for mandatory reporting of occurrences applies to the operator or commander of any public transport aircraft registered in the United Kingdom, any public transport aircraft wherever registered operated by the holder of an air operator’s certificate granted by the Civil Aviation Authority and any aircraft registered in the United Kingdom which is powered by one or more turbine engines (article 2(11)).