
STATUTORY INSTRUMENTS

2005 No. 1970

The Air Navigation Order 2005

PART 5

Operation of Aircraft

Non-public transport aircraft—aerodrome operating minima

49.—(1) This article shall apply to any aircraft which is not a public transport aircraft.

(2) An aircraft to which this article applies shall not—

- (a) conduct a Category II, Category IIIA or Category IIIB approach and landing; or
- (b) take off when the relevant runway visual range is less than 150 metres;

otherwise than under and in accordance with the terms of an approval so to do granted in accordance with the law of the country in which it is registered.

(3) In the case of an aircraft registered in the United Kingdom, the approval referred to in paragraph (2) shall be issued by the CAA.

(4) Without prejudice to paragraph (2), an aircraft to which this article applies when making a descent at an aerodrome to a runway in respect of which there is a notified instrument approach procedure shall not descend from a height of 1,000 feet or more above the aerodrome to a height less than 1,000 feet above the aerodrome if the relevant runway visual range for that runway is at the time less than the specified minimum for landing.

(5) Without prejudice to paragraph (2), an aircraft to which this article applies when making a descent to a runway in respect of which there is a notified instrument approach procedure shall not—

- (a) continue an approach to landing on such a runway by flying below the relevant specified decision height; or
- (b) descend below the relevant specified minimum descent height;

unless in either case from such height the specified visual reference for landing is established and is maintained.

(6) If, according to the information available, an aircraft would as regards any flight be required by the Rules of the Air Regulations 1996⁽¹⁾ to be flown in accordance with the Instrument Flight Rules at the aerodrome of intended landing, the commander of the aircraft shall select prior to take-off an alternate aerodrome unless no aerodrome suitable for that purpose is available.

(7) In this article “specified” in relation to aerodrome operating minima means such particulars of aerodrome operating minima as have been notified in respect of the aerodrome or if the relevant minima have not been notified such minima as are ascertainable by reference to the notified method for calculating aerodrome operating minima.

(8) In this article Category II, Category IIIA and Category IIIB approach and landing have the same meaning as in article 48(8).

(1) [S.I. 1996/1393](#).

Status: *This is the original version (as it was originally made).*
