* **PART X AIR TRAFFIC SERVICE EQUIPMENT, AERODROMES, AERONAUTICAL LIGHTS AND DANGEROUS LIGHTS**

Aerodromes – public transport of passengers and instruction in flying

101 (1) An aircraft to which this paragraph applies shall not take off or land at a place in the United Kingdom other than:

(a) an aerodrome licensed under this Order for the take-off and landing of such aircraft; or

** (b) a Government aerodrome notified as available for the take-off and landing of such aircraft, or in respect of which the person in charge of the aerodrome has given his permission for the particular aircraft to take off or land as the case may be;

and in accordance with any conditions subject to which the aerodrome may have been licensed or notified, or subject to which such permission may have been given.

(2) Subject to paragraph (3), paragraph (1) applies to:

(a) aeroplanes of which the maximum total weight authorised exceeds 2730 kg and which are flying:

(i) for the purpose of the public transport of passengers;

(ii) for the purpose of instruction in flying given to any person for the purpose of becoming qualified for the grant of a pilot's licence or the inclusion of an aircraft rating, a night rating or a night qualification in a licence; or

(iii) for the purpose of carrying out flying tests in respect of the grant of a pilot's licence or the inclusion of an aircraft rating or a night rating in a licence;

(b) aeroplanes of which the maximum total weight authorised does not exceed 2730 kg engaged on either:

(i) scheduled journeys for the purpose of the public transport of passengers;

(ii) flights for the purpose of the public transport of passengers beginning and ending at the same aerodrome;

(iii) flights for the purpose of:

(aa) instruction in flying given to any person for the purpose of becoming qualified for the grant of a pilot's licence or the inclusion of an aircraft rating, a night rating or a night qualification in a licence; or

(bb) a flying test in respect of the grant of a pilot's licence or the inclusion of an aircraft rating, a night rating or a night qualification in a licence; or

(iv) flights for the purpose of the public transport of passengers at night;

(c) helicopters and gyroplanes engaged on such flights as are specified in sub-paragraphs (b)(i) and (iii); and

(d) gliders (other than gliders being flown under arrangements made by a flying club and carrying no person other than a member of the club) which are flying for the purpose of the public transport of passengers or for the purpose of instruction in flying.

(3) Nothing in paragraph (1) shall apply to or in relation to an aircraft flying under and in accordance with the terms of a police air operator's certificate.

* SI 2001/397
** SI 2003/2905

(4) (a) Subject to sub-paragraph (c), the person in charge of any area in the United Kingdom intended to be used for the taking off or landing of helicopters at night other than such a place as is specified in paragraph (1) shall cause to be in operation, whenever a helicopter flying for the purpose of the public transport of passengers is taking off or landing at that area by night, such lighting as will enable the pilot of the helicopter:

(i) in the case of landing, to identify the landing area in flight, to determine the landing direction and to make a safe approach and landing; and

(ii) in the case of taking off, to make a safe take-off.

(b) Subject to sub-paragraph (c), a helicopter flying for the purpose of the public transport of passengers at night shall not take off or land at a place to which sub-paragraph (a) applies unless there is in operation such lighting.

(c) Nothing in this paragraph shall apply to or in relation to an aircraft flying under and in accordance with the terms of a police air operator's certificate.