

---

STATUTORY INSTRUMENTS

---

**2005 No. 1970**

**The Air Navigation Order 2005**

**PART 3**

**Airworthiness and Equipment of Aircraft**

**Issue, validity etc., of national permits to fly**

**11.**—(1) The CAA shall—

- (a) subject to sub-paragraph (b) issue in respect of 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;
- (b) refuse to issue a national permit to fly in respect of 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.

(2) Subject to paragraph (4), an aircraft flying in accordance with a national permit to fly shall not fly for the purpose of public transport or aerial work other than aerial work which consists of flights for the purpose of flying displays, associated practice, test and positioning flights or the exhibition or demonstration of the aircraft.

(3) No person shall be carried during flights for the purpose of flying displays or demonstration flying except the minimum flight crew, unless the prior permission of the CAA has been obtained.

(4) With the permission of the CAA, an aircraft flying in accordance with a national permit to fly may fly for the purpose of aerial work which consists of the giving of instruction in flying or the conduct of flying tests, subject to the aircraft being owned or operated under arrangements entered into by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.

(5) The CAA may issue a national permit to fly subject to such conditions relating to the airworthiness, operation or maintenance of the aircraft as it thinks fit.

(6) A national permit to fly issued in respect of an aircraft shall cease to be in force—

- (a) until the satisfactory completion of any inspection made for the purpose of ascertaining whether the aircraft remains airworthy, modification or maintenance of the aircraft or any of its equipment which inspection, modification or maintenance has:
  - (i) been made mandatory by the CAA; or
  - (ii) become required as a condition of the permit to fly;
- (b) if any other conditions of the permit are not complied with;
- (c) if the aircraft, engines or propellers, or such of its equipment as is necessary for the airworthiness of the aircraft, are modified or repaired; unless the repair, or modification has been approved by the CAA or by a person approved by the CAA for the purpose;
- (d) unless the permit includes a current certificate of validity issued by the CAA or by a person approved by the CAA for the purpose.

(7) A placard shall be affixed to any aircraft flying in accordance with a permit to fly in full view of the occupants which shall be worded as follows—

*“Occupant Warning*

This aircraft has not been certificated to an International Requirement”.

(8) An aircraft flying in accordance with a permit to fly shall only be flown by day and in accordance with the Visual Flight Rules unless the prior permission of the CAA has been obtained.

(9) Nothing in this Order shall oblige the CAA to accept an application for the issue, variation or renewal of a national permit to fly when the application is not supported by such reports from such approved persons as the CAA may specify (either generally or in a particular case or class of cases).

(10) In paragraph (8) “day” means the time from half an hour before sunrise until half an hour after sunset (both times exclusive), sunset and sunrise being determined at surface level.