
STATUTORY INSTRUMENTS

2005 No. 1970

The Air Navigation Order 2005

PART 3

Airworthiness and Equipment of Aircraft

Certificate of airworthiness to be in force

8.—(1) Subject to paragraph (2), an aircraft shall not fly unless there is in force in respect thereof a certificate of airworthiness duly issued or rendered valid under the law of the country in which the aircraft is registered or the State of the operator, and any conditions subject to which the certificate was issued or rendered valid are complied with.

(2) The foregoing prohibition shall not apply to flights, beginning and ending in the United Kingdom without passing over any other country, of—

- (a) a non-EASA glider, if it is not being used for the public transport of passengers or aerial work other than aerial work which consists of the giving of instruction in flying or the conducting of flying tests in a glider owned or operated by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members;
- (b) a non-EASA balloon flying on a private flight;
- (c) a non-EASA kite;
- (d) a non-EASA aircraft flying in accordance with the A Conditions or the B Conditions; or
- (e) an aircraft flying in accordance with a national permit to fly, an EASA permit to fly issued by the CAA or a certificate of validation issued by the CAA under article 13.

(3) In the case of—

- (a) a non-EASA aircraft registered in the United Kingdom the certificate of airworthiness referred to in paragraph (1) shall be a national certificate of airworthiness;
- (b) an EASA aircraft registered in the United Kingdom the certificate of airworthiness referred to in paragraph (1) shall be an EASA certificate of airworthiness issued by the CAA.

(4) For the purposes of paragraph (1) a certificate of airworthiness—

- (a) shall include an EASA restricted certificate of airworthiness issued by the CAA; and
- (b) shall include an EASA restricted certificate of airworthiness issued by the competent authority of a State other than the United Kingdom which does not contain a condition restricting the aircraft to flight within the airspace of the issuing State; but
- (c) shall not include an EASA restricted certificate of airworthiness issued by the competent authority of a State other than the United Kingdom which contains a condition restricting the aircraft to flight within the airspace of the issuing State.

(5) An aircraft registered in the United Kingdom with an EASA certificate of airworthiness shall not fly otherwise than in accordance with any conditions or limitations contained in its flight manual unless otherwise permitted by the CAA.

Changes to legislation:

The Air Navigation Order 2005, Section 8 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Instrument by [S.I. 2006/1384 reg 16](#)
- Instrument by [S.I. 2006/1384 reg 17](#)
- Instrument appl in pt (mod) by [S.I. 2008/25 art 4 schedule art 8 am](#) by [S.I. 2007/274 art 8](#)
- art 8 am (31.1.2008) by [S.I. 2007/3467 arts 2 - 4](#)
- Part 10 (arts 107 - 120) subst by [S.I. 2009/1742 arts 23](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art 28A added (31.1.2008) by [S.I. 2007/3467 arts 25](#)
- art 31A added (31.1.2008) by [S.I. 2007/3467 arts 25](#)
- arts 32A - 32C added (31.1.2008) by [S.I. 2007/3467 arts 25](#)
- art 52A added by [S.I. 2007/274 art 4](#)
- art 54A added by [S.I. 2007/274 art 4](#)
- art 61A added (31.1.2008) by [S.I. 2007/3467 arts 211](#)
- art 62A added by [S.I. 2007/274 art 5](#)
- art 72A added by [S.I. 2007/274 art 4](#)
- art 141A added by [S.I. 2006/2316 art 2](#)
- arts 144A-144C added by [S.I. 2006/1384 reg 14](#)