

Proposed Amendment to the Air Navigation Order 2009 for Operational Regulations

Proposed deletions from the ANO 2009 are shown by a line through the text, ~~like this~~.

Proposed new text is shown underlined and in italics, *like this*.

Item	ANO Reference	Proposed Amendment	Purpose
1	Article 11	<p>11 Requirement for an EU-OPS <u>Part-CAT</u> air operator certificate</p> <p>A person must not operate an aeroplane <u>aircraft</u> registered in the United Kingdom on a commercial air transport flight <u>operation</u> otherwise than under and in accordance with the terms of an EU-OPS <u>Part-CAT</u> air operator certificate granted to the operator of the aircraft by the CAA.</p>	<p><i>A straight replacement of a reference to EU-OPS with a reference to Part-CAT making it an enforceable requirement to hold a Part-CAT air operator certificate in order to conduct a commercial air transport operation. It refers to an aircraft rather than an aeroplane. This is because EU-OPS only applies to aeroplanes whereas Part-CAT will apply to other categories of aircraft (although currently only aeroplanes and helicopters). The reference is to a commercial air transport operation rather than a flight since that is the term used in EASA Ops.</i></p>
2	Article 12	<p>12 Requirement for and grant of national air operator's certificate</p> <p>(1) Subject to article 13, an aircraft registered in the United Kingdom must not fly on a public transport flight, otherwise than under and in</p>	<p><i>A simple replacement of a reference to EU-OPS with a reference to Part-CAT.</i></p>

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		<p>accordance with the terms of:</p> <p>(a) a national air operator's certificate granted to the operator of the aircraft under paragraph (2), certifying that the holder of the certificate is competent to secure that aircraft operated by him on such flights are operated safely; or</p> <p>(b) an EU-OPS <i>Part-CAT</i> air operator certificate granted to the operator of the aircraft by the CAA.</p> <p>(2) The CAA must grant a national air operator's certificate if it is satisfied that the applicant is competent to secure the safe operation of aircraft of the types specified in the certificate on flights of the description and for the purposes specified, having regard in particular to the applicant's:</p> <p>(a) previous conduct and experience; and</p> <p>(b) equipment, organisation, staffing, maintenance and other arrangements.</p>	
3	Article 13	<p>13 Requirement for and grant of police air operator's certificate</p> <p>(1) A flight by an aircraft registered in the United Kingdom in the service of a police authority is, for the purposes of this Order, deemed to be a public transport flight.</p> <p>(2) If any passenger is carried on such a flight it is deemed to be for the purpose of the public transport of passengers.</p> <p>(3) Save as otherwise expressly provided, the provisions of this Order and of any regulations made under this Order must be complied with in relation to a flight in the service of a police authority as if that flight were for the purpose of public transport or the public transport of passengers.</p> <p>(4) An aircraft registered in the United Kingdom must not fly on any flight in the service of a police authority otherwise than under and in</p>	<i>A simple replacement of a reference to EU-OPS with a reference to Part-CAT.</i>

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		<p>accordance with the terms of:</p> <ul style="list-style-type: none"> (a) a police air operator's certificate granted to the operator; (b) a national air operator's certificate granted to the operator; or (c) an <u>EU-OPS Part-CAT</u> air operator certificate granted to the operator and in accordance with <u>EU-OPS Part-CAT</u> as though it were a commercial air transport flight <u>operation</u>. <p>(5) The CAA must grant a police air operator's certificate if it is satisfied that the applicant is competent to secure that the operation of aircraft of the types specified in the certificate will be as safe as is appropriate when flying on flights of the description and for the purposes specified, having regard in particular to the applicant's:</p> <ul style="list-style-type: none"> (a) previous conduct and experience; and (b) equipment, organisation, staffing, maintenance and other arrangements. 	
4	Article 14	<p>14 Offering commercial transport and public transport flights</p> <p>(1) No person may hold anyone out (whether the person who is being held out is the same person as the one who is holding out or is another person) as being one who may offer flights in an aircraft registered in the United Kingdom for the purpose of public transport or commercial air transport unless the person being held out holds:</p> <ul style="list-style-type: none"> (a) in the case of a public transport flight, a valid national air operator's certificate or a valid <u>EU-OPS Part-CAT</u> air operator certificate; or (b) in the case of a commercial air transport flight <u>operation</u>, a valid <u>EU-OPS Part-CAT</u> air operator certificate. <p>(2) Paragraph (1) does not apply where:</p> <ul style="list-style-type: none"> (a) the person being held out as offering such a flight has applied for a national air operator's certificate or an <u>EU-OPS Part-CAT</u> 	<p><i>A simple replacement of a reference to EU-OPS with a reference to Part-CAT.</i></p>

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		<p>air operator certificate; and</p> <p>(b) the person holding out reasonably believes that the person being held out will hold such a certificate by the time the offered flight is made.</p>	
5	Article 15	<p>15 Operational directives</p> <p>(1) The CAA may direct an aircraft operator by means of an operational directive that an operation is prohibited, or must be limited or is subject to specified conditions, in the interests of safe operations.</p> <p>(2) An operational directive must state:</p> <p>(a) the reason for its issue;</p> <p>(b) its applicability and duration; and</p> <p>(c) the action required by the operator.</p> <p>(3) An operational directive may be made in respect of one or more operators or one or more classes of operator.</p> <p>(4) An operational directive which applies to an EU-OPS <u>EASA Ops</u> operator in relation to a commercial air transport flight must be made subject to and in accordance with article 8 14(1) of the Technical Harmonisation <u>Basic EASA</u> Regulation.</p> <p>(5) An operational directive ceases to have effect if:</p> <p>(a) it is withdrawn by the CAA; or</p> <p>(b) it is revoked by the CAA following a finding made in accordance with article 8(1) 14(3) of the Technical Harmonisation <u>Basic EASA</u> Regulation, that the directive is found not to be justified.</p> <p>(6) The CAA must revoke a directive if it is found not to be justified under article 8(1) 14(3) of the Technical Harmonisation <u>Basic EASA</u> Regulation.</p>	<p><i>The Technical Harmonisation Regulation under which EU-OPS was made permits national competent authorities to impose additional requirements on operators. This is subject to a review mechanism contained in Article 8 of the Technical Harmonisation Regulation. EASA Ops is made under a different regulation – the Basic EASA Regulation No. 216/2008. The Basic EASA Regulation also permits national competent authorities to impose additional requirements. This is also subject to a review mechanism which is contained in Article 14 of the Basic EASA Regulation. Accordingly, the reference to Article 8 of the Technical Harmonisation Regulation is replaced by a reference to Article 14 of the Basic EASA Regulation. In addition, since this review mechanism will apply to a requirement imposed on any aircraft subject to the EASA Air Operations Regulation, the ANO refers to an EASA Ops operator and not just a Part-CAT operator.</i></p>

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6	Article 35	<p>35 Aircraft weight schedule</p> <p>(1) Subject to paragraph (2), this article applies to any flying machine or glider for which a certificate of airworthiness issued by the CAA or rendered valid under this Order is in force.</p> <p>(2) This article does not apply to an EU-OPS <u>Part-CAT</u> aeroplane <u>aircraft</u>.</p> <p>(3) Every aircraft to which this article applies must be weighed, and the position of its centre of gravity determined, at such times and in such manner as the CAA may require.</p> <p>(4) When the aircraft is weighed its operator must prepare a weight schedule showing:</p> <p>(a) either the basic weight, or such other weight as may be approved by the CAA or EASA for that aircraft; and</p> <p>(b) either the position of the centre of gravity at its basic weight or such other position of the centre of gravity as may be approved by the CAA or EASA for that aircraft.</p> <p>(5) Subject to article 159, the weight schedule must be preserved by the operator of the aircraft for at least six months after the next occasion on which the aircraft is weighed for the purposes of this article.</p> <p>(6) In this article "basic weight" means the empty weight of the aircraft established in accordance with the type certification basis of the aircraft.</p>	<p><i>A simple replacement of a reference to EU-OPS with a reference to Part-CAT.</i></p>
7	Article 37	<p>37 Equipment of aircraft</p> <p>(1) An aircraft must not fly unless it is so equipped as to comply with the law of the country in which it is registered, and to enable lights and markings to be displayed, and signals to be made, in accordance with this Order and any regulations made under this Order.</p> <p>(2) Subject to paragraphs (10) and (11), an aircraft registered in the</p>	<p><i>The changes to Article 37 (5), (6) & (7) are the same as those described for Article 15. In addition, in Article 37 (11) there is a simple replacement of a reference to an EU-OPS aeroplane with a reference to a Part-CAT aircraft.</i></p>

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		<p>United Kingdom must (in addition to any other equipment required by or under this Order) carry the equipment specified in paragraph 5 of Schedule 4 in the circumstances described in the second column of the Table in paragraph 4 of that Schedule.</p> <p>(3) The equipment carried must:</p> <p>(a) comply with the provisions of Schedule 4;</p> <p>(b) except for the equipment specified in paragraph 3 of the Schedule, be 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; and</p> <p>(c) be installed in a manner approved by EASA in the case of an EASA aircraft and the CAA in the case of a non-EASA aircraft.</p> <p>(4) In any particular case the CAA may direct that an aircraft registered in the United Kingdom must carry such additional or special equipment or supplies as it may specify for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations or the survival of persons carried in the aircraft.</p> <p>(5) A direction under paragraph (4) which applies to an EU-OPS <u>EASA Ops</u> aeroplane <u>aircraft</u> must be made subject to and in accordance with article 8 14(1) <u>14(3)</u> of the Technical Harmonisation <u>Basic EASA</u> Regulation.</p> <p>(6) A direction under paragraph (4) ceases to have effect if:</p> <p>(i) it is withdrawn by the CAA; or</p> <p>(ii) it is revoked by the CAA following a finding made in accordance with article 8(1) <u>14(3)</u> of the Technical Harmonisation <u>Basic EASA</u> Regulation, that the direction is not justified.</p> <p>(7) The CAA must revoke a direction if it is found not to be justified under article 8(1) <u>14(3)</u> of the Technical Harmonisation <u>Basic EASA</u></p>	

