
STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 5

Operations

CHAPTER 3

Specialised activities

Flying displays

86.—(1) Subject to paragraphs (15), (16) and (18), no person may act as the organiser of a flying display (in this article referred to as “the flying display director”) without first applying for and obtaining the permission of the CAA for that flying display.

(2) Subject to paragraphs (16) and (18), the pilot in command of an aircraft who is intending to participate in a flying display must take all reasonable steps to be satisfied, before participating, that—

- (a) the flying display director has been granted an appropriate permission under paragraph (6);
- (b) the intended flight can comply with any relevant conditions subject to which that permission may have been granted; and
- (c) the pilot has been granted an appropriate pilot display authorisation.

(3) Subject to paragraphs (16) and (18), the pilot in command of an aircraft who is participating in a flying display for which a permission has been granted must comply with any conditions subject to which that permission may have been granted.

(4) Subject to paragraphs (16) and (18), a person acting as pilot of an aircraft participating in a flying display must hold an appropriate pilot display authorisation and comply with any conditions subject to which the authorisation may have been given.

(5) Subject to paragraphs (16) and (18), the flying display director must not permit any person to act as pilot of an aircraft which participates in a flying display unless such person holds an appropriate pilot display authorisation.

(6) The CAA must grant a permission required by paragraph (1) if it is satisfied that the flying display director is fit and competent to safely organise the proposed flying display, having regard in particular to the flying display director’s—

- (a) previous conduct and experience; and
- (b) organisation, staffing and other arrangements.

(7) The CAA may grant such a permission subject to such conditions, which may include conditions concerning military aircraft, as the CAA thinks fit.

(8) The CAA must, for the purposes of this article, grant a pilot display authorisation authorising the holder to act as pilot of an aircraft taking part in a flying display if it is satisfied that the applicant is—

- (a) a fit person to hold the authorisation; and
 - (b) is qualified by having the knowledge, experience, competence, skill, and physical and mental fitness to fly in accordance with the authorisation.
- (9) For the purposes of paragraph (8) the applicant must supply such evidence and undergo such examinations and tests as the CAA may require.
- (10) The CAA may authorise a person to conduct such examinations or tests for the purposes of this article as it may specify.
- (11) Subject to article 253, a pilot display authorisation granted in accordance with this article remains in force for the period indicated in the authorisation.
- (12) Subject to paragraph (13), for the purposes of this article, an appropriate pilot display authorisation means an authorisation which is valid and appropriate to the intended flight and which has been—
- (a) granted by the CAA under paragraph (8); or
 - (b) granted by the competent authority of a JAA Full Member State.
- (13) A pilot display authorisation granted by the competent authority of a JAA Full Member State is not an appropriate pilot display authorisation for the purposes of this article if the CAA has given a direction to that effect.
- (14) A direction may be issued under paragraph (13) either for a particular authorisation, a specified category of authorisations or generally.
- (15) Paragraph (1) does not apply to—
- (a) a flying display which takes place at an aerodrome in the occupation of the Ministry of Defence or of any visiting force or any other premises in the occupation or under the control of the Ministry of Defence; or
 - (b) a flying display at which the only participating aircraft are military aircraft.
- (16) Paragraphs (1) to (5) do not apply to a flying display at which the only participating aircraft are balloons.
- (17) Subject to paragraph (18), the flying display director must not permit any military aircraft to participate in a flying display unless the director complies with any conditions concerning military aircraft subject to which the permission for the flying display may have been granted.
- (18) Nothing in this article applies to an aircraft race or contest or to an aircraft taking part in such a race or contest or to the pilot in command or pilot whether or not such race or contest is held in association with a flying display.
- (19) No person may be carried during flights for the purpose of flying displays or demonstration flying (except for the minimum required flight crew), unless the prior permission of the CAA has been obtained.

Towing of gliders

- 87.—**(1) An aircraft in flight must not tow a glider unless—
- (a) the towing aircraft has a certificate of airworthiness and—
 - (i) that the certificate has been issued or rendered valid for that aircraft under the law of the country in which the aircraft is registered; and
 - (ii) that certificate, or the flight manual for the aircraft, includes an express provision that it may be used for that purpose; or
 - (b) the towing aircraft has been authorised to do so by—
 - (i) the CAA; or

(ii) an organisation approved by the CAA to provide such an authorisation.

