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STATUTORY INSTRUMENTS

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**2007 No. 3468**

**CIVIL AVIATION**

**The Air Navigation (Overseas Territories) Order 2007**

*Made - - - - 12th December 2007*

*Laid before Parliament 19th December 2007*

*Coming into force 9th January 2008*

**THE AIR NAVIGATION (OVERSEAS TERRITORIES) ORDER 2007**

1. Citation and Commencement
2. Revocation

PART I

3. Aircraft to be registered
4. Registration of aircraft in the Territory
5. Nationality and registration marks

PART II

6. Type Acceptance Certificate
7. Certificate of airworthiness to be in force
8. Issue, re-issue and validity of certificates of airworthiness
9. Issue, re-issue etc of permits to fly
10. Continuing airworthiness
11. Aircraft records
12. Requirement for a certificate of release to service
13. Licensing and authorisations of maintenance engineers
14. Approval of maintenance organisations
15. Equipment of aircraft
16. Radio equipment of aircraft
17. Minimum equipment requirements
18. Aircraft weight schedule
19. Access and inspection for airworthiness purposes

PART III

20. Composition of crew of aircraft

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

21. Members of flight crew - requirement for licence
22. Grant, renewal and effect of flight crew licences
23. Maintenance of privileges of aircraft ratings in licences
24. Maintenance of privileges of other ratings in licences
25. Medical requirements for licence holders
26. Miscellaneous licensing provisions
27. Validation of licences
28. Personal flying logbook
29. Instruction in flying
30. Glider pilot-minimum age

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31. Application and interpretation of Part IV
32. Fatigue of crew - operator's responsibilities
33. Fatigue of crew - responsibilities of crew
34. Flight times - responsibilities of flight crew
35. Protection of aircrew from cosmic radiation
36. Keeping and production of records of exposure to cosmic radiation

#### PART V

37. Rules of the Air
38. Power to prohibit or restrict flying
39. Balloons, kites, airships, gliders and parascending parachutes
40. Regulation of small aircraft

#### PART VI

41. Operation of aircraft
42. Aerodrome operating minima
43. Pilots to remain at controls
44. Wearing of survival suits by crew
45. Pre-flight action by pilot-in-command of an aircraft
46. Passenger briefing by pilot-in-command
47. Survival equipment - non-commercial air transport flights
48. Use of oxygen - non-commercial air transport flights
49. Operation of radio in aircraft
50. Minimum navigation performance
51. Height keeping performance - aircraft registered in the Territory
52. Height keeping performance - aircraft not registered in the Territory
53. Area navigation and required navigation performance capabilities – aircraft registered in the Territory
54. Area navigation and required navigation performance capabilities – aircraft not registered in the Territory
55. Use of airborne collision avoidance system
56. Use of flight recording systems and preservation of records
57. Carriage of weapons and of munitions of war
58. Carriage of dangerous goods
59. Duties of pilot-in-command – search and rescue
60. Method of carriage of persons
61. Exits – commercial air transport aeroplanes and helicopters
62. Marking of break-in areas

63. Flying Displays

PART VII

- 64. Issue of air operators' certificates
- 65. Issue of police air operators' certificates
- 66. Operations manual
- 67. Police operations manual
- 68. Training programme
- 69. Flight data monitoring, accident prevention and flight safety programme
- 70. Commercial air transport - operator's responsibilities
- 71. Loading - commercial air transport aircraft and suspended loads
- 72. Commercial air transport - aeroplane operating conditions and performance requirements
- 73. Commercial air transport - helicopters - operating conditions and performance requirements
- 74. Commercial air transport operations at night or in Instrument Meteorological Conditions by single engine aeroplanes
- 75. Commercial air transport aircraft registered in the Territory – aerodrome-operating minima
- 76. Commercial air transport aircraft not registered in the Territory – aerodrome-operating minima
- 77. Carriage of passengers - additional duties of pilot-in-command

PART VIII

- 78. Issue of aerial work certificates
- 79. Towing of gliders
- 80. Towing, picking up and raising of persons and articles
- 81. Dropping of articles and animals
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- 85. Issue of Approval

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- 86. Requirement for air traffic control approval for the provision of air traffic services
- 87. Duty of person in charge to satisfy himself as to competence of controllers
- 88. Manual of Air Traffic Services
- 89. Provision of air traffic services
- 90. Use of radio call signs at aerodromes

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- 91. Prohibition of unlicensed air traffic controllers and student air traffic controllers
- 92. Licensing of air traffic controllers and student air traffic controllers
- 93. Approval of courses and persons

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94. Requirement for medical certificate
95. Incapacity of air traffic controllers
96. Prohibition of drunkenness etc. of controllers
97. Fatigue of air traffic controllers - air traffic controllers' responsibilities
98. Licensing of flight information service officers
99. Prohibition of unlicensed flight information service officers
100. Flight information service manual

