
STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 5

Operations

CHAPTER 6

Air operator certificates

Offering commercial transport and public transport flights

104.—(1) No person may hold anyone out (whether the person who is being held out is the same person as the one who is holding out or is another person) as being one who may offer flights in an aircraft registered in the United Kingdom for the purpose of public transport or commercial air transport unless the person being held out holds—

- (a) in the case of a commercial air transport operation, a valid Part-CAT air operator certificate;
 - (b) in the case of a public transport flight, a valid national air operator's certificate or a valid Part-CAT air operator certificate; or
 - (c) in the case of an A to A commercial air transport aeroplane operation, a valid Part-CAT air operator certificate or a valid EU-OPS air operator certificate.
- (2) Paragraph (1) does not apply where—
- (a) the person being held out as offering such a flight has applied for a certificate which would authorise the flight in question in accordance with paragraph (1);
 - (b) the person holding out reasonably believes that the person being held out will hold such a certificate by the time the offered flight is made.