
STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 6

Aircrew

CHAPTER 5

Fatigue of crew and protection of crew from cosmic radiation

Fatigue of crew – operator’s responsibilities

175.—(1) The operator of an aircraft to which this article applies must not cause or permit that aircraft to make a flight unless—

- (a) the operator has established a scheme for the regulation of flight times for every person flying in that aircraft as a member of its crew;
- (b) the scheme is approved by the CAA;
- (c) either—
 - (i) the scheme is incorporated in the operations manual required by article 116; or
 - (ii) in any case where an operations manual is not required by that article, the scheme is incorporated in a document, a copy of which has been made available to every person flying in the aircraft as a member of its crew; and
- (d) the operator has taken all such steps as are reasonably practicable to ensure that the provisions of the scheme will be complied with by every person flying in that aircraft as a member of its crew.

(2) The operator of an aircraft to which this article applies must not cause or permit any person to fly as a member of its crew who the operator knows or has reason to believe is suffering from or, having regard to the circumstances of the flight to be undertaken, is likely to suffer from, such fatigue as may endanger the safety of the aircraft or of its occupants.

(3) The operator of an aircraft to which this article applies must not cause or permit any person to fly in the aircraft as a member of its flight crew unless the operator possesses an accurate and up-to-date record for that person and for the 28 days immediately preceding the flight showing—

- (a) all flight times; and
- (b) brief details of the nature of the functions performed in the course of those flight times.

(4) Subject to article 238, the record referred to in paragraph (3) must be preserved by the operator of the aircraft for at least 12 months after the flight referred to in that paragraph.