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STATUTORY INSTRUMENTS

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**2016 No. 765**

**The Air Navigation Order 2016**

**PART 5**

**Operations**

**CHAPTER 7**

**Additional requirements for public transport operations**

*SECTION 1*

*Duties of the pilot in command*

**Public transport of passengers – pilot in command to ensure crew, passengers and baggage secure**

**106.**—(1) Subject to paragraph (2), this article applies to a public transport flight by an aircraft registered in the United Kingdom.

(2) This article does not apply to a flight under and in accordance with the terms of a police air operator's certificate.

(3) Before the aircraft takes off and before it lands, the pilot in command must take all reasonable steps to ensure that—

- (a) the crew of the aircraft are properly secured in their seats; and
- (b) any cabin crew carried in compliance with article 112(2) are properly secured in seats which are in a passenger compartment and which are so situated that the cabin crew can readily assist passengers.

(4) During the period and in the circumstances described in paragraph (5) the pilot in command must take all reasonable steps to ensure that—

- (a) all passengers of two years of age or more are properly secured in their seats by safety belts (with diagonal shoulder strap, if required to be carried) or safety harnesses;
- (b) all passengers under the age of two years are properly secured by means of a child restraint device; and
- (c) those items of baggage in the passenger compartment—
  - (i) which the pilot in command reasonably considers ought by virtue of their size, weight or nature to be properly secured are properly secured; and
  - (ii) in the case of an aircraft capable of seating more than 30 passengers, are either stowed in the passenger compartment stowage spaces approved by the CAA for the purpose or carried in accordance with the terms of a permission granted by the CAA.

(5) The period and circumstances referred to in paragraph (4) are—

- (a) after the embarkation of its passengers for the purpose of taking off, from the moment when the aircraft first moves until after it has taken off;
- (b) before it lands, until it comes to rest for the purpose of the disembarkation of its passengers;  
and
- (c) whenever, by reason of turbulent air or any emergency occurring during the flight the pilot in command considers it necessary to take the steps specified in paragraph (4).