
STATUTORY INSTRUMENTS

2009 No. 3015

The Air Navigation Order 2009

PART 11

Public Transport Operations

Flight data monitoring, accident prevention and flight safety programme

94.—(1) The operator of an aircraft registered in the United Kingdom flying for the purpose of public transport must establish and maintain an accident prevention and flight safety programme.

(2) The operator of an aeroplane registered in the United Kingdom with a maximum total weight authorised of more than 27,000kg flying for the purpose of public transport must include a flight data monitoring programme as part of its accident prevention and flight safety programme.

(3) The sole objective of an accident prevention and flight safety programme is the prevention of accidents and incidents and each programme must be designed and managed to meet that objective.

(4) It is not the purpose of an accident prevention and flight safety programme to apportion blame or liability.

Public transport – operator’s responsibilities in relation to crew

95.—(1) The operator of an aircraft registered in the United Kingdom must not permit the aircraft to fly for the purpose of public transport without first designating from among the flight crew a pilot to be the commander of the aircraft for the flight.

(2) The operator of an aircraft registered in the United Kingdom must not permit any person to be a member of the crew during any public transport flight (except a flight for the sole purpose of training persons to perform duties in aircraft) unless—

- (a) that person has had the training, experience, practice and periodical tests specified in Part C of Schedule 8 for the duties to be performed; and
- (b) the operator is satisfied that person is competent to perform their duties, and in particular to use the equipment provided in the aircraft for the purpose of those duties.

(3) The operator must maintain, preserve, produce and supply information respecting records relating to the matters specified in paragraph (2) in accordance with Part C of Schedule 8.

(4) During any flight for the purpose of the public transport of passengers the operator of an aircraft registered in the United Kingdom must not permit any member of the flight crew to simulate emergency manoeuvres and procedures which the operator has reason to believe will adversely affect the flight characteristics of the aircraft.

Public transport – operator’s responsibilities in relation to routes and aerodromes

96.—(1) The operator of an aircraft registered in the United Kingdom must not permit the aircraft to fly for the purpose of public transport without first being satisfied using every reasonable means

that the aeronautical radio stations and navigational aids serving the intended route or any planned diversion are adequate for the safe navigation of the aircraft.

(2) Subject to paragraph (3), the operator of an aircraft registered in the United Kingdom must not permit the aircraft to fly for the purpose of public transport without first being satisfied using every reasonable means that—

- (a) every place (whether or not an aerodrome) at which it is intended to take off or land and any alternate place (whether or not an aerodrome) at which a landing may be made are suitable for the purpose; and
- (b) in particular those places will be adequately staffed and equipped and will have such staffing and equipment as may be prescribed at the time at which it is reasonably estimated such a take-off or landing will be made to ensure so far as practicable the safety of the aircraft and its passengers.

(3) The operator of an aircraft is not required for the purposes of this article to be satisfied as to the adequacy of fire-fighting, search, rescue or other services which are required only after the occurrence of an accident.

Commercial air transport and public transport flights at night or in Instrument Meteorological Conditions by aeroplanes with one power unit which are registered elsewhere than in the United Kingdom

97. An aeroplane which is registered elsewhere than in the United Kingdom and is powered by one power unit only must not fly for the purpose of commercial air transport or public transport at night or when the cloud ceiling or visibility prevailing at the aerodrome of departure or forecast for the estimated time of landing at the aerodrome at which it is intended to land or at any alternate aerodrome are less than 1000 feet and one nautical mile respectively.