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		<p>Regulation.</p> <p>(8) This paragraph applies to navigational equipment capable of establishing the aircraft's position in relation to its position at some earlier time by computing and applying the resultant of the acceleration and gravitational forces acting on it.</p> <p>(9) Navigational equipment to which paragraph (8) applies which is carried in an aircraft registered in the United Kingdom (whether or not in compliance with this Order or any regulations made under this Order) must:</p> <p>(a) be 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; and</p> <p>(b) be installed in a manner approved by EASA in the case of an EASA aircraft and the CAA in the case of a non-EASA aircraft.</p> <p>(10) This article does not apply in relation to radio communication and radio navigation equipment except any specified in Schedule 4.</p> <p>(11) An EU-OPS <i>Part-CAT</i> aeroplane <i>aircraft</i> is not required to carry the equipment specified in Schedule 4 if it is:</p> <p>(a) flying on a commercial air transport flight; or</p> <p>(b) carrying equipment, other than radio communication and radio navigation equipment, which would be required under EU-OPS if it were flying on a commercial air transport flight.</p>	
8	Article 39	<p>39 Radio communication and radio navigation equipment of aircraft</p> <p>(1) An aircraft must not fly unless it is equipped with radio communication and radio navigation equipment which:</p> <p>(a) complies with the law of the country in which the aircraft is registered or the State of the operator; and</p> <p>(b) enables communications to be made and the aircraft to be</p>	<p><i>The changes to Article 39 (4), (5) & (6) are the same as those described for Article 15. In addition, in Article 39 (10) is a simple replacement of a reference to an EU-OPS aeroplane with a reference to a Part-CAT aircraft.</i></p>

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		<p>navigated, in accordance with the provisions of this Order and any regulations made under this Order.</p> <p>(2) Without prejudice to paragraph (1) but subject to paragraph (8), an aircraft must be equipped with radio communication and radio navigation equipment in accordance with Schedule 5.</p> <p>(3) In any particular case the CAA may direct that an aircraft registered in the United Kingdom carries such additional or special radio communication or radio navigation equipment as it may specify for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations or the survival of the persons carried in the aircraft.</p> <p>(4) A direction under paragraph (3) which applies to an EU-OPS <u>EASA Ops</u> aeroplane <u>aircraft</u> must be made subject to and in accordance with article 8 14(1) <u>14(1)</u> of the Technical Harmonisation <u>Basic EASA</u> Regulation.</p> <p>(5) A direction under paragraph (3) ceases to have effect if:</p> <p>(a) it is withdrawn by the CAA; or</p> <p>(b) it is revoked by the CAA following a finding made in accordance with article 8(1) 14(3) <u>14(3)</u> of the Technical Harmonisation <u>Basic EASA</u> Regulation, that the direction is found not to be justified.</p> <p>(6) The CAA must revoke a direction if it is found not to be justified under article 8(1) 14(3) <u>14(3)</u> of the Technical Harmonisation <u>Basic EASA</u> Regulation.</p> <p>(7) Subject to article 41 and to any prescribed exceptions, the radio communication and radio navigation equipment provided in compliance with this article in an aircraft registered in the United Kingdom must always be maintained in serviceable condition.</p> <p>(8) All radio communication and radio navigation equipment installed in an aircraft registered in the United Kingdom or carried on such an</p>	

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		<p>aircraft for use in connection with the aircraft (whether or not in compliance with this Order or any regulations made under this Order) must:</p> <ul style="list-style-type: none"> (a) be of a type approved by EASA or the CAA in relation to the purpose for which it is to be used; and (b) except in the case of a non-EASA glider which is permitted by article 3(2) to fly unregistered, be installed in a manner approved by EASA in the case of an EASA aircraft and by the CAA in the case of a non-EASA aircraft. <p>(9) Neither the radio communication and radio navigation equipment referred to in paragraph (8) nor the manner in which it is installed may be modified except with the approval of EASA in the case of an EASA aircraft or the CAA in the case of a non-EASA aircraft.</p> <p>(10) An EU-OPS <u>Part-CAT</u> aeroplane <u>aircraft</u> is not required to be provided with the radio communication and radio navigation equipment specified in Schedule 5 if it is:</p> <ul style="list-style-type: none"> (a) flying on a commercial air transport flight; or (b) provided with the radio communication and radio navigation equipment which would be required under EU-OPS and article 40 if it were flying on a commercial air transport flight. 	
9	Article 40	<p>40 Notified radio communication and radio navigation equipment to be carried by EU-OPS <u>Part-CAT</u> aeroplanes <u>aircraft</u></p> <p>An EU-OPS <u>Part-CAT</u> operator must not operate an aeroplane <u>aircraft</u> on a commercial air transport flight <u>operation</u> under the Instrument Flight Rules or under the Visual Flight Rules over routes that cannot be navigated by reference to visual landmarks, unless the aeroplane is equipped with radio communication and navigation equipment in accordance with the notified requirements of air traffic services in the area of operation.</p>	

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10	Article 41	<p>41 Minimum equipment requirements</p> <p>(1) Subject to paragraph (2), this article applies to any aircraft registered in the United Kingdom.</p> <p>(2) This article does not apply to an EU-OPS <u>Part-CAT</u> aeroplane <u>aircraft</u> where the intended flight is for the purpose of commercial air transport.</p> <p>(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.</p> <p>(4) An aircraft must not commence a private flight, an aerial work flight or a public transport 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:</p> <p>(a) the aircraft does so under and in accordance with the terms of a permission granted under paragraph (3) to the operator; and</p> <p>(b) in the case of an aircraft to which article 83 or 84 applies, the applicable operations manual or police operations manual contains information about that permission.</p>	<p><i>A simple replacement of a reference to an EU-OPS aeroplane with a reference to a Part-CAT aircraft.</i></p>
11	Article 43	<p>43 Flight crew required by aircraft registered in the United Kingdom</p> <p>(1) Subject to paragraph (2), this article applies to any aircraft registered in the United Kingdom flying on any flight.</p> <p>(2) This article does not apply to an EU-OPS <u>Part-CAT</u> aeroplane <u>aircraft</u> flying on a commercial air transport flight <u>operation</u>.</p> <p>(3) An aircraft to which this article applies must carry a flight crew adequate in number and description to ensure the safety of the</p>	<p><i>A simple replacement of a reference to an EU-OPS aeroplane flying on a commercial air transport flight with a reference to a Part-CAT aircraft flying on a commercial air transport operation.</i></p>

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		<p>aircraft.</p> <p>(4) An aircraft:</p> <p>(a) which has a flight manual, must carry a flight crew of at least the number and description specified in that flight manual;</p> <p>(b) which does not now have a flight manual but has done in the past, must carry a flight crew of at least the number and description specified in that flight manual.</p> <p>(5) An aircraft which is required by article 39 to be equipped with radio communication equipment must carry a flight radiotelephony operator as a member of the flight crew.</p>	
12	Article 49	<p>49 Power to direct additional crew to be carried</p> <p>(1) Subject to paragraph (2), the CAA may, in the interests of safety, direct the operator of any aircraft registered in the United Kingdom that all or any aircraft operated by him <i>that it operates</i>, when flying in circumstances specified in the direction, must carry, in addition to the crew required to be carried by this Part, such additional persons as members of the flight crew or the cabin crew as it may specify in the direction.</p> <p>(2) The CAA may not issue such a direction to an EU-OPS <i>Part-CAT</i> operator.</p>	<p><i>A simple replacement of a reference to an EU-OPS operator with a reference to a Part-CAT operator. A minor editorial change is made to Article 49(1).</i></p>
13	Article 86	<p>86 Pre-flight action by commander of aircraft <i>flying other than EU-OPS aeroplanes for commercial air transport</i></p> <p>(1) This article applies to the commander of any aircraft except for the commander of an EU-OPS aeroplane <i>intending to commence a commercial air transport private flight, an aerial work flight or a public transport flight.</i></p> <p>(2) A commander <i>to whom this article applies</i> must, before taking off on</p>	<p><i>The definitions of a private flight, an aerial work flight and a public transport flight, which are contained in Article 255 of the ANO, exclude a commercial air transport operation. Thus, where Article 86(1) provides that the article applies to the commander of an aircraft intending to commence a private flight, an aerial work</i></p>

