
STATUTORY INSTRUMENTS

1995 No. 1038

The Air Navigation Order 1995

PART III

AIRWORTHINESS AND EQUIPMENT OF AIRCRAFT

Issue, renewal, etc., of certificates of airworthiness

9.—(1) The Authority shall issue in respect of any aircraft a certificate of airworthiness if it is satisfied that the aircraft is fit to fly having regard to:

- (a) the design, construction, workmanship and materials of the aircraft (including in particular any engines fitted therein), and of any equipment carried in the aircraft which it considers necessary for the airworthiness of the aircraft; and
- (b) (i) subject to sub-paragraph (ii) the results of flying trials, and such other tests of the aircraft as it may require:
 - (ii) if the Authority has issued a certificate of airworthiness in respect of an aircraft which, in its opinion, is a prototype aircraft or a modification of a prototype aircraft, it may dispense with flying trials in the case of any other aircraft if it is satisfied that it conforms to such prototype or modification.

(2) Every certificate of airworthiness shall specify such categories as are, in the opinion of the Authority, appropriate to the aircraft in accordance with Schedule 3 to this Order and the certificate shall be issued subject to the condition that the aircraft shall be flown only for the purposes indicated in the said Schedule in relation to those categories.

(3) The Authority may issue the certificate of airworthiness subject to such other conditions relating to the airworthiness of the aircraft as it thinks fit.

(4) The certificate of airworthiness may designate the performance group to which the aircraft belongs for the purposes of the requirements referred to in article 32(1) of this Order.

(5) The Authority may, subject to such conditions as it thinks fit, issue a certificate of validation rendering valid for the purposes of this Order a certificate of airworthiness issued in respect of any aircraft under the law of any country other than the United Kingdom.

(6) Subject to the provisions of this article and of article 71 of this Order, a certificate of airworthiness or validation issued under this article shall remain in force for such period as may be specified therein, and may be renewed from time to time by the Authority for such further period as it thinks fit.

(7) A certificate of airworthiness or a certificate of validation issued in respect of an aircraft shall cease to be in force:

- (a) if the aircraft, or such of its equipment as is necessary for the airworthiness of the aircraft, is overhauled, repaired or modified, or if any part of the aircraft or of such equipment is removed or is replaced, otherwise than in a manner and with material of a type approved by the Authority either generally or in relation to a class of aircraft or to the particular aircraft;

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- (b) until the completion of any inspection or maintenance of the aircraft or of any such equipment as aforesaid, being an inspection made for the purpose of ascertaining whether the aircraft remains airworthy and:
 - (i) classified as mandatory by the Authority;
 - (ii) required by a maintenance schedule approved by the Authority in relation to that aircraft; or
 - (c) until the completion to the satisfaction of the Authority of any modification of the aircraft or of any such equipment as aforesaid, being a modification required by the Authority for the purpose of ensuring that the aircraft remains airworthy.
- (8) Nothing in this Order shall oblige the Authority to accept an application for the issue of a certificate of airworthiness or validation or for the variation or renewal of any such certificate when the application is not supported by such reports from such approved persons as the Authority may specify (either generally or in a particular case or class of cases).