
STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 9

Documents and records

Aircraft continuing airworthiness record system for non-EASA aircraft

226.—(1) In addition to any other log books required to be kept by or under this Order, aircraft continuing airworthiness records must be kept for non-EASA aircraft registered in the United Kingdom, comprising of—

- (a) an aircraft log book;
 - (b) a separate engine log book or engine module log cards for each engine fitted in the aircraft; and
 - (c) a separate propeller log book for each variable pitch propeller fitted to the aircraft; and
 - (d) log cards for any service life limited component, as appropriate.
- (2) The continuing airworthiness records must include the information specified in Schedule 7.
- (3) Each entry in the continuing airworthiness records—
- (a) must be made—
 - (i) in the case of a certificate of release to service, as soon as practicable, but in no case more than 30 days after the date on which the maintenance was completed;
 - (ii) in all other cases, as soon as practicable after the occurrence to which it relates, but in no event more than 7 days after the expiration of the national airworthiness review certificate in force for the aircraft at the time of the occurrence;
 - (b) must be made on each occasion that any overhaul, repair, replacement, modification, maintenance or inspection is undertaken on the engine or propeller;
 - (c) must be clear and accurate; and
 - (d) where it is necessary to correct an earlier entry in the aircraft continuing airworthiness records, must be made in a manner that clearly shows the original entry.
- (4) Any document which is incorporated by reference in the continuing airworthiness records is deemed, for the purposes of this Order, to be part of the continuing airworthiness records.
- (5) It is the duty of the operator of every aircraft for which continuing airworthiness records are required to be kept to—
- (a) keep them or cause them to be kept in accordance with this article; and
 - (b) present them to the CAA upon request.
- (6) Subject to article 238, continuing airworthiness records must be preserved by the operator of the aircraft in accordance with paragraph 4 of Schedule 7.
- (7) The operator must ensure that—

- (a) when an aircraft is permanently transferred from one operator to another, the continuing airworthiness records and, if applicable, operator's technical log are also transferred;
- (b) when the continuing airworthiness management tasks are contracted to a continuing airworthiness management organisation, the continuing airworthiness records are transferred to the organisation.

(8) Where a transfer of the continuing airworthiness records and, if applicable, operator's technical log happens in accordance with paragraph (7), the time periods for retention of records or log in paragraph 4 of Schedule 7 apply to the new operator or continuing airworthiness management organisation.

Technical log for non-EASA aircraft

227.—(1) This article applies to each non-EASA aircraft registered in the United Kingdom for which a certificate of airworthiness is in force and which is a commercial air transport aircraft, public transport aircraft or commercial operation aircraft.

(2) Subject to paragraph (3), a technical log containing the information in paragraph 5 of Schedule 7 must be kept for every aircraft to which this article applies.

(3) In the case of an aircraft which has a maximum total weight authorised of 2,730kg or less and which is not operated by the holder of a national air operator's certificate, a record approved by the CAA (in this article called "an approved record") may be kept instead of a technical log.

(4) Subject to paragraph (5), at the end of every flight the pilot in command must enter in the technical log or the approved record—

- (a) the times when the aircraft took off and landed;
- (b) information about any defect which is known to the pilot in command and which affects the airworthiness or safe operation of the aircraft, or if no such defect is known to the pilot in command, an entry to that effect; and
- (c) such other information about the airworthiness or operation of the aircraft as the CAA may require,

and must sign and date the entries.

(5) Subject to paragraph (6), if there are two or more consecutive flights, each of which begins and ends—

- (a) within the same period of 24 hours;
- (b) at the same aerodrome, except where each such flight is for the purpose of dropping or projecting any material for agricultural, public health or similar purposes; and
- (c) with the same person as pilot in command of the aircraft,

the pilot in command may make the entries specified in paragraph (4) at the end of the last of such consecutive flights.

(6) Paragraph (5) does not apply if the pilot in command becomes aware of a defect during an earlier flight.

(7) When any defect which has been entered in a technical log or approved record is rectified the person issuing a certificate of release to service issued under this Order or in respect of that defect must enter the certificate in the technical log or approved record in such a position as to be readily identifiable with the defect to which it relates.

(8) Subject to paragraph (9) and Schedule 10, the technical log or approved record—

- (a) must be carried in the aircraft when article 229 so requires; and
- (b) a copy of the entries required by this article must be kept on the ground.

(9) In the case of an aircraft with a maximum take-off mass of not more than 2,730kg and which is not a commercial air transport aircraft, a public transport aircraft or a non-military state aircraft, if it is not reasonably practicable for the copy of the technical log or approved record to be kept on the ground it may be carried in the aircraft.

(10) Subject to article 238, a technical log or approved record required by this article must be preserved by the operator of the aircraft to which it relates for at least two years after the aircraft has been destroyed or has been permanently withdrawn from use, or for such shorter period as the CAA may permit in a particular case.

