STATUTORY INSTRUMENTS

1995 No. 1038

The Air Navigation Order 1995

PART VI

FATIGUE OF CREW

Application and interpretation of Part VI

(a) **62.** (1) (a) Subject to sub-paragraph (b), articles 63 and 64 of this Order apply in relation to any aircraft registered in the United Kingdom which is either:

(a) engaged on a flight for the purpose of public transport; or

(b) operated by an air transport undertaking.

(b) Articles 63 and 64 of this Order shall not apply in relation to a flight made only for the purpose of instruction in flying given by or on behalf of a flying club or flying school, or a person who is not an air transport undertaking.

(2) In this Part of this Order, the following expressions shall, except where the context otherwise requires, have the meanings hereby respectively assigned to them, that is to say:

(a) "flight time", in relation to any person, means all time spent by that person in an aircraft whether or not registered in the United Kingdom (other than an aircraft of which the maximum total weight authorised does not exceed 1600 kg and which is not flying for the purpose of public transport or aerial work) while it is in flight and he is carried therein as a member of the crew thereof;

(b) "day" means a continuous period of 24 hours beginning at midnight Coordinated Universal Time.

(3) For the purposes of this Part of this Order, a helicopter shall be deemed to be in flight from the moment the helicopter first moves under its own power for the purpose of taking off until the rotors are next stopped.