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		<p>a private flight, an aerial work flight or a public transport flight, take all reasonable steps so as to be satisfied of the matters specified in paragraph (3).</p> <p>(3) The matters referred to in paragraph (2) are that:</p> <p>(a) the flight can safely be made, taking into account the latest information available as to the route and aerodrome to be used, the weather reports and forecasts available and any alternative course of action which can be adopted in case the flight cannot be completed as planned;</p> <p>(b) either:</p> <p>(i) the equipment which must by or under this Order be carried in the circumstances of the intended flight is carried and is in a fit condition for use; or</p> <p>(ii) the flight may commence under and in accordance with the terms of a permission granted to the operator under article 41(3);</p> <p>(c) the aircraft is in every way fit for the intended flight, and that where a certificate of maintenance review is required by article 25(2) to be in force, it is in force and will not cease to be in force during the intended flight;</p> <p>(d) the load carried by the aircraft is of such weight, and is so distributed and secured, that it may safely be carried on the intended flight;</p> <p>(e) in the case of a flying machine or airship:</p> <p>(i) sufficient fuel, oil and engine coolant (if required) are carried for the intended flight, and that a safe margin has been allowed for contingencies; and</p> <p>(ii) in the case of a public transport flight, the instructions in the operations manual relating to fuel, oil and engine</p>	<p><i>flight or a public transport flight, it means that the article does not apply to the commander of an aircraft intending to commence a commercial air transport operation.</i></p>

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		<p>coolant have been complied with;</p> <p>(f) in the case of an airship or balloon, sufficient ballast is carried for the intended flight;</p> <p>(g) any pre-flight check system established by the operator and set out in the operations manual or elsewhere has been complied with by each member of the crew of the aircraft; and</p> <p>(h) in the case of a balloon, the balloon will be able to land clear of any congested area.</p>	
14	Article 87	<p>87 Commander to be satisfied that flight can be safely completed</p> <p><u>(1) This article applies to the commander of any flying machine intending to commence a private flight, an aerial work flight or a public transport flight.</u></p> <p><u>(2) The A commander of a flying machine to whom this article applies</u> must, before take-off, take all reasonable steps so as to be satisfied that it <u>the flying machine</u> is capable of safely taking off, reaching and maintaining a safe height and making a safe landing at the place of intended destination having regard to:</p> <p>(a) the performance of the flying machine in the conditions to be expected on the intended flight; and</p> <p>(b) any obstructions at the places of departure and intended destination and on the intended route.</p>	<p><i>The definitions of a private flight, an aerial work flight and a public transport flight, which are contained in Article 255 of the ANO, exclude a commercial air transport operation. Thus, where Article 86(1) provides that the article applies to the commander of an aircraft intending to commence a private flight, an aerial work flight or a public transport flight, it means that the article does not apply to the commander of an aircraft intending to commence a commercial air transport operation.</i></p>
15	Article 88	<p>88 Passenger briefing by commander</p> <p>(1) Subject to paragraph (3), the commander of an aircraft registered in the United Kingdom must take all reasonable steps to ensure that before take-off on any flight, all passengers are made familiar with the position and method of use of:</p> <p>(a) emergency exits;</p>	<p><i>A simple replacement of a reference to an EU-OPS aeroplane and a commercial air transport flight with a reference to a Part-CAT aircraft and a commercial air transport operation.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<ul style="list-style-type: none"> (b) safety belts (with diagonal shoulder strap where required to be carried); (c) safety harnesses (if required to be carried); (d) oxygen equipment, lifejackets and the floor path lighting system (where required to be carried); and (e) all other devices required by or under this Order and intended for use by passengers individually in the case of an emergency occurring to the aircraft. <p>(2) Subject to paragraph (3), the commander of an aircraft registered in the United Kingdom must also take all reasonable steps to ensure that in an emergency during a flight, all passengers are instructed in the emergency action which they should take.</p> <p>(3) This article does not apply to the commander of:</p> <ul style="list-style-type: none"> (a) an aircraft registered in the United Kingdom in relation to a flight under and in accordance with the terms of a police air operator's certificate; or (b) an EU-OPS <u>Part-CAT</u> aeroplane <u>aircraft</u> in relation to a commercial air transport flight <u>operation</u>. 	
16	Article 93	<p>93 Pilot to remain at controls and be secured in seat</p> <ul style="list-style-type: none"> (1) This article applies to any flying machine or glider registered in the United Kingdom other than an EU-OPS <u>Part-CAT</u> aeroplane <u>aircraft</u> flying on a commercial air transport flight <u>operation</u>. (2) The commander of an aircraft to which this article applies must cause one pilot to remain at the controls at all times while it is in flight. (3) If the aircraft is required by or under this Order to carry two pilots, the commander must cause both pilots to remain at the controls during take-off and landing. 	

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(4) If the aircraft carries two or more pilots (whether or not it is required to do so) and is flying on a flight for the purpose of the public transport of passengers, the commander must remain at the controls during take-off and landing.</p> <p>(5)</p> <p>(a) Subject to sub-paragraph (b), each pilot at the controls of the aircraft must be secured in their seat by either a safety belt with or without one diagonal shoulder strap, or a safety harness.</p> <p>(b) During take-off and landing a safety harness must be worn if it is required by article 37 and Schedule 4 to be provided.</p> <p>(6) An operator must not permit a helicopter rotor to be turned under power for the purpose of making a flight unless there is a person at the controls entitled in accordance with article 50 to act as pilot-in-command of the helicopter.</p>	
17	Article 97	<p>97 Commercial air transport and Public transport flights at night or in Instrument Meteorological Conditions by aeroplanes with one power unit which are registered elsewhere than in the United Kingdom</p> <p>An aeroplane which is registered elsewhere than in the United Kingdom and is powered by one power unit only must not fly for the purpose of commercial air transport or public transport at night or when the cloud ceiling or visibility prevailing at the aerodrome of departure or forecast for the estimated time of landing at the aerodrome at which it is intended to land or at any alternate aerodrome are less than 1000 feet and one nautical mile respectively.</p>	<p><i>This article prohibits flights for the purpose of public transport at night or in specified meteorological conditions in a single engine aircraft. A public transport flight is defined to exclude a commercial air transport operation. So the article does not apply to aircraft operating under Part-CAT. But there is a corresponding prohibition in Part-CAT.</i></p>
18	Article 103	<p>103 Aeroplanes registered in the United Kingdom – public transport operating conditions and performance requirements</p> <p>(1) An aeroplane registered in the United Kingdom and flying for the</p>	<p><i>This sets out the performance requirements for UK registered aeroplanes flying for public transport. The</i></p>