Personal flying log

228.—(1) A personal flying log must be kept by—

- (a) every member of the flight crew of an aircraft registered in the United Kingdom; and
- (b) every person who engages in flying for the purpose of qualifying for the—
 - (i) grant of a flight crew licence under this Order;
 - (ii) grant of a flight crew licence issued by the CAA under Part-FCL;
 - (iii) grant, renewal or revalidation of a rating or certificate under this Order; or
 - (iv) grant, renewal or revalidation of a certificate under Part-FCL.

(2) The information to be recorded is—

- (a) the name and address of the holder of the log;
- (b) detailed information about the holder's licence (if any) to act as a member of the flight crew of an aircraft; and
- (c) the name and address of the holder's employer (if any).

(3) Detailed information about each flight during which the holder of the log acted either—

- (a) as a member of the flight crew of an aircraft; or
- (b) for the purpose of qualifying for the grant, renewal or revalidation of a licence, rating or certificate under this Order or Part-FCL,

must be recorded in the log as soon as reasonably practicable after the end of each flight.

(4) The information recorded in accordance with paragraph (3) must include—

- (a) the date, the places at which the holder of the log embarked on and disembarked from the aircraft and the time spent during the course of a flight when the holder was acting in either capacity;
- (b) the type and registration marks of the aircraft;
- (c) the capacity in which the holder acted in flight;
- (d) information about any special conditions under which the flight was conducted, including night flying and instrument flying; and
- (e) information about any test or examination undertaken by the holder of the log whilst in flight.

(5) Information about any test or examination undertaken whilst in a flight simulator must be recorded in the log, including—

- (a) the date of the test or examination;
- (b) the type of simulator;
- (c) the capacity in which the holder acted; and
- (d) the nature of the test or examination.

(6) For the purposes of this article, a helicopter is in flight from the moment the helicopter's rotor blades start turning until the moment the helicopter comes to rest at the end of the flight and the rotor blades are stopped.

Documents to be carried

229.—(1) An aircraft must not fly unless it carries the documents which it is required to carry under the law of the country in which it is registered.

(2) Subject to paragraphs (3) and (4), an aircraft registered in the United Kingdom must, when in flight, carry documents in accordance with Schedule 10.

(3) Paragraph (2) does not apply to an EU-OPS aeroplane or a Part-CAT aircraft flying for the purpose of commercial air transport.

(4) If a flight is intended to begin and end at the same aerodrome and does not include passage over the territory of any country other than the United Kingdom, the documents may be kept at that aerodrome instead of being carried in the aircraft.

Keeping and production of records of exposure to cosmic radiation

230.—(1) A relevant undertaking must keep a record for the period and in the manner prescribed of the exposure to cosmic radiation of air crew assessed under article 178 and the names of the air crew concerned.

(2) A relevant undertaking must, within a reasonable period after being requested to do so by an authorised person, cause to be produced to that person the record required to be kept under paragraph (1).

(3) A relevant undertaking must, within a reasonable period after being requested to do so by a person for whom a record is required to be kept under paragraph (1), supply a copy of that record to that person.

(4) In this article, “air crew” and “undertaking” have the same meaning as in article 178(3).

Use of flight recording systems

231.—(1) On a flight on which a flight data recorder, a cockpit voice recorder or a combined cockpit voice recorder and flight data recorder is required by paragraph 4(4), (5), (6) or (7) of Part 1 of Schedule 6 to be carried in an aeroplane, the recorder must always be in use from the beginning of the take-off run to the end of the landing run.

(2) On any flight on which a cockpit voice recorder, a flight data recorder or a combined cockpit voice recorder and flight data recorder is required by paragraph 4(12) of Part 1 of Schedule 6 to be carried in a helicopter, the recorder must always be in use from the time the rotors first turn for the purpose of taking off until the rotors are next stopped.

Preservation of records of aeroplane flight data recorder

232.—(1) Subject to article 238, the operator of an aeroplane must at all times—

- (a) preserve the last 25 hours of recording made by any flight data recorder which must by or under this Order be carried in an aeroplane; and
- (b) preserve a record of at least one representative flight made within the last 12 months.

(2) The representative flight referred to in paragraph (1)(b) must include a take-off, climb, cruise, descent, approach to landing and landing.

(3) The record required by paragraph (1)(b) must include a means of identifying the flight to which it relates.

(4) The operator of an aeroplane must preserve the records required by this article for such period as the CAA may direct.

Preservation of records of helicopter flight data recorder

233.—(1) This article applies to a helicopter required to carry a flight data recorder specified in paragraph (1) or (2) of Scale SS of paragraph 5 of Part 1 of Schedule 6.

