STATUTORY INSTRUMENTS

2007 No. 3468

The Air Navigation (Overseas Territories) Order 2007

PART IV

PROTECTION OF CREW

Application and interpretation of Part IV

31.—(1) Subject to paragraph (2), articles 32 and 33 apply in relation to any aircraft registered in the Territory that is either—

(a) engaged on a flight for the purpose of commercial air transport; or

(b) operated by an air transport undertaking; or

(c) operated by a person or organisation to which article 84 applies.

(2) Articles 32 and 33 shall not apply in relation to a flight made only for the purpose of instruction in flying given by or on behalf of a flying club or flying school, or a person who is not an air transport undertaking.

(3) For the purposes of this Order—

(a) 'flight time', in relation to any person, means all time spent by that person in—

(i) a civil aircraft whether or not registered in the Territory (other than an aircraft of which the maximum total weight authorised does not exceed 1600 kg and which is not flying for the purpose of commercial air transport or aerial work); or

(ii) a military aircraft;

while it is in flight and he is carried as a member of the crew thereof;

(b) 'day' means a continuous period of 24 hours beginning at midnight Co-ordinated Universal Time; and

(c) a helicopter shall be deemed to be in flight from the moment the helicopter first moves under its own power for the purpose of taking off until the rotors are next stopped.