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		<p>purpose of public transport must comply with <i>Section 1 of Subpart F C</i> of EU-OPS Part-CAT unless it is flying under and in accordance with a permission granted to the operator by the CAA under paragraph (5).</p> <p>(2) The assessment of the ability of an aeroplane to comply with paragraph (1) must be based on the information as to its performance approved by the State of design and contained in the flight manual for the aeroplane.</p> <p>(3) In the event of the approved information in the flight manual being insufficient for that purpose such assessment must be based on additional data acceptable to the CAA.</p> <p>(4) The Secretary of State may prescribe requirements for aeroplanes registered in the United Kingdom in respect of their weight and related performance and flight in specified meteorological conditions or at night^(a).</p> <p>(5) The CAA may grant for any aeroplane a permission authorising it to comply with the applicable provisions of the requirements prescribed in accordance with paragraph (4).</p> <p>(6) Subject to paragraph (7), an aeroplane to which this paragraph applies must fly at such an altitude as would enable the aeroplane:</p> <p>(a) if it has one engine only, in the event of the failure of that engine; or</p> <p>(b) if it has more than one engine, in the event of the failure of one of those engines and with the remaining engine or engines operating within the maximum continuous power conditions specified in the certificate of airworthiness or flight manual for the aeroplane, to reach a place at which it can safely land at a height sufficient to enable it to do so.</p> <p>(7) Paragraph (6) applies to an aeroplane registered in the United Kingdom flying under and in accordance with a permission granted</p>	<p><i>definition of public transport excludes aeroplanes flying for commercial air transport which must comply instead with the performance requirements in EU-OPS. But in this particular case, the performance requirements in Subpart F of EU-OPS have been adopted as the national performance requirements. So Article 103 requires that even aeroplanes not subject to EU-OPS must nevertheless comply with the performance requirements in EU-OPS. A simple replacement is now made by adopting instead the equivalent performance requirements which will be contained in Section 1 of Subpart C of Part-CAT.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>by the CAA under paragraph (5) and flying over water for the purpose of public transport.</p> <p>(8) Paragraph (6) does not apply to an aeroplane flying as may be necessary for the purpose of taking off or landing.</p> <p>(9) Without prejudice to paragraph (6), an aeroplane to which this paragraph applies must not fly over water for the purpose of public transport so as to be more than 60 minutes flying time from the nearest shore, unless the aeroplane has more than two power units.</p> <p>(10) Paragraph (9) applies to an aeroplane flying under and in accordance with a permission granted by the CAA under paragraph (5) if either that permission or the certificate of airworthiness of the aeroplane designates the aeroplane as being of performance group X.</p> <p>(11) For the purposes of paragraph (9), flying time is calculated at normal cruising speed with one power unit inoperative.</p> <p>(a) The requirements are contained in Schedule 1 to the Air Navigation (General) Regulations 2006 S.I. 2006/601.</p>	
19	Article 104	<p>104 Helicopters registered in the United Kingdom – public transport operating conditions and performance requirements</p> <p>(1) The Secretary of State may prescribe requirements for helicopters <u>which are not Part-CAT aircraft and which are</u> registered in the United Kingdom in respect of their weight and related performance and flight in specified meteorological conditions or at night^(a).</p> <p>(2) Subject to paragraph (3), a helicopter registered in the United Kingdom must not fly for the purpose of public transport unless the helicopter complies with the applicable provisions of the requirements which have been prescribed for its weight and related performance and flight in specified meteorological conditions or at night.</p>	<p><i>This article enables regulations to be made setting out detailed performance requirements for helicopters flying for the purpose of public transport. In future, helicopters flying on a commercial air transport operation will be required to comply with the performance requirements in Part-CAT. The UK will not be entitled to impose its own national performance requirements. Hence the ability to make regulations must be limited by excluding from any such regulations</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(3) Paragraph (2) does not apply to a flight for the sole purpose of training persons to perform duties in a helicopter.</p> <p>(4) The assessment of the ability of a helicopter to comply with paragraph (2) must be based on the information as to its performance approved by the State of design and contained in the flight manual for the helicopter.</p> <p>(5) In the event of the approved information in the flight manual being insufficient for that purpose the assessment must be based on additional data acceptable to the CAA.</p> <p>(6) Subject to paragraph (7), a helicopter registered in the United Kingdom when flying over water for the purpose of public transport must fly at such an altitude as would enable the helicopter:</p> <p>(a) if it has one engine only, in the event of the failure of that engine; or</p> <p>(b) if it has more than one engine, in the event of the failure of one of those engines and with the remaining engine or engines operating within the maximum continuous power conditions specified in the certificate of airworthiness or flight manual for the helicopter, to reach a place at which it can safely land at a height sufficient to enable it to do so.</p> <p>(7) Paragraph (6) does not apply to a helicopter flying as may be necessary for the purpose of taking off or landing.</p> <p>(a) The requirements are contained in Schedule 2 to the Air Navigation (General) Regulations 2006 S.I. 2006/601.</p>	<p><i>requirements for helicopters which will be subject to Part-CAT – that is to say helicopters flying on a commercial air transport operation.</i></p>
20	Article 111	<p>111 Wearing of survival suits by crew</p> <p>(1) Subject to paragraph (2), each member of the crew of an aircraft registered in the United Kingdom must wear a survival suit if such a suit is required to be carried by article 37 and Schedule 4.</p>	<p><i>The wearing of survival suits by crew members of a Part-CAT aircraft is governed by Part-CAT. So such aircraft must be excluded from the requirements</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(2) This article does not apply to:</p> <p><u>(a)</u> any member of the crew of an aircraft flying under and in accordance with the terms of a police air operator's certificate;</p> <p><u>or</u></p> <p><u>(b) any member of the crew of a Part-CAT aircraft.</u></p>	<p><i>of Article 111.</i></p>
21	Article 112	<p>112 Operation of radio in aircraft</p> <p>(1) A radio station in an aircraft must not be operated, whether or not the aircraft is in flight, except:</p> <p>(a) in accordance with the conditions of the licence issued for that station under the law of the country in which the aircraft is registered or the State of the operator; and</p> <p>(b) by a person duly licensed or otherwise permitted to operate the radio station under that law.</p> <p>(2) Subject to paragraphs (3) and (4), whenever an aircraft is in flight in such circumstances that it is required by or under this Order or by EU-OPS <u>EASA Ops</u> to be equipped with radio communication equipment, a continuous radio watch must be maintained by a member of the flight crew listening to the signals transmitted on the frequency notified or designated for use by that aircraft by a message received from an appropriate aeronautical radio station.</p> <p>(3) The radio watch may be discontinued or continued on another frequency if a message from an appropriate aeronautical radio station permits this.</p> <p>(4) The radio watch may be kept by a device installed in the aircraft if:</p> <p>(a) the appropriate aeronautical radio station has been informed to that effect and has raised no objection; and</p> <p>(b) that station is notified, or in the case of a station situated in a country other than the United Kingdom, otherwise designated as</p>	<p><i>The requirements which applied where radio communication equipment must be carried under EU-OPS will in future apply where such equipment must be carried under EASA Ops.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>transmitting a signal suitable for that purpose.</p> <p>(5) Whenever an aircraft is in flight in such circumstances that it is required by or under this Order or by EU-OPS <u>EASA Ops</u> to be equipped with radio communication or radio navigation equipment, a member of the flight crew must operate that equipment in such a manner as the appropriate air traffic control unit may instruct or as may be notified in relation to the airspace in which the aircraft is flying.</p> <p>(6) The radio station in an aircraft must not be operated so as to cause interference which impairs the efficiency of aeronautical telecommunications or navigational services, and in particular emissions must not be made except:</p> <p>(a) emissions of the class and frequency for the time being in use, in accordance with general international aeronautical practice, in the airspace in which the aircraft is flying;</p> <p>(b) distress, urgency and safety messages and signals, in accordance with general international aeronautical practice;</p> <p>(c) messages and signals relating to the flight of the aircraft, in accordance with general international aeronautical practice; and</p> <p>(d) such public correspondence messages as may be permitted by or under the aircraft radio station licence referred to in paragraph (1).</p> <p>(7) In any flying machine registered in the United Kingdom which is flying on a public transport flight the pilot and the flight engineer (if any) must not make use of a handheld microphone (whether for the purpose of radio communication or of intercommunication within the aircraft) whilst the aircraft is flying in controlled airspace below flight level 150 or is taking off or landing.</p>	

Item	ANO Reference	Proposed Amendment	Purpose
22	Article 115	<p>115 Operation of vibration health monitoring systems</p> <p>The operator of a helicopter on which a vibration health monitoring system is required to be carried by paragraph 4(15) of Schedule 4 must operate that equipment in accordance with procedures approved by the CAA.</p>	<p><i>No change is made to this Article. It applies where vibration health monitoring system must be carried under Schedule 4. The equipment requirements of Schedule 4 do not apply to Part-CAT helicopters. There is no equivalent requirement for vibration health monitoring systems in Part-CAT. Because the CAA considers that such a system ought to be carried, it will impose such a requirement by way of an operational directive under Article 15 of the ANO. As explained above in relation to Article 15, that directive will be subject to review by European Commission and EASA in accordance with Article 14 of the Basic EASA Regulation.</i></p>
23	Article 117	<p>117 Functioning of exits – commercial air transport aeroplanes and public transport aeroplanes and helicopters</p> <p>(1) This article applies to commercial air transport aeroplanes, public transport aeroplanes and public transport helicopters registered in the United Kingdom.</p> <p>(2) Subject to paragraph (5), whenever an aeroplane or helicopter to which this article applies is carrying passengers, every exit from the aeroplane or helicopter and every internal door in the aeroplane or helicopter must be in working order.</p> <p>(3) Subject to paragraph (4), during take-off and landing and during any emergency, every exit and door in the aeroplane or helicopter must be kept free of obstruction and must not be fastened by locking or otherwise so as to prevent, hinder or delay its use by passengers.</p>	<p><i>This applies to public transport aircraft which excludes commercial air transport aircraft which are subject to Part-CAT. However, the CAA considers that these requirements ought to apply to Part-CAT aircraft. It will impose them by way of an operational directive under Article 15.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(4) In the case of:</p> <ul style="list-style-type: none"> (a) an exit which, in accordance with arrangements approved by the CAA either generally or in relation to a class of aeroplane or helicopter or a particular aeroplane or helicopter, is not required for use by passengers, the exit may be obstructed by cargo; (b) a door between the flight crew compartment and any adjacent compartment to which passengers have access, the door may be locked or bolted if the commander of the aeroplane or helicopter so determines, for the purpose of preventing access by passengers to the flight crew compartment; (c) any internal door which is so placed that it cannot prevent, hinder or delay the exit of passengers from the aeroplane or helicopter in an emergency if it is not in working order, paragraph (3) does not apply. <p>(5) Subject to compliance with paragraph (6), if one, but not more than one, exit from an aeroplane or helicopter becomes inoperative at a place where it is not reasonably practicable for it to be repaired or replaced, nothing in this article prevents that aeroplane or helicopter from carrying passengers until it next lands at a place where the exit can be repaired or replaced.</p> <p>(6) This paragraph is complied with if:</p> <ul style="list-style-type: none"> (a) the number of passengers carried and the position of the seats which they occupy are in accordance with arrangements approved by the CAA either in relation to the particular aeroplane or helicopter or to a class of aeroplane or helicopter; and (b) in accordance with arrangements so approved, the inoperative exit is fastened by locking or otherwise, the words 'exit' or 'emergency exit' are covered, and the exit is marked by a red disc at least 23 centimetres in diameter with a horizontal white 	