PART XII

101. Aeronautical Telecommunication Service
102. Aeronautical Telecommunication Service records

PART XIII

103. Aerodromes – aircraft operations required to use certificated or notified aerodromes
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105. Certification of aerodromes
106. Instrument Flight Procedures
107. Charges at aerodromes certificated or licensed for public use
108. Use of aerodromes by aircraft of Contracting States
109. Noise and vibration caused by aircraft on aerodromes
110. Aeronautical lights
111. Lighting of en-route obstacles
112. Dangerous lights
113. Customs and Excise airports
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115. Journey Log
116. Documents to be carried
117. Production of documents and records
118. Production of aeronautical telecommunications service documents and records
119. Power to inspect and copy documents and records
120. Preservation of documents, etc
121. Validity of certificates, licences, authorisations, approvals and permissions
122. Revocation, suspension and variation of certificates, licences and other documents
123. Revocation, suspension and variation of permissions, etc. granted under article 135 or article 137
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125. Endangering safety of aircraft
126. Endangering safety of any person or property
127. Drunkenness in aircraft
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129. Authority of pilot-in-command and members of the crew of an aircraft
130. Acting in a disruptive manner

- 131. Obstruction of persons
- 132. Enforcement of directions
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- 134. Penalties

#### PART XVI

- 135. Restriction with respect to carriage for valuable consideration in aircraft registered outside the Territory
- 136. Filing and approval of tariffs
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- 138. Flights over any foreign country
- 139. Mandatory reporting
- 140. Mandatory reporting of birdstrikes
- 141. Power to prevent aircraft flying
- 142. Right of access to aerodromes and other places
- 143. Extra-territorial effect of the Order
- 144. Application of Order to British-controlled aircraft not registered in the Territory
- 145. Application of Order to the Crown and visiting forces, etc.
- 146. Exemption from Order
- 147. Appeal to Supreme Court
- 148. Application of Order
- 149. Regulations by the Governor: Fees
- 150. Exceptions for certain classes of aircraft
- 151. Approval for persons to furnish reports
- 152. Publication of requirements
- 153. Designation by the Governor
- 154. Review by the Governor
- 155. Arrangements for giving effect to the Convention
- 156. Interpretation
- 157. Commercial air transport and aerial work – general rules
- 158. Commercial air transport and aerial work – exception for flying displays etc.
- 159. Commercial air transport and aerial work – exception for charity flights
- 160. Commercial air transport and aerial work – exception for cost sharing
- 161. Commercial air transport and aerial work – exception for recovery of direct costs
- 162. Commercial air transport and aerial work – exception for jointly owned aircraft
- 163. Commercial air transport and aerial work – parachuting
- 164. Saving  
Signature

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SCHEDULE 1 — ORDERS REVOKED

SCHEDULE 2 — CLASSIFICATION OF AIRCRAFT

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SCHEDULE 3 — AREAS SPECIFIED IN CONNECTION WITH THE CARRIAGE OF FLIGHT NAVIGATORS AS MEMBERS OF THE FLIGHT CREWS OR SUITABLE NAVIGATIONAL EQUIPMENT ON COMMERCIAL AIR TRANSPORT AIRCRAFT

SCHEDULE 4 — AIRCRAFT EQUIPMENT

1. Every aircraft of a description specified in the first column...
2. (1) If the aircraft is flying in a combination of...
3. (1) For the purposes of the Table in paragraph 5,...
4. The following items of equipment shall not be required to...
5. Table Description of Aircraft Circumstances of Flight Scale of Equipment...
6. The scales of equipment indicated in the foregoing Table shall...

SCHEDULE 5 — RADIO COMMUNICATION AND RADIO NAVIGATION EQUIPMENT TO BE CARRIED IN AIRCRAFT

1. Subject to paragraph 3, every aircraft shall be provided, when...
2. Table Aircraft and Circumstances of Flight Scale of Equipment Required...
3. (1) In the case of sub-paragraphs (1), (2), (3), (4)(a),...
4. The scales of radio communication and radio navigation equipment indicated...
5. In this Schedule— (1) “Airborne collision avoidance system” means an...

SCHEDULE 6 — LICENCES

MINIMUM AGE, PERIOD OF VALIDITY, PRIVILEGES

Private Pilot’s Licence (Aeroplanes)  
Commercial Pilot’s Licence (Aeroplanes)  
Airline Transport Pilot’s Licence (Aeroplanes)

*HELICOPTER AND GYROPLANE PILOTS*

Private Pilot’s Licence (Helicopters)  
Private Pilot’s Licence (Gyroplanes)  
Commercial Pilot’s Licence (Helicopters and Gyroplanes)  
Airline Transport Pilot’s Licence (Helicopters and Gyroplanes)

*BALLOON AND AIRSHIP PILOTS*

Private Pilot’s Licence (Balloons and Airships)  
Commercial Pilot’s Licence (Balloons)  
Commercial Pilot’s Licence (Airships)

