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STATUTORY INSTRUMENTS

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**2016 No. 765**

**The Air Navigation Order 2016**

**PART 5**

**Operations**

**CHAPTER 2**

**Operational rules for non-EASA aircraft**

*SECTION 4*

*Equipment of aircraft*

**Equipment of aircraft**

- 77.—(1) An aircraft must not fly unless it is equipped with equipment which—
- (a) complies with the law of the country in which the aircraft is registered or the State of the operator; and
  - (b) enables communications to be made and the aircraft to be navigated, in accordance with—
    - (i) the provisions of this Order and any regulations made under this Order; or
    - (ii) any notified airspace requirements.
- (2) Paragraphs (3) and (4) apply to any aircraft registered in the United Kingdom.
- (3) An aircraft to which this paragraph applies must not fly unless it is so equipped and marked in accordance with Schedule 5 (aircraft equipment).
- (4) The equipment in Schedule 5 must be—
- (a) of a type approved by EASA or the CAA either generally or in relation to a class of aircraft or in relation to that aircraft, unless it is equipment listed in paragraph 1(2) of that Schedule; and
  - (b) installed in a manner approved by EASA or the CAA.
- (5) The equipment carried in compliance with this article must be installed or stowed and kept stowed, maintained and adjusted, so as to be readily accessible and capable of being used by the person for whose use it is intended.
- (6) The position of equipment provided for emergency use must be indicated by clear markings in or on the aircraft.

**Minimum equipment requirements**

- 78.—(1) A minimum equipment list may be established by an operator in respect of an aircraft registered in the United Kingdom—
- (a) taking account of the operator's relevant operational and maintenance conditions;

(b) providing for the operation of the aircraft, under specified conditions, with particular instruments, items of equipment or functions inoperative at the commencement of the flight; and

(c) based on the relevant MMEL, and which must not be less restrictive than the MMEL.

(2) A copy of any minimum equipment list established under paragraph (1), or any amendments to that list, must be provided to the CAA within 28 days of the establishment or amendment of that list.

(3) The CAA may permit an aircraft or class of aircraft to which this article applies to commence a flight in specified circumstances even though a specified item of equipment which must by or under this Order be carried in the circumstances of the intended flight is not carried or is not in a fit condition for use.

(4) An aircraft must not commence a flight if any of the equipment which must by or under this Order be carried in the circumstances of the intended flight is not carried or is not in a fit condition for use unless the aircraft does so under and in accordance with the terms of a permission granted to the operator under paragraph (3) or in accordance with the minimum equipment list established under paragraph (1).