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STATUTORY INSTRUMENTS

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**2016 No. 765**

**The Air Navigation Order 2016**

**PART 5**

**Operations**

**CHAPTER 7**

**Additional requirements for public transport operations**

*SECTION 6*

*Loading*

**Operator's duty concerning the loading of public transport aircraft**

**122.**—(1) This Section applies to an aircraft registered in the United Kingdom which is being loaded for a public transport flight.

(2) The operator of an aircraft to which this Section applies must not cause or permit it to be loaded except in accordance with this Section.

(3) In this Section, loading includes the suspension of a load from the aircraft.

**Requirement to load in accordance with loading instructions**

**123.**—(1) An aircraft to which this Section applies may only be loaded under the supervision of a person whom the operator has caused to be supplied with written instructions as to the distribution and securing of the load (in this Section called “the loading instructions”) which—

(a) conform with paragraph (3); and

(b) subject to article 126(1), conform with paragraph (4).

(2) The operator must not cause or permit the aircraft to be loaded in contravention of the loading instructions.

(3) Loading instructions conform with this paragraph if they ensure—

(a) the load may safely be carried on the flight; and

(b) any conditions of the certificate of airworthiness or flight manual for the aircraft relating to the loading of the aircraft are complied with.

(4) Loading instructions conform with this paragraph if they—

(a) indicate the additional items included in the weight of the aircraft prepared for service;

(b) show the position of the centre of gravity of the aircraft at that weight; and

(c) indicate the weight of the aircraft prepared for service.

(5) In sub-paragraph (4)(c), the weight of the aircraft prepared for service means the aggregate of the weight of the aircraft, shown in the weight schedule referred to in article 43, and the weight of such additional items in or on the aircraft as the operator thinks fit to include.

### **Requirement for a load sheet**

**124.**—(1) Subject to article 126(1) and (2), the person supervising the loading of an aircraft to which this Section applies must—

- (a) before the commencement of any such flight, prepare and sign a load sheet in duplicate conforming to the prescribed requirements; and
  - (b) if not the pilot in command of the aircraft, submit the load sheet for examination by the pilot in command of the aircraft who must sign it.
- (2) Subject to paragraph (3), one copy of the load sheet—
- (a) must be carried in the aircraft when article 229 so requires until the flights to which it relates have been completed; and
  - (b) together with the loading instructions, must be preserved by the operator for at least six months after the flights and must not be carried in the aircraft.
- (3) In the case of—
- (a) an aeroplane which has a maximum take-off mass of not more than 2,730kg; or
  - (b) a helicopter,

if it is not reasonably practicable for the copy of the load sheet to be kept on the ground it may be carried in the aeroplane or helicopter in a container approved by the CAA for that purpose.

### **Carriage of baggage**

**125.**—(1) Subject to paragraph (2), the operator of an aircraft registered in the United Kingdom and flying for the purpose of the public transport of passengers must not cause or permit baggage to be carried in the passenger compartment of the aircraft unless—

- (a) the baggage can be properly secured; and
- (b) in the case of an aircraft capable of seating more than 30 passengers, the amount of baggage does not exceed the capacity of the spaces in the passenger compartment approved by the CAA for the purpose of stowing baggage.

(2) Paragraph (1)(b) does not apply to baggage carried in accordance with a permission issued under article 106(4)(c)(ii).

### **Loading instructions: exceptions**

**126.**—(1) The loading instructions need not conform with article 123(4) and article 124(1) does not apply if the aircraft—

- (a) has a maximum take-off mass of not more than 1,150kg;
- (b) has a maximum take-off mass of not more than 2,730kg and the flight is—
  - (i) solely for training persons to perform duties in an aircraft and intended not to exceed 60 minutes in duration; or
  - (ii) intended to begin and end at the same aerodrome and not to exceed 60 minutes in duration; or
- (c) is a helicopter which—
  - (i) has a maximum take-off mass of not more than 3,000kg; and

- (ii) a total seating capacity of not more than five persons.
- (2) Article 124(1) does not apply if—
- (a) the load and the way it is to be distributed and secured on the next intended flight are to be unchanged from the previous flight; and
  - (b) the pilot in command of the aircraft makes and signs an endorsement to that effect on the load sheet for the previous flight, indicating—
    - (i) the date of the endorsement;
    - (ii) the place of departure on the next intended flight; and
    - (iii) the next intended place of destination.