

STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 1

Interpretation and categorisation

CHAPTER 1

Interpretative matter

Meaning of “public transport”

6.—(1) For the purposes of this Order and subject to Chapter 2 [^{F1}of this Part], an aircraft in flight is flying on a public transport flight if—

^{F2}(a)

(b) the conditions specified in paragraph (2) are satisfied.

(2) The conditions referred to in paragraph (1) are—

(a) the flight is not a flight for the purpose of commercial air transport; and

(b) the flight is—

(i) for the carriage of passengers or cargo and valuable consideration is given or promised for that flight in the aircraft; or

(ii) operated by the holder of a national air operator's certificate ^{F3}... or a Part-CAT air operator certificate and any passengers or cargo are carried gratuitously in the aircraft except for persons specified in paragraph (3) or cargo specified in paragraph (4).

(3) The persons referred to in paragraph (2)(b)(ii) are persons in the employment of the operator (including, in the case of a body corporate, its directors), or persons authorised by the CAA either making any inspection or witnessing any training, practice or test for the purposes of this Order ^{F4}... or the ^{F5}... Air Operations Regulation.

(4) The cargo referred to in paragraph (2)(b)(ii) is cargo intended to be used by any persons specified in paragraph (3) or by the operator.

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| F1 | Words in art. 6(1) inserted (14.12.2017) by The Air Navigation (Amendment) Order 2017 (S.I. 2017/1112) , arts. 1, 3(a) |
| F2 | Art. 6(1)(a) omitted (14.12.2017) by virtue of The Air Navigation (Amendment) Order 2017 (S.I. 2017/1112) , arts. 1, 3(b) |
| F3 | Words in art. 6(2)(b)(ii) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645) , reg. 1, Sch. 1 para. 3(a) (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1) |
| F4 | Word in art. 6(3) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645) , reg. 1, Sch. 1 para. 3(b)(i) (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1) |

Changes to legislation: There are currently no known outstanding effects for the
The Air Navigation Order 2016, Section 6. (See end of Document for details)

- F5** Word in art. 6(3) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), reg. 1, **Sch. 1 para. 3(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Air Navigation Order 2016, Section 6.