(2) Subject to article 238, the operator of such a helicopter must at all times preserve the last eight hours of recording made by the flight data recorder.

Preservation of records of helicopter cockpit voice recorder and flight data recorder

234.—(1) This article applies to any helicopter required to carry a combined cockpit voice recorder and flight data recorder specified in paragraph (3) of Scale SS of paragraph 5 of Part 1 of Schedule 6.

(2) Subject to article 238, the operator of a helicopter must at all times preserve either the last eight hours of recording made by the combined cockpit voice recorder and flight data recorder or the recording specified in paragraph (3).

(3) The recording referred to in paragraph (2) is—

- (a) the last five hours of recording or the duration of the last flight, whichever is the greater; and
- (b) an additional period of recording in accordance with paragraph (4) and which together with the period preserved under sub-paragraph (a) amounts to eight hours.

(4) The additional period of recording referred to in paragraph (3) is—

- (a) the period immediately preceding the period preserved under paragraph (3)(a); or
- (b) such period or periods as the CAA may permit in any particular case or class of cases or generally.

(5) The additional recording specified in paragraph (4) must be retained in accordance with arrangements approved by the CAA.

Production of documents and records

235.—(1) The pilot in command of an aircraft must, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person—

- (a) the certificates of registration and airworthiness in force for the aircraft;
- (b) the licences of its flight crew; and
- (c) any other documents which the aircraft is required by article 229 or an EASA Regulation to carry when in flight.

(2) The operator of an aircraft registered in the United Kingdom must, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person any of the documents or records specified in paragraph (3) which have been requested by that person.

(3) The documents and records referred to in paragraph (2) are—

- (a) the documents referred to in Schedule 10 as Documents A, B and G;
- (b) the aircraft log book, engine log books and variable pitch propeller log books required under this Order to be kept;
- (c) the weight schedule, if any, required to be preserved under article 43(4);

- (d) in the case of a public transport aircraft or commercial operation aircraft, the documents referred to in Schedule 10 as Documents D, E, F and H;
- (e) the records of flight times, duty periods and rest periods which the operator is required by article 175(4) to preserve, and such other documents and information in the possession or control of the operator, as the authorised person may require for the purpose of determining whether those records are complete and accurate;
- (f) any operations manuals required to be made available under article 116(4)(a); and
- (g) the record made by any flight data recorder required to be carried by or under this Order.

(4) The holder of a licence granted or rendered valid under this Order or by the CAA under the EASA Aircrew Regulation or of a medical certificate required under article 160 or article 162 or of a medical declaration under article 163 must, within a reasonable time after being requested to do so by an authorised person, cause the licence, including any certificate of validation issued under article 169, the medical certificate or the medical declaration, to be produced to that person.

(5) During the period of two years beginning with the date of the last entry in it every person required by article 228 to keep a personal flying log must cause it to be produced to an authorised person within a reasonable time after being requested to do so by that person.

Production of air traffic service equipment documents and records

236. The holder of an approval under article 205 or 206 must, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person any documents and records relating to any air traffic service equipment used or intended to be used in connection with the provision of a service to an aircraft.

Power to inspect and copy documents and records

237. An authorised person has the power to inspect and copy any certificate, licence, log, declaration, document or record which the authorised person has the power under this Order, under any regulations made under this Order, under EU-OPS or under an EASA Regulation to require to be produced.

Preservation of documents, etc

238.—(1) A person who is required by this Order to preserve any document or record by reason of being the operator of an aircraft is in this article called “the first operator”.

(2) Subject to paragraph (3), if the first operator ceases to be the operator of an aircraft, they must continue to preserve the document or record—

- (a) for the period specified in paragraphs (8) to (10), as appropriate; or
- (b) if earlier, until paragraph (4) has been complied with.

(3) In the event of the death of the first operator the duty to preserve the document or record falls on the first operator’s personal representative.

(4) If another person becomes the operator of the aircraft, the first operator or their personal representative must deliver to that other person on demand—

- (a) the national airworthiness review certificate and release to service;
- (b) the log books;
- (c) the weight schedule; and
- (d) any record made by a flight data recorder and preserved in accordance with article 233(2) and 234(2),

which are in force or required to be preserved for that aircraft.

(5) If an engine or variable pitch propeller is removed from an aircraft and installed in another aircraft operated by another person, the first operator of the aircraft or their personal representative must deliver to that other person on demand the log book relating to that engine or propeller.

(6) If any person for whom a record has been kept by the first operator in accordance with article 175(4) becomes a member of the flight crew of a public transport aircraft registered in the United Kingdom and operated by another person, the first operator or their personal representative must deliver those records to that other person on demand.

(7) It is the duty of the other person referred to in paragraphs (4), (5) and (6) to deal with the documents or records delivered under those provisions as if they were the first operator.