
STATUTORY INSTRUMENTS

2005 No. 1970

The Air Navigation Order 2005

PART 6

Fatigue of Crew and Protection of Crew from Cosmic Radiation

Fatigue of crew—operator's responsibilities

82.—(1) The operator of an aircraft to which this article applies shall not cause or permit that aircraft to make a flight unless—

- (a) he has established a scheme for the regulation of flight times for every person flying in that aircraft as a member of its crew;
- (b) the scheme is approved by the CAA;
- (c) either—
 - (i) the scheme is incorporated in the operations manual required by article 38; or
 - (ii) in any case where an operations manual is not required by that article, the scheme is incorporated in a document, a copy of which has been made available to every person flying in that aircraft as a member of its crew; and
- (d) he has taken all such steps as are reasonably practicable to ensure that the provisions of the scheme will be complied with in relation to every person flying in that aircraft as a member of its crew.

(2) The operator of an aircraft to which this article applies shall not cause or permit any person to fly therein as a member of its crew if he knows or has reason to believe that the person is suffering from, or, having regard to the circumstances of the flight to be undertaken, is likely to suffer from, such fatigue while he is so flying as may endanger the safety of the aircraft or of its occupants.

(3) The operator of an aircraft to which this article applies shall not cause or permit any person to fly therein as a member of its flight crew unless the operator has in his possession an accurate and up-to-date record in respect of that person and in respect of the 28 days immediately preceding the flight showing—

- (a) all his flight times; and
- (b) brief particulars of the nature of the functions performed by him in the course of his flight times.

(4) The record referred to in paragraph (3) shall, subject to article 91, be preserved by the operator of the aircraft until a date 12 months after the flight referred to in that paragraph.

Changes to legislation:

The Air Navigation Order 2005, Section 82 is up to date with all changes known to be in force on or before 15 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](#)
- 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](#)