Item	ANO Reference	Proposed Amendment	Purpose
		bar across it bearing the words 'No Exit' in red letters.	
24	Article 118	<p>118 Marking of exits – commercial air transport aeroplanes and public transport aeroplanes and helicopters</p> <p>(1) This article applies to commercial air transport aeroplanes, public transport aeroplanes and public transport helicopters registered in the United Kingdom.</p> <p>(2) An operator must ensure that every exit from an aeroplane or helicopter to which this article applies is marked in accordance with this article.</p> <p>(3) Every exit from such an aeroplane or helicopter must be marked on interior surfaces with the words 'exit' or 'emergency exit' in capital letters, which must be red in colour and if necessary outlined in white to contrast with the background.</p> <p>(4) Every exit from such an aeroplane or helicopter must be marked on exterior surfaces with the words 'exit' or 'emergency exit' in capital letters, which must be located on a background which provides adequate contrast.</p> <p>(5) Every exit from such an aeroplane or helicopter must be marked on interior surfaces on or near the inside surface of the door or other closure of the exit with instructions in English and with diagrams to indicate the correct method of opening the exit, which must be red in colour and located on a background which provides adequate contrast.</p> <p>(6) Every exit from such an aeroplane or helicopter which may be opened from the outside must be marked on or near the exterior surface of the door or other closure of the exit with instructions in English and with diagrams to indicate the correct method of opening the exit, which must be located on a background which provides adequate contrast.</p>	<p><i>This applies to public transport aircraft which excludes commercial air transport aircraft which are subject to Part-CAT. However, the CAA considers that these requirements ought to apply to Part-CAT aircraft. It will impose them by way of an operational directive under Article 15.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(7) The markings required by this article must be:</p> <p>(a) painted, or affixed by other equally permanent means; and</p> <p>(b) kept clean and unobscured at all times.</p>	
25	Article 119	<p>119 Marking of break-in areas</p> <p>(1) This article applies to all aircraft registered in the United Kingdom <i>other than Part-CAT aircraft</i>.</p> <p>(2) An operator must ensure that, if areas of the fuselage suitable for break-in by rescue crews in emergency are marked on an aircraft, such areas are marked in accordance with this article.</p> <p>(3) The markings on the exterior surface of the fuselage must show the areas (in this article referred to as 'break-in areas') which can, for the purposes of rescue in an emergency, be most readily and effectively broken into by persons outside the aircraft.</p> <p>(4) The break-in areas must be marked by right angled corner markings, each arm of which must be nine centimetres in length along its outer edge and three centimetres in width.</p> <p>(5) If the corner markings of the break-in area are more than two metres apart, intermediate lines nine centimetres by three centimetres must be inserted so that there is no more than two metres between adjacent marks.</p> <p>(6) The colour of break-in markings must be red or yellow, and if necessary they must be outlined in white to contrast with the background.</p> <p>(7) If instructions are marked on the break-in areas, the words 'Cut Here in Emergency' must be marked across the centre of each break-in area in capital letters.</p>	<p><i>This will not apply to Part-CAT aircraft. Corresponding provisions are contained in Part-CAT.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(8) The markings required by this article must be:</p> <p>(a) painted, or affixed by other equally permanent means; and</p> <p>(b) kept clean and unobscured at all times.</p>	
26	Article 121	<p>121 Minimum navigation performance</p> <p>(1) <u>Subject to paragraph (3), an</u> an aircraft registered in the United Kingdom must not fly in North Atlantic Minimum Navigation Performance Specification airspace unless it is equipped with navigation systems which enable the aircraft to maintain the prescribed navigation performance capability.</p> <p>(2) The equipment required by paragraph (1) must:</p> <p>(a) be approved by EASA or the CAA;</p> <p>(b) be installed in a manner approved by EASA in the case of an EASA aircraft and by the CAA in the case of a non-EASA aircraft;</p> <p>(c) be maintained in a manner approved by the CAA; and</p> <p>(d) while the aircraft is flying in that airspace, be operated in accordance with procedures approved by the CAA.</p> <p><u>(3) This article does not apply to an aircraft flying under and in accordance with an approval issued by the CAA under Subpart C of Part-SPA.</u></p>	<p><i>Flight in minimum navigation performance airspace is one of the circumstances requiring a special approval under Part-SPA. Aircraft required to hold such a Part-SPA approval do not need an approval under Article 121.</i></p>
27	Article 122	<p>122 Height keeping performance – aircraft registered in the United Kingdom</p> <p>(1) <u>Subject to paragraph (3), unless</u> Unless otherwise authorised by the appropriate air traffic control unit, an aircraft registered in the United Kingdom must not fly in Reduced Vertical Separation Minimum airspace unless it is equipped with height keeping systems which</p>	<p><i>Flight in Reduced Vertical Separation Minimum airspace is one of the circumstances requiring a special approval under Part-SPA. Aircraft required to hold such a Part-SPA approval do not need an approval under Article 122.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>enable the aircraft to maintain the required height keeping performance capability.</p> <p>(2) The equipment required by paragraph (1) must:</p> <ul style="list-style-type: none"> (a) be approved by EASA or the CAA; (b) be installed in a manner approved by EASA in the case of an EASA aircraft and by the CAA in the case of a non-EASA aircraft; (c) be maintained in a manner approved by the CAA; and (d) while the aircraft is flying in that airspace, be operated in accordance with procedures approved by the CAA. <p><u>(3) This article does not apply to an aircraft flying under and in accordance with an approval issued by the CAA under Subpart D of Part-SPA.</u></p>	
28	Article 124	<p>124 Area navigation and required navigation performance capabilities – aircraft registered in the United Kingdom</p> <p>(1) Subject to paragraphs (3) <u>and (4)</u> an aircraft registered in the United Kingdom must not fly in Required Navigation Performance airspace unless it is equipped with area navigation equipment which enables the aircraft to maintain the navigation performance capability notified, prescribed or otherwise designated for that airspace.</p> <p>(2) The equipment required by paragraph (1) must:</p> <ul style="list-style-type: none"> (a) be approved by EASA or the CAA; (b) be installed in a manner approved by EASA in the case of an EASA aircraft and the CAA in the case of a non-EASA aircraft; (c) be maintained in a manner approved by the CAA; and (d) while the aircraft is flying in that airspace, be operated in accordance with procedures approved by the CAA. 	<p><i>Flight in airspace requiring Performance Based Navigation is one of the circumstances requiring a special approval under Part-SPA. Aircraft required to hold such a Part-SPA approval do not need an approval under Article 124.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(3) An aircraft need not comply with the requirements of this article if:</p> <ul style="list-style-type: none"> (a) the appropriate air traffic control unit, having been made aware of the lack of compliance, authorises the flight; and (b) the aircraft complies with any instructions the air traffic control unit may give. <p><u>(4) This article does not apply to an aircraft flying under and in accordance with an approval issued by the CAA under Subpart B of Part-SPA.</u></p>	
29	Article 128	<p>128 Towing, picking up and raising of persons and articles</p> <p>(1) Subject to the provisions of this article <u>paragraphs (7) and (8)</u>, an aircraft in flight must not, by means external to the aircraft, tow any article, other than a glider, or pick up or raise any person, animal or article, unless:</p> <ul style="list-style-type: none"> (a) there is a certificate of airworthiness issued or rendered valid for that aircraft under the law of the country in which the aircraft is registered; and (b) that certificate or the flight manual for the aircraft includes an express provision that it may be used for that purpose. <p>(2) An aircraft must not launch or pick up tow ropes, banners or similar articles other than at an aerodrome.</p> <p>(3) An aircraft in flight must not tow any article, other than a glider, at night or when flight visibility is less than one nautical mile.</p> <p>(4) The length of the combination of towing aircraft, tow rope, and article in tow, must not exceed 150 metres.</p> <p>(5) A helicopter must not fly at any height over a congested area of a city, town or settlement at any time when any article, person or animal is suspended from the helicopter.</p>	<p><i>Conducting Helicopter Hoist Operations is one of the circumstances requiring a special approval under Part-SPA. Aircraft required to hold such a Part-SPA approval do not need an approval under Article 128.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(6) A passenger must not be carried in a helicopter at any time when an article, person or animal is suspended from the helicopter, other than:</p> <ul style="list-style-type: none"> (a) a passenger who has duties to perform in connection with the article, person or animal; (b) a passenger who has been picked up or raised by means external to the helicopter; or (c) a passenger who it is intended will be lowered to the surface by means external to the helicopter. <p>(7) Nothing in this article:</p> <ul style="list-style-type: none"> (a) prohibits the towing in a reasonable manner by an aircraft in flight of any radio aerial, any instrument which is being used for experimental purposes, or any signal, apparatus or article required or permitted by or under this Order to be towed or displayed by an aircraft in flight; (b) prohibits the picking up or raising of any person, animal or article in an emergency or for the purpose of saving life; (c) applies to any aircraft while it is flying in accordance with the B Conditions; or (d) permits the towing or picking up of a glider otherwise than in accordance with article 126. <p><u>(8) This article does not apply to an aircraft flying for the purpose of a commercial air transport hoist operation under and in accordance with an approval issued by the CAA under Subpart I of Part-SPA.</u></p>	

