
STATUTORY INSTRUMENTS

2007 No. 274

The Air Navigation (Amendment) Order 2007

Visibility requirements for helicopters

3.—(1) In article 25 —

- (a) omit sub-paragraph (7)(b);
- (b) in sub-paragraph (7)(d) omit “or is flying by night with visual ground reference”.
- (c) at the end of sub-paragraph (8)(b) omit “or”;
- (d) at the end of sub-paragraph (8)(c) omit the full stop and insert “; or”; and
- (e) after sub-paragraph (8)(c) add —

“(d) is flying by day and remains clear of cloud and with the surface in sight.”.

(2) In article 155(1), after the definition of ‘Visual Meteorological Conditions’ insert —

“‘With the surface in sight’ means with the flight crew being able to see sufficient surface features or surface illumination to enable the flight crew to maintain the aircraft in a desired attitude without reference to any flight instrument and ‘when the surface is not in sight’ shall be construed accordingly;”.

(3) In Schedule 4, paragraph 5, sub-paragraph (15)(a), in the columns headed respectively “Circumstances of Flight” and “Scale of Equipment Required” for sub-paragraphs (i), (ii) and (iii) substitute —

Table 1

(i)	when flying by day under Visual Flight Rules;	
(aa)	with the surface in sight	D
(bb)	when the surface is not in sight	E
(ii)	when flying by day under Instrument Flight Rules;	
(aa)	with the surface in sight	E
(bb)	when the surface is not in sight;	
(aaa)	outside controlled airspace	E with E(2) duplicated
(bbb)	within controlled airspace	E with both E(2) and E(4) duplicated and F
(iii)	when flying by night;	
(aa)	with the surface in sight	C, E, G(3), (5) and (6)

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| (bb) | outside controlled airspace when the surface is not in sight | C, E with E(2) duplicated, G(3), (5) and (6) |
| (cc) | within controlled airspace when the surface is not in sight | C, E with both E(2) and E(4) duplicated, F, G(3), (5) and (6). |

(4) In Schedule 4, paragraph 5, sub-paragraph (15), in the column headed “Scale of Equipment Required” adjacent to sub-paragraph (b) after “F4” omit “for all weights”.

(5) In Schedule 4, paragraph 5, sub-paragraph (15)(b), in the columns headed respectively “Circumstances of Flight” and “Scale of Equipment Required” for sub-paragraphs (i), (ii), (iii) and (iv) substitute —

Table 2

(i)	when flying by day under Visual Flight Rules	
(aa)	with the surface in sight	D
(bb)	when the surface is not in sight	E
(ii)	when flying by day under Instrument Flight Rules	
(aa)	with the surface in sight	E
(bb)	when the surface is not in sight	E with both E(2) and E(4) duplicated, F(2), (3) and (5).
(iii)	when flying by night with the surface in sight	
(aa)	when flying in circumstances where one pilot is required	C, E with E(2) duplicated and either E(4) duplicated or a radio altimeter, F(2), (3), (5) and G
(bb)	when flying in circumstances where two pilots are required	C, E, F(2), (3), and (5) and G for each pilot’s station
(iv)	when flying by night when the surface is not in sight	C, E with both E(2) and E(4) duplicated, F(2), (3), (5) and G.

(6) In Schedule 8, Part A, Section 1, Sub-Section 2, in the privileges of the Private Pilot’s Licence (Helicopters) for sub-paragraph (2)(d) substitute —

- “(d) unless his licence includes an instrument rating (helicopter) fly as pilot in command or co-pilot of such a helicopter in circumstances which require compliance with the Instrument Flight Rules —
- (i) in Class A, B or C airspace at any time; or
 - (ii) in Class D, E, F or G airspace unless remaining clear of cloud and with the surface in sight;”.
- (7) In Schedule 8, Part A, Section 1, Sub-Section 2, in the privileges of the Commercial Pilot’s Licence (Helicopters and Gyroplanes) —
- (a) omit sub-paragraph (2)(a);
 - (b) for sub-paragraph (2)(d) substitute —
 - “(d) unless his licence includes an instrument rating (helicopter) fly as pilot in command of such a helicopter in circumstances which require compliance with the Instrument Flight Rules —
 - (i) in Class A, B or C airspace at any time; or
 - (ii) in Class D, E, F or G airspace unless remaining clear of cloud and with the surface in sight;”;
 - (c) for sub-paragraph (4)(a) substitute —
 - “(a) unless his licence includes an instrument rating (helicopter) fly as co-pilot of a helicopter flying in circumstances which require compliance with the Instrument Flight Rules —
 - (i) in Class A, B or C airspace at any time; or
 - (ii) in Class D, E, F or G airspace unless remaining clear of cloud and with the surface in sight;”;
- (d) omit sub-paragraph (4)(c).
- (8) In Schedule 8, Part A, Section 2, Sub-Section 2, in the privileges and conditions of the Commercial Pilot Licence (Helicopter) —
- (a) for paragraph (2) substitute —
 - (a) “(2) Subject to sub-paragraph (b), the licence is subject to the conditions and restrictions specified in paragraph 2.175 of Section 1 of JAR-FCL 2.
 - (b) The holder of a Commercial Pilot Licence (Helicopter) may fly in circumstances which require compliance with the Instrument Flight Rules in the United Kingdom in Class D, E, F or G airspace when remaining clear of cloud and with the surface in sight.”;
 - (b) at the end of paragraph (3) insert “except when flying by day under the provisions for flight with the surface in sight in Rule 29(1)(d) of the Rules of the Air Regulations 1996”; and
 - (c) omit paragraph (4)(a).
- (9) In Schedule 8, Part A, Section 2, Sub-section 2, in the privileges and conditions of the Airline Transport Pilot Licence (Helicopter), at the end of paragraph (2) insert “except when flying by day under the provisions for flight with the surface in sight in Rule 29(1)(d) of the Rules of the Air Regulations 1996”.