
STATUTORY INSTRUMENTS

2005 No. 1970

The Air Navigation Order 2005

PART 6

Fatigue of Crew and Protection of Crew from Cosmic Radiation

Application and interpretation of Part 6

81.—(1) Subject to paragraph (2), articles 82 and 83 shall apply 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.

(2) Articles 82 and 83 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.

(3) For the purposes of this Part—

- (a) “flight time”, in relation to any person, means all time spent by that person in—
 - (i) a civil aircraft whether or not registered in the United Kingdom (other than such an aircraft of which the maximum total weight authorised does not exceed 1,600 kg and which is not flying for the purpose of public transport or aerial work); or
 - (ii) a military aircraft (other than such an aircraft of which the maximum total weight authorised does not exceed 1,600 kg and which is flying on a military air experience flight);

while it is in flight and he is carried as a member of the crew;

- (b) “day” means a continuous period of 24 hours beginning at midnight Co-ordinated Universal Time;
- (c) 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; and
- (d) a military air experience flight is a flight by a military aircraft operated under the auspices of the Royal Air Force Air Cadet Organisation for the purpose of providing air experience to its cadets.

Changes to legislation:

The Air Navigation Order 2005, Section 81 is up to date with all changes known to be in force on or before 07 April 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](#)
- 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](#)