(2) The length of the combination of towing aircraft, tow rope and glider in flight must not exceed 150 metres.

(3) The pilot in command of an aircraft which is about to tow a glider must be satisfied, before the towing aircraft takes off that—

- (a) the tow rope is in good condition and is of adequate strength for the purpose;
- (b) the combination of towing aircraft and glider, having regard to its performance in the conditions to be expected on the intended flight and to any obstructions at the place of departure and on the intended route, is capable of safely taking off, reaching and maintaining a safe height at which to separate the combination;
- (c) after separation the towing aircraft can make a safe landing at the place of intended destination;
- (d) signals have been agreed and communication established with persons suitably stationed so as to enable the glider to take off safely; and
- (e) emergency signals have been agreed between the pilot in command of the towing aircraft and the pilot in command of the glider, to be used, respectively, by the pilot in command of the towing aircraft to indicate that the tow should immediately be released by the glider, and by the pilot in command of the glider to indicate that the tow cannot be released.

(4) The glider must be attached to the towing aircraft by means of the tow rope before the aircraft takes off.

Towing, picking up and raising of persons and articles

88.—(1) Subject to the provisions of this article, an aircraft in flight must not, by means external to the aircraft, tow any article, other than a glider, or pick up or raise any person, animal or article, unless—

- (a) there is a certificate of airworthiness and—
 - (i) that certificate has been issued or rendered valid for that aircraft under the law of the country in which the aircraft is registered; and
 - (ii) that certificate, or the flight manual for the aircraft, includes an express provision that it may be used for that purpose; or
- (b) the aircraft has been authorised to do so by—
 - (i) the CAA; or
 - (ii) an organisation approved by the CAA to provide such an authorisation.

(2) An aircraft must not launch or pick up tow ropes, banners or similar articles other than at an aerodrome.

(3) An aircraft in flight must not tow any article, other than a glider, at night or when flight visibility is less than one nautical mile.

(4) The length of the combination of towing aircraft, tow rope, and article in tow, must not exceed 150 metres.

(5) A helicopter must not fly at any height over a congested area of a city, town or settlement at any time when any article, person or animal is suspended from the helicopter.

(6) A passenger must not be carried in a helicopter at any time when an article, person or animal is suspended from the helicopter, other than—

- (a) a passenger who has duties to perform in connection with the article, person or animal;
- (b) a passenger who has been picked up or raised by means external to the helicopter; or

- (c) a passenger who it is intended will be lowered to the surface by means external to the helicopter.
- (7) Nothing in this article—
 - (a) prohibits the towing in a reasonable manner by an aircraft in flight of any radio aerial, any instrument which is being used for experimental purposes, or any signal, apparatus or article required or permitted by or under this Order to be towed or displayed by an aircraft in flight;
 - (b) prohibits the picking up or raising of any person, animal or article in an emergency or for the purpose of saving life;
 - (c) applies to any aircraft while it is flying in accordance with the B Conditions; or
 - (d) permits the towing or picking up of a glider otherwise than in accordance with article 87.

Dropping of articles and animals

89.—(1) Articles and animals (whether or not attached to a parachute) must not be dropped, or permitted to drop, from an aircraft in flight so as to endanger persons or property.

(2) Subject to paragraphs (3) and (4), articles and animals (whether or not attached to a parachute) must not be dropped, or permitted to drop, to the surface from an aircraft flying over the United Kingdom except—

- (a) under and in accordance with the terms of an aerial application certificate granted under article 91; or
- (b) with the permission of the CAA.

(3) Paragraph (2) does not apply to the dropping of articles by, or with the authority of, the pilot in command of the aircraft in any of the following circumstances—

- (a) the dropping of articles for the purpose of saving life;
- (b) the jettisoning, in case of emergency, of fuel or other articles in the aircraft;
- (c) the dropping of ballast in the form of fine sand or water;
- (d) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of this Order; or
- (e) the dropping at an aerodrome of tow ropes, banners, or similar articles towed by aircraft.