*GLIDER PILOTS*

Commercial Pilot’s Licence (Gliders)

*OTHER FLIGHT CREW*

Flight Navigator’s Licence  
Flight Engineer’s Licence  
Flight Radiotelephony Operator’s Licence

SCHEDULE 7 — PENALTIES

PART A — Provisions Referred to in Article 134(5)

PART B — Provisions Referred to in Article 134(6)

SCHEDULE 8 — RULES OF THE AIR

SECTION I

1. Interpretation

SECTION II

2. Application of Rules to aircraft
3. Misuse of signals and markings
4. Reporting hazardous conditions

SECTION III

5. Low flying prohibitions
6. Exemptions from the low flying prohibitions

SECTION IV

7. Weather reports and forecasts
8. Avoiding aerial collisions
9. Converging
10. Approaching head-on
11. Overtaking
12. Flight in the vicinity of an aerodrome
13. Order of landing
14. Landing and take-off
15. Aerobatic manoeuvres
16. Right-hand traffic rule
17. Notification of arrival and departure
18. Flight in Class A airspace
19. Flight in Class C Airspace
20. Choice of VFR or IFR
21. Speed limitations
22. Use of radio navigation aids
23. Simulated instrument flight
24. Practice instrument approaches

SECTION V

25. Applicability of the Visual Flight Rules
26. Reported visibility
27. Flight within controlled airspace
28. Flight outside controlled airspace
29. VFR flight plan and air traffic control clearance in Class B, Class C or Class D airspace

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30. Maintaining continuous watch and complying with air traffic control instructions
31. Exceptions to rules 29 and 30

#### SECTION VI

32. Instrument Flight Rules
33. Minimum height
34. Quadrantal rule and semi-circular rule
35. Flight plan and air traffic control clearance
36. Compliance with air traffic control clearance and notified procedures
37. Position reports

#### SECTION VII

38. Application of aerodrome traffic rules
39. Visual signals
40. Movement of aircraft on aerodromes
41. Access to and movement of persons and vehicles on aerodromes
42. Right of way on the ground
43. Action to be taken in case of danger of collision on the ground
44. Launching, picking up and dropping of tow ropes, etc.
45. Flights within aerodrome traffic zones

#### SECTION VIII

46. General
47. Display of lights by aircraft
48. Failure of navigation and anti-collision lights
49. Flying machines at night
50. Gliders at night
51. Free balloons at night
52. Captive balloons and kites at night
53. Captive balloons and kites by day
54. Airships at night
55. Airships by day

#### SECTION IX

56. General
57. Signals in the Signals Area
58. Markings for paved runways and taxiways
59. Markings on unpaved manoeuvring areas
60. Signals visible from the ground
61. Lights and pyrotechnic signals for control of aerodrome traffic
62. Marshalling signals (from a marshaller to an aircraft)
63. Marshalling signals (from a pilot of an aircraft to a marshaller)
64. Distress, urgency and safety signals

#### SCHEDULE 9 — AIR NAVIGATION (GENERAL) REGULATIONS

1. In these Regulations any reference to— (a) a numbered article...



2. Aeroplanes flying for the purpose of commercial air transport of passengers – aerodrome facilities for approach to landing and landing
3. Minimum navigation performance specifications – prescribed airspace and navigation performance capability
4. For the purposes of article 109, the conditions under which...

#### SCHEDULE 10 — THE AIR NAVIGATION (DANGEROUS GOODS) REGULATIONS

##### PART I — Interpretation

1. Interpretation

##### PART II — Requirements for carriage of dangerous goods

2. Requirement for approval of operator
3. Prohibition of carriage of dangerous goods

##### PART III — Operator’s Obligations

4. Provision of information by the operator to crew etc
5. Acceptance of dangerous goods by the operator
6. Method of loading by the operator
7. Inspections by the operator for damage, leakage or contamination
8. Removal of contamination by the operator

##### PART IV — Shipper’s Responsibilities

9. Shipper’s responsibilities

##### PART V — Pilot-in-command’s Obligations

10. Pilot-in-command’s duty to inform air traffic services

##### PART VI — Training

11. Provision of information and training programmes by operators and shippers

##### PART VII — Provision of Information to Passengers and in Respect of Cargo

12. Provision of information to passengers
13. Provision of information in respect of cargo

##### PART VIII — Documents and Records, Enforcement Powers and General

14. Keeping of documents and records
15. Production of documents and records
16. Powers in relation to enforcement of the Regulations
17. Occurrence reporting
18. Dropping articles for agricultural, horticultural, forestry or pollution control purposes
19. Police aircraft

#### SCHEDULE 11 — AERODROME MANUAL

#### SCHEDULE 12 — TERRITORIES TO WHICH THIS ORDER APPLIES

Explanatory Note