Item	ANO Reference	Proposed Amendment	Purpose
30	Article 132	<p>132 Carriage of dangerous goods</p> <p>(1) <u>Subject to paragraph (4)</u>, the The Secretary of State may make regulations prescribing:</p> <p>(a) the classification of certain articles and substances as dangerous goods;</p> <p>(b) the categories of dangerous goods which an aircraft may not carry;</p> <p>(c) the conditions which apply to the loading on, suspension beneath and carriage by an aircraft of dangerous goods;</p> <p>(d) the manner in which dangerous goods must be packed, marked, labelled and consigned before being loaded on, suspended beneath or carried by an aircraft;</p> <p>(e) any other provisions for securing the safety of aircraft and any apparatus attached to aircraft, and the safety of persons and property on the surface in relation to the loading on, suspension beneath or carriage by an aircraft of dangerous goods;</p> <p>(f) the persons to whom information about the carriage of dangerous goods must be provided;</p> <p>(g) the documents which must be produced to the CAA or an authorised person on request; and</p> <p>(h) the powers to be conferred on an authorised person relating to the enforcement of the regulations made under this article.</p> <p>(2) It is an offence to contravene or permit the contravention of or fail to comply with any regulations made under this article.</p> <p>(3) The provisions of this article and of any regulations made under this article are additional to and not in derogation from articles 133 and 134.</p> <p><u>(4) Regulations made by the Secretary of State under paragraph (1)</u></p>	<p><i>Carriage of dangerous goods is one of the circumstances requiring a special approval under Part-SPA. Aircraft required to hold such a Part-SPA approval do not need an approval under Article 132.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<u>may not impose requirements on Part-CAT operators or aircraft.</u>	
31	Article 133	<p>133 Carriage of weapons and of munitions of war – requirement for permission and for commander to be informed</p> <p>(1) This article applies to any aircraft other than an EU-OPS <u>Part-CAT</u> aeroplane <u>aircraft</u> on a commercial air transport flight <u>operation</u>.</p> <p>(2) Subject to article 135(1) and (3), an aircraft must not carry any munition of war unless:</p> <p>(a) the munition of war is carried with the permission of the CAA; and</p> <p>(b) the commander of the aircraft is informed in writing by the operator before the flight commences of the type, weight or quantity and location of any munition of war on board or suspended beneath the aircraft and any conditions of the permission of the CAA.</p> <p>(3) Subject to article 135(2) and (3), it is unlawful for an aircraft to carry any sporting weapon or munition of war in any compartment or apparatus to which passengers have access.</p>	<p><i>A simple replacement of a reference to an EU-OPS aeroplane on a commercial air transport flight with a reference to a Part-CAT aircraft on a commercial air transport operation.</i></p>
32	Article 140	<p>140 Smoking in aircraft</p> <p>(1) <u>In aircraft registered in the United Kingdom other than Part-CAT aircraft, notices</u> Notices indicating when smoking is prohibited must be exhibited in every aircraft registered in the United Kingdom so as to be visible from each passenger seat.</p> <p>(2) A person must not smoke in any compartment of an aircraft registered in the United Kingdom at a time when smoking is prohibited in that compartment by a notice to that effect exhibited by or on behalf of the commander of the aircraft.</p>	<p><i>This is disapplied in the case of Part-CAT aircraft.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
33	Article 144	<p>144 Application and interpretation of Part 20</p> <p>(1) Subject to paragraph (2), articles 145 and 146 apply to an aircraft registered in the United Kingdom which is either:</p> <p>(a) flying on a public transport flight; or</p> <p>(b) operated by the holder of a national air operator's certificate; ;</p> <p><u>(c) a helicopter flying on a commercial air transport operation; or</u></p> <p><u>(d) an aeroplane with a flight crew of one pilot flying on a commercial air transport operation.</u></p> <p>(2) In this Part:</p> <p>(a) 'flight time' means all time spent by a person as a member of the crew in:</p> <p>(i) a civil aircraft whether or not registered in the United Kingdom (other than such an aircraft which has a maximum total weight authorised of not more than 1600 kg and which is not flying for the purpose of commercial air transport, public transport or aerial work); or</p> <p>(ii) a military aircraft (other than a military aircraft which has a maximum total weight authorised of not more than 1600kg and which is flying on a military air experience flight), while it is in flight;</p> <p>(b) 'day' means a continuous period of 24 hours beginning at midnight Co-ordinated Universal Time;</p> <p>(c) a helicopter is deemed to be in flight from the moment the helicopter first moves under its own power for the purpose of taking off until the rotors are next stopped; and</p> <p>(d) a military air experience flight is a flight by a military aircraft operated under the auspices of the Royal Air Force Air Cadet Organisation for the purpose of providing air experience to its</p>	<p><i>EU-OPS contains requirements for flight time limitations in relation to aeroplanes flying for commercial air transport with two pilots. Those requirements, in Article 8.4 of the Technical Harmonisation Regulation and Subpart Q of EU-OPS, are expressly preserved by the EASA Air Operations Regulation. They are the one element of EU-OPS which will remain in force. Helicopters flying on a commercial transport operation and aeroplanes with one pilot flying on a commercial air transport operation must comply with the flight time limitations requirements in the ANO until EASA brings its own requirements forward. This is reflected in Article 144.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		cadets.	
34	Article 148	<p>148 Protection of air crew from cosmic radiation</p> <p>(1) A relevant undertaking must take appropriate measures to:</p> <ul style="list-style-type: none"> (a) assess the exposure to cosmic radiation when in flight of those air crew who are liable to be subject to cosmic radiation in excess of 1 milliSievert per year; (b) take into account the assessed exposure when organising work schedules with a view to reducing the doses of highly exposed air crew; and (c) inform the workers concerned of the health risks their work involves. <p>(2) A relevant undertaking must ensure that in relation to a pregnant air crew member, the conditions of exposure to cosmic radiation when she is in flight are such that the equivalent dose to the foetus will be as low as reasonably achievable and is unlikely to exceed 1 milliSievert during the remainder of the pregnancy.</p> <p>(3) Nothing in paragraph (2) requires the undertaking concerned to take any action in relation to an air crew member until she has notified the undertaking in writing that she is pregnant.</p> <p>(4) The definition in article 255 of 'crew' does not apply for the purposes of this article.</p> <p>(5) In this article:</p> <ul style="list-style-type: none"> (a) 'air crew' has the same meaning as in article 42 of Council Directive 96/29/Euratom of 13th May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation(a); (b) 'undertaking' includes a natural or legal person and 'relevant 	<p><i>Requirements concerning cosmic radiation were included in EU-OPS and so Article 148 was disapplied from EU-OPS operators. Those requirements have not been taken forward into EASA Ops. So the exclusion for EU-OPS operators has been deleted from Article 148(5)(b) and not replaced by any reference to EASA Ops or Part-CAT. Hence, Article 148 will apply to EASA Ops aircraft.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>undertaking' means an undertaking established in the United Kingdom which operates aircraft but does not include an EU-OPS operator;</p> <p>(c) 'highly exposed air crew' and 'milliSievert' have the same respective meanings as in article 42 of Council Directive 96/29/Euratom; and</p> <p>(d) 'year' means any period of twelve months.</p>	
35	Article 149	<p>149 Fatigue of crew – EU-OPS <u>Part-CAT</u> operator's responsibilities</p> <p>The operator of an EU-OPS <u>Part-CAT</u> aeroplane <u>with a flight crew of at least two pilots</u> must not cause or permit that aeroplane to make <u>carry out a commercial air transport flight operation</u> unless:</p> <p>(a) the scheme for the regulation of flight times required under EU-OPS has been approved by the CAA; and</p> <p>(b) the operator has taken all such steps as are reasonably practicable to ensure that the provisions of the scheme will be complied with in relation to every person flying in that aeroplane as a member of its crew.</p>	<p><i>This made compliance with EU-OPS flight time limitation requirements enforceable under the ANO. It now makes enforceable compliance with Subpart Q of EU-OPS in relation to Part-CAT aeroplanes with a flight crew of at least two pilots. See the explanation at Article 144.</i></p> <p>Note: Subpart Q of EU-OPS remains in force because of article 8 of the EASA Air Operations Regulation.</p>
36	Article 150	<p>150 Documents to be carried</p> <p>(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.</p> <p>(2) Subject to paragraphs (3) and (4), an aircraft registered in the United Kingdom must, when in flight, carry documents in accordance with Schedule 9.</p> <p>(3) Paragraph (2) does not apply to an EU-OPS <u>Part-CAT</u> aeroplane <u>aircraft</u> flying on a commercial air transport flight <u>operation</u>.</p>	<p><i>A simple replacement of a reference to an EU-OPS aeroplane flying on a commercial air transport flight with a reference to a Part-CAT aircraft flying on a commercial air transport operation.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		(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.	
37	Article 156	<p>156 Production of documents and records</p> <p>(1) The commander of an aircraft <i>other than an EASA Ops aircraft</i> must, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person:</p> <ul style="list-style-type: none"> (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 150 to carry when in flight. <p>(2) The operator of an aircraft registered in the United Kingdom <i>other than an EASA Ops aircraft</i> 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.</p> <p>(3) The documents and records referred to in paragraph (2) are:</p> <ul style="list-style-type: none"> (a) the documents referred to in Schedule 9 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 35(5); (d) in the case of a public transport aircraft or aerial work aircraft, the documents referred to in Schedule 9 as Documents D, E, F and H; 	<i>This will not apply to EASA Ops aircraft. Corresponding provisions are contained in EASA Ops.</i>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(e) the records of flight times, duty periods and rest periods which the operator is required by article 145(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;</p> <p>(f) any operations manuals required to be made available under article 83(4)(a); and</p> <p>(g) the record made by any flight data recorder required to be carried by or under this Order.</p> <p>(4) The holder of a licence granted or rendered valid under this Order or of a medical certificate required under article 72(2) 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 78 to be produced to that person.</p> <p>(5) During the period of two years beginning with the date of the last entry in it every person required by article 79 to keep a personal flying log book must cause it to be produced to an authorised person within a reasonable time after being requested to do so by that person.</p>	
38	Article 158	<p>158 Power to inspect and copy documents and records</p> <p>An authorised person has the power to inspect and copy any certificate, licence, log book, document or record which the authorised person has the power under this Order, under any regulations made under this Order or under EU-OPS <u>EASA Ops</u> to require to be produced.</p>	<i>A simple replacement of a reference to EU-OPS with a reference to EASA Ops.</i>
39	Article 226	<p>226 Mandatory reporting of occurrences</p> <p>(1) The objective of this article is to contribute to the improvement of air safety by ensuring that relevant information on safety is reported,</p>	<i>A simple replacement of references to EU-OPS with references to Part-CAT.</i>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>collected, stored, protected and disseminated.</p> <p>(2) The sole objective of occurrence reporting is the prevention of accidents and incidents and not to attribute blame or liability.</p> <p>(3) This article applies to occurrences which endanger or which, if not corrected, would endanger an aircraft, its occupants or any other person.</p> <p>(4) Without prejudice to the generality of paragraph (3), a list of examples of these occurrences is set out in Annexes I and II (and their Appendices) of the Occurrence Reporting Directive.</p> <p>(5) Every person listed below must report to the CAA any event which constitutes an occurrence for the purposes of paragraph (3) and which comes to that person's attention in the exercise of that person's functions:</p> <p>(a) the operator and the commander of a turbine-powered aircraft which has a certificate of airworthiness issued by the CAA;</p> <p>(b) the operator and the commander of an aircraft operated under a national air operator's certificate or an EU-OPS <u>Part-CAT</u> air operator certificate granted by the CAA;</p> <p>(c) a person who carries on the business of manufacturing a turbine-powered aircraft, a commercial air transport aeroplane or a public transport aircraft, or any equipment or part of such an aircraft, in the United Kingdom;</p> <p>(d) a person who carries on the business of maintaining or modifying a turbine-powered aircraft, which has a certificate of airworthiness issued by the CAA, and a person who carries on the business of maintaining or modifying any equipment or part of such an aircraft;</p> <p>(e) a person who carries on the business of maintaining or modifying an aircraft, operated under a national air operator's</p>	