(4) Paragraph (2) does not apply to the lowering of any article or animal from a helicopter to the surface, if—

- (a) there is a certificate of airworthiness issued or rendered valid for the helicopter under the law of the country in which it is registered; and
- (b) that certificate or the flight manual for the helicopter includes an express provision that it may be used for that purpose.

(5) In this article, “dropping” includes projecting and lowering.

Dropping of persons and grant of parachuting permissions

90.—(1) Subject to paragraphs (9), (10) and (11), a person must not drop, be dropped or be permitted to drop to the surface or jump from an aircraft flying over the United Kingdom except under and in accordance with the terms of either a police air operator’s certificate or a parachuting permission granted by the CAA under this article.

(2) A person must not drop, be dropped or be permitted to drop from an aircraft in flight so as to endanger persons or property.

(3) The CAA must grant a parachuting permission if it is satisfied that the applicant is a fit person to hold the permission and is competent to conduct parachuting safely, having regard in particular to the applicant's—

- (a) previous conduct and experience; and
- (b) equipment, organisation, staffing and other arrangements.

(4) An aircraft must not be used for the purpose of dropping persons unless the aircraft—

- (a) has a certificate of airworthiness and—
 - (i) that certificate has been issued or rendered valid for that aircraft under the law of the country in which the aircraft is registered; and
 - (ii) that certificate, or the flight manual for the aircraft, includes an express provision that it may be used for that purpose; or
- (b) has been authorised for the purpose of dropping persons by—
 - (i) the CAA; or
 - (ii) an organisation approved by the CAA to provide such an authorisation, and is operated in accordance with a written permission granted by the CAA under this article; or
- (c) is operated under and in accordance with the terms of a police air operator's certificate.

(5) Every applicant for and holder of a parachuting permission must make available to the CAA if requested a parachuting manual.

(6) The holder of a parachuting permission must make such amendments or additions to its parachuting manual as the CAA may require.

(7) The holder of a parachuting permission must make its parachuting manual available to every employee or person who is engaged or may engage in parachuting activities conducted by the holder.

(8) The manual must contain all such information and instructions as may be necessary to enable such employees or persons to perform their duties.

(9) Nothing in this article applies to the descent of persons by parachute from an aircraft in an emergency.

(10) Nothing in this article prohibits the lowering of any person in an emergency or for the purpose of saving life.

(11) Nothing in this article prohibits the lowering of any person from a helicopter to the surface if there is a certificate of airworthiness issued or rendered valid for the helicopter under the law of the country in which it is registered and that certificate or the flight manual for the helicopter includes an express provision that it may be used for that purpose.

(12) In this article, “dropping” includes projecting and lowering.

Dropping articles for purposes of agriculture etc. and grant of aerial application certificates

91.—(1) An aircraft must not be used for the dropping of articles for the purposes of agriculture, horticulture or forestry or for training for the dropping of articles for any of such purposes, otherwise than under and in accordance with the terms of an aerial application certificate granted to the operator of the aircraft under paragraph (2).

(2) The CAA must grant an aerial application certificate if it is satisfied that the applicant is a fit person to hold the certificate and is competent to secure the safe operation of the aircraft specified in the certificate on flights for the purposes specified in paragraph (1), having regard in particular to the applicant's—

- (a) previous conduct and experience; and

(b) equipment, organisation, staffing and other arrangements.

(3) If the CAA grants an aerial application certificate it may do so subject to such conditions it deems appropriate, including conditions for ensuring that the aircraft and any article dropped from it do not endanger persons or property in the aircraft or elsewhere.

(4) Every applicant for and holder of an aerial application certificate must make available to the CAA if requested an aerial application manual.

(5) The holder of an aerial application certificate must make its aerial application manual available to every member of the operating staff.

(6) The manual must contain all such information and instructions as may be necessary to enable the operating staff to perform their duties.

(7) The holder of an aerial application certificate must make such amendments or additions to the manual as the CAA may require.