
STATUTORY INSTRUMENTS

2013 No. 2870

The Air Navigation (Overseas Territories) Order 2013

PART 14

GENERAL AVIATION

Application and interpretation

132.—(1) Except as provided in paragraph (2) of article 133, articles 133 and 134 apply to general aviation operations involving aircraft registered in the Territory of the classes or used in the cases identified in paragraph (2).

(2) Aircraft or aircraft operations of the classes or cases to which paragraph (1) refers are—

- (a) any aeroplane having a maximum certificated take-off weight exceeding 5700 kg;
- (b) any aeroplane equipped with one or more turbojet engines;
- (c) any aeroplane having a maximum approved passenger seating configuration of more than 9;
- (d) any helicopter having a maximum certificated take-off weight exceeding 3175 kg;
- (e) any helicopter having a maximum approved passenger seating configuration of more than 5;
- (f) any aircraft operation involving the use of three or more aircraft that are operated by pilots employed by the operator for the purpose of flying the aircraft; or
- (g) any other general aviation operation that the Governor may in the public interest specify.

(3) For the purposes of this Part—

- (a) “general aviation operation” means an aircraft operation other than a commercial air transport operation or aerial work operation;
- (b) “commercial air transport operation” means an aircraft operation for the purposes of commercial air transport; and
- (c) “aerial work operation” has the same meaning as in article 127(1).

Requirement for Approval

133.—(1) A person must not operate an aircraft registered in the Territory of any class or in any case identified in article 132(2), for the purposes of a general aviation operation, unless the person is the holder of an approval granted under article 134.

(2) An approval is not required if operations of any of the classes identified in article 132(2) are being undertaken by an air transport undertaking that holds a valid air operator certificate granted in accordance with article 94.

Issue and conditions of Approval

134.—(1) The Governor must grant an approval required under article 133 upon being satisfied that—

- (a) the applicant is competent, having regard in particular to the applicant's—
 - (i) previous conduct and experience;
 - (ii) equipment;
 - (iii) organisation and staffing;
 - (iv) maintenance and other arrangements;
- (b) the safety management system established in accordance with paragraph (2) is appropriate and adequate; and
- (c) the operations manual is adequate;

to secure the safe operation of aircraft of the type or types specified in the approval.

(2) An operator applying for an approval under the provisions of paragraph (1) must establish and maintain to the satisfaction of the Governor a safety management system appropriate to the size and complexity of the operation.

(3) The operator of every aircraft to which this article applies must—

- (a) make available to each member of the operating staff an operations manual;
- (b) ensure that each copy of the operations manual is kept up to date; and
- (c) ensure that on each flight every member of the crew has access to a copy of every part of the operations manual which is relevant to his or her duties on that flight.

(4) An operations manual must contain all information and instructions necessary to enable operating staff to perform their duties as such.

(5) Every applicant for, and holder of, an approval granted under this article must make available to the Governor if requested to do so a copy of the operations manual.

(6) The operator must make such amendments or additions to the operations manual as the Governor may require for the purpose of ensuring the safety of the aircraft or of persons or property carried in it or the safety of air navigation.