Item	ANO Reference	Proposed Amendment	Purpose
		<p>certificate or an EU-OPS <u>Part-CAT</u> air operator certificate granted by the CAA, and a person who carries on the business of maintaining or modifying any equipment or part of such an aircraft;</p> <p>(f) a person who signs an airworthiness review certificate, or a certificate of release to service for a turbine-powered aircraft, which has a certificate of airworthiness issued by the CAA, and a person who signs an airworthiness review certificate or a certificate of release to service for any equipment or part of such an aircraft;</p> <p>(g) a person who signs an airworthiness review certificate or a certificate of release to service for an aircraft operated under a national air operator's certificate or an EU-OPS <u>Part-CAT</u> air operator certificate granted by the CAA, and a person who signs an airworthiness review certificate or a certificate of release to service for any equipment or part of such an aircraft;</p> <p>(h) a person who performs a function which requires him to be authorised by the CAA as an air traffic controller or as a flight information service officer;</p> <p>(i) a licensee and a manager of a licensed aerodrome or a manager of an airport to which Chapter III of Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24th September 2008 on common rules for the operation of air services in the Community applies;</p> <p>(j) a person who performs a function concerning the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities which are utilized by a person who provides an air traffic control service under an approval issued by the CAA;</p> <p>(k) a person who performs a function concerning the ground-</p>	

Item	ANO Reference	Proposed Amendment	Purpose
		<p>handling of aircraft, including fuelling, servicing, loadsheet preparation, loading, de-icing and towing at an airport to which Chapter III of Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24th September 2008 on common rules for the operation of air services in the Community applies.</p> <p>(6) Reports of occurrences must be made within such time, by such means and containing such information as may be prescribed and must be presented in such form as the CAA may in any particular case approve.</p> <p>(7) A person listed in paragraph (5) must make a report to the CAA within such time, by such means, and containing such information as the CAA may specify in a notice in writing served on the person, being information which is in that person's possession or control and which relates to an occurrence which has been reported by that person or another person to the CAA in accordance with this article.</p> <p>(8) A person must not make any report under this article if the person knows or has reason to believe that the report is false in any particular.</p> <p>(9) The CAA must put in place a mechanism to collect, evaluate, process and store occurrences reported in accordance with paragraphs (5) to (7).</p> <p>(10) The CAA must store in its databases the reports which it has collected of occurrences, accidents and serious incidents.</p> <p>(11) The CAA must make all relevant safety-related information stored in the databases mentioned in paragraph (10) available to the competent authorities of the other Member States and the Commission.</p> <p>(12) The CAA must ensure that the databases referred to in paragraph (10) are compatible with the software developed by the European</p>	

Item	ANO Reference	Proposed Amendment	Purpose
		<p>Commission for the purpose of implementing the Occurrence Reporting Directive.</p> <p>(13) The CAA, having received an occurrence report, must enter it into its databases and notify, whenever necessary: the competent authority of the Member State where the occurrence took place; where the aircraft is registered; where the aircraft was manufactured, and where the operator's air operator's certificate was granted.</p> <p>(14) The CAA must provide any entity entrusted with regulating civil aviation safety or with investigating civil aviation accidents and incidents within the Community with access to information on occurrences collected and exchanged in accordance with paragraphs (9) to (13) to enable it to draw the safety lessons from the reported occurrences.</p> <p>(15) The CAA and the Chief Inspector of Air Accidents must use any information received in accordance with the terms of this article solely for the purposes set out in this article.</p> <p>(16) The names or addresses of individual persons must not be recorded on the databases referred to in paragraph (10).</p> <p>(17) Without prejudice to the rules of criminal law, no proceedings may be instituted in respect of unpremeditated or inadvertent infringements of the law which come to the attention of the relevant authorities only because they have been reported under this article as required by Article 4 of the Occurrence Reporting Directive, except in cases of gross negligence.</p> <p>(18) The provisions in paragraphs (15) to (17) apply without prejudice to the right of access to information by judicial authorities.</p> <p>(19) The CAA must put in place a system of voluntary reporting to collect and analyse information on observed deficiencies in aviation which are not required to be reported under the system of mandatory reporting, but which are perceived by the reporter as an actual or</p>	

Item	ANO Reference	Proposed Amendment	Purpose
		<p>potential hazard.</p> <p>(20) Voluntary reports presented to the CAA under paragraph (19) must be subjected to a process of disidentification by it where the person making the report requests that his or her identity is not recorded on the databases.</p> <p>(21) The CAA must ensure that relevant safety information deriving from the analysis of reports, which have been subjected to disidentification, are stored and made available to all parties so that they can be used for improving safety in aviation.</p>	
40	Article 229	<p>229 Provisional suspension or variation of EASA airworthiness certificates <u>and air operator certificates</u></p> <p>(1) The CAA may, subject to and in accordance with article 14(1) of the Basic EASA Regulation, provisionally suspend or vary any EASA certificate of airworthiness, EASA restricted certificate of airworthiness, or EASA permit to fly <u>or Part-CAT air operator certificate</u> which it has issued to an EASA aircraft pending inquiry into or consideration of the case.</p> <p>(2) A provisional suspension or variation under paragraph (1) ceases to have effect where:</p> <p>(a) it is withdrawn <u>revoked</u> by the CAA; or</p> <p>(b) it is revoked by the CAA following a finding, in accordance with article 14(3) of the Basic EASA Regulation, that it is not justified.</p> <p>(3) The CAA must revoke a provisional suspension or variation if it is found not to be justified under Article 14(3) of the Basic EASA Regulation.</p>	<p><i>A Part-CAT air operator certificate is added to the EASA airworthiness certificates which may be provisionally suspended or varied under this article. Note that any such action will be subject to the review mechanism in Article 14 of the Basic EASA Regulation.</i></p> <p>Note: See also the proposed Article 229A in the Consultation for Flight Crew Licensing.</p>

Item	ANO Reference	Proposed Amendment	Purpose
41	Article 231	<p>231 Prohibitions in relation to documents and records</p> <p>(1) A person must not with intent to deceive:</p> <p>(a) use any certificate, licence, approval, permission, exemption or other document issued or required by or under this Order, by or under Part 21, 66, 145, 147 or M or by or under EU-OPS <u>EASA Ops</u> which has been forged, altered, revoked or suspended, or to which the person is not entitled;</p> <p>(b) lend any certificate, licence, approval, permission, exemption or any other document issued or having effect or required by or under this Order, by or under Part 21, 66, 145, 147 or M or by or under EU-OPS <u>EASA Ops</u> to, or allow it to be used by, any other person; or</p> <p>(c) make any false representation for the purpose of procuring for any person the grant, issue, renewal or variation of any such certificate, licence, approval, permission, exemption or other document.</p> <p>(2) In paragraph (1), a reference to a certificate, licence, approval, permission, exemption or other document includes a copy or purported copy.</p> <p>(3) A person must not intentionally damage, alter or render illegible:</p> <p>(a) any log book or other record required to be maintained by or under this Order, by or under Part 21, 66, 145, 147 or M or by or under EU-OPS <u>EASA Ops</u>;</p> <p>(b) any entry made in such a log book or record.</p> <p>(4) A person must not:</p> <p>(a) knowingly make, or procure or assist in the making of, any false entry in or material omission from any log book or record referred to in paragraph (3); or</p> <p>(b) destroy any such log book or record during the period for which</p>	<p><i>A simple replacement of references to EU-OPS with references to EASA Ops.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>it is required under this Order to be preserved.</p> <p>(5) All entries made in writing in any log book or record referred to in paragraph (3) must be made in ink or indelible pencil.</p> <p>(6) A person must not knowingly make in a load sheet any entry which is incorrect in any material particular, or any material omission from such a load sheet.</p> <p>(7) A person must not purport to issue any certificate for the purposes of this Order, any regulations made under this Order, Part 21, 66, 145, 147 or M or EU-OPS <u>EASA Ops</u> unless authorised to do so by the relevant legislation.</p> <p>(8) A person must not issue any certificate referred to in paragraph (7) unless satisfied that all statements in the certificate are correct.</p>	
42	Article 232	<p>232 CAA's power to prevent aircraft flying</p> <p>(1) If it appears to the CAA or an authorised person that any aircraft is intended or likely to be flown in any of the circumstances specified in paragraph (2), the CAA or that authorised person may direct in accordance with paragraph (3).</p> <p>(2) The circumstances referred to in paragraph (1) are:</p> <p>(a) where any provision of article 3, 10, 11, 12, 16, 42, 50, 98, 132, 133, 134, 139(2) or 152 would be contravened in relation to the flight;</p> <p>(b) where the flight would be in contravention of any other provision of this Order, of any regulations made under this Order, of Part 21, 145 or M or of EU-OPS <u>EASA Ops</u> and be a cause of danger to any person or property whether or not in the aircraft; or</p> <p>(c) where the aircraft is in a condition unfit for the flight, whether or not the flight would otherwise be in contravention of any</p>	

Item	ANO Reference	Proposed Amendment	Purpose
		<p>provision of this Order, of any regulations made under this Order, of Part 21, 145 or M or of EU-OPS <u>EASA Ops</u>.</p> <p>(3) If paragraph (1) applies the CAA or that authorised person may direct the operator or the commander of the aircraft not to permit the aircraft to make the particular flight or any other flight of such description as may be specified in the direction, until the direction has been revoked by the CAA or by an authorised person.</p> <p>(4) If the CAA or an authorised person has directed under paragraph (3), the CAA or an authorised person may take such steps as are necessary to detain the aircraft.</p> <p>(5) For the purposes of this article the CAA or any authorised person may enter and inspect any aircraft.</p>	
43	Article 233	<p>233 — Power to prevent third-country aircraft taking off</p> <p>If it appears to an authorised person that a third-country aircraft:</p> <p>(a) has a safety deficiency and does not comply with international safety standards;</p> <p>(b) would obviously be hazardous to flight safety; and</p> <p>(c) is intended or is likely to be flown without completion by the operator of the appropriate corrective action,</p> <p>that authorised person must give to the person appearing to be in command of the aircraft a direction in writing not to permit the aircraft to take off until further notice and take such steps as may be necessary to detain that aircraft.</p>	<p><i>This is omitted as corresponding provisions are now included in Part-ARO, Subpart RAMP.</i></p>
44	Article 234	<p>234 — Notifying competent authority of the detention of a third-country aircraft</p> <p>If an authorised person detains a third-country aircraft that person must immediately inform the competent authority of the State of the operator of</p>	<p><i>This is omitted as corresponding provisions are now included in Part-ARO, Subpart RAMP.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
		the detention and, where necessary, of the State in which the aircraft is registered.	
45	Article 235	<p>235 Revocation of article 233 direction when validity of certificate of airworthiness affected</p> <p>If an aircraft has been prohibited from taking off pursuant to article 233 and:</p> <p>(a) the safety deficiency affects the validity of the certificate of airworthiness of the aircraft; and</p> <p>(b) the CAA has granted the operator of the aircraft an exemption from the requirement that the aircraft must have a valid certificate of airworthiness,</p> <p>an authorised person must not revoke a direction issued pursuant to article 233 without first being satisfied that the operator has obtained permission for the flight from all States over which it is intended to fly the aircraft.</p>	<i>This is omitted as corresponding provisions are now included in Part-ARO, Subpart RAMP.</i>
46	Article 233A	<p><u>233A Grounded aircraft not to fly</u></p> <p><i><u>An aircraft which has been grounded in accordance with paragraph ARO.RAMP.140 of Part-ARO must not be flown.</u></i></p>	
47	Article 239	<p>239 Obstruction of persons</p> <p>A person must not intentionally obstruct or impede any person who is exercising a power or performing a duty under this Order <u>or under an Implementing Rule made under the Basic EASA Regulation.</u></p>	<i>This provides that a person must not intentionally obstruct or impede the exercise of a power or performance of a duty whether under the ANO or under any EASA implementing rule.</i>
48	Article 241	<p>241 Offences and penalties</p> <p>(1) Subject to paragraph (2), if any provision of this Order, any regulations made under this Order, Part 21, Part 145, Part M₁ or EU-OPS <u>or EASA Ops</u> is contravened in relation to an aircraft, the</p>	<p><i>A simple replacement of references to EU-OPS with references to EASA Ops.</i></p> <p>Note: This Article is also amended in the</p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>operator of that aircraft and the commander and, in the case of a contravention of article 223, the charterer of that aircraft, is (without prejudice to the liability of any other person for that contravention) deemed for the purposes of the following provisions of this article to have contravened that provision.</p> <p>(2) A person will not be deemed to have contravened a provision specified in paragraph (1) if the person proves that the contravention occurred without that person's consent or connivance and that that person exercised all due diligence to prevent the contravention.</p> <p>(3) If it is proved that an act or omission of any person which would otherwise have been a contravention by that person of a provision of this Order, any regulations made under this Order, Part 21, Part 145, Part 147, Part M, or EU-OPS or EASA Ops was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission will be deemed not to be a contravention by that person of that provision.</p> <p>(4) If a person is charged with contravening a provision of this Order or any regulations made under this Order by reason of that person having been a member of the flight crew of an aircraft on a flight for the purpose of commercial air transport, public transport or aerial work, the flight is to be treated (without prejudice to the liability of any other person under this Order) as not having been for that purpose if the person proves that they neither knew nor suspected that the flight was for that purpose.</p> <p>(5) Any person who contravenes any provision specified in Part A of Schedule 13 is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.</p> <p>(6) Any person who contravenes any provision specified in Part B of Schedule 13 is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.</p>	<p>Consultation for Flight Crew Licensing.</p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(7) Any person who contravenes any provision specified in Part C of Schedule 13 is guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine or imprisonment for a term not exceeding two years or both.</p> <p>(8) Any person who contravenes any provision specified in Part D of Schedule 13 is guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine or imprisonment for a term not exceeding five years or both.</p>	
49	Article 246	<p>246 Competent authority</p> <p>(1) The CAA is the national aviation authority of the United Kingdom for the purposes of the Basic EASA Regulation.</p> <p>(2) The CAA is the competent authority of the United Kingdom for the purposes of:</p> <p>(a) the EASA Aircraft Certification Regulation; and</p> <p>(b) the EASA Continuing Airworthiness Regulation; <u>and</u></p> <p>(c) <u>the EASA Air Operations Regulation.</u></p> <p>(3) The CAA is the competent authority of the United Kingdom for the purposes of <u>Article 8.4 of the Technical Harmonisation Regulation and Subpart Q of EU-OPS.</u></p> <p>(4) The CAA is the national supervisory authority for the purposes of article 3 of the air traffic controller's directive.</p> <p>(5) The Secretary of State is the competent authority under article 15 of Council Directive 96/29/Euratom for the purposes of article 42 of the Directive^(a).</p> <p>(a) O.J. No. L 159, 29.6.1996, p.1.</p>	<p><i>The CAA is designated as the competent authority of the United Kingdom for the purposes of the EASA Air Operations Regulation. The CAA remains the competent authority of the United Kingdom for the purposes of Article 8.4 and Subpart Q of EU-OPS.</i></p> <p><i>Subpart RAMP of Part-ARO contains measures dealing with Ramp inspections. These measures will replace those set out in Council Directive 2004/36CE. The UK competent authority for the measures in the Directive is the Secretary of State though many of the tasks are to be carried out by the CAA, which is authorised for those purposes by the Secretary of State. The CAA will discuss with the Department for Transport who will be the appropriate competent authority for the various provisions of Subpart RAMP.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose
			Note: This Article is also amended in the Consultation for Flight Crew Licensing.
50	Article 255	<p>255 Interpretation</p> <p>(1) In this Order:</p> <p>...</p> <p>'Commercial air transport aeroplane <i>aircraft</i>' means an aeroplane <i>or helicopter</i> flying, or intended by the operator of the aeroplane to fly, for the purpose of commercial air transport;</p> <p>'Commercial air transport flight' means a flight which is required to be operated in accordance with EU-OPS and an aircraft flies for the purpose of commercial air transport if the flight is a commercial air transport flight;</p> <p><i>(a) 'Commercial air transport operation' means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration which is required to be conducted under and in accordance with Part-ORO and Part-CAT;</i></p> <p><i>(b) An aircraft flies for the purpose of commercial air transport if it flies on a commercial air transport operation;</i></p> <p>...</p> <p><i>'EASA Air Operations Regulation' means Commission Regulation (EC) No. XXX/2012 of [date] establishing the implementing rules for air operations of Community operators;</i></p> <p>...</p> <p><i>'EASA Ops' means the EASA Air Operations Regulation and its Annexes;</i></p> <p><i>'EASA Ops aircraft' means an aircraft operated by an EASA Ops</i></p>	<p>Note: This parts of the Article which are not being amended are not listed here.</p> <p>Note: This Article is also amended in the Consultation for Flight Crew Licensing.</p>

Item	ANO Reference	Proposed Amendment	Purpose
		<p><u>operator;</u></p> <p><u>'EASA Ops operator' means an operator who is required to operate under and in accordance with EASA Ops;</u></p> <p>...</p> <p>'EU-OPS aeroplane' means an aeroplane operated by an EU-OPS operator;</p> <p>'EU-OPS air operator certificate' means an air operator's certificate granted under EUOPS;</p> <p>'EU-OPS operator' means an operator who holds an EU-OPS air operator certificate;</p> <p>...</p> <p>'JAR-OPS 3' means the Joint Aviation Requirement of the JAA bearing that title including Amendment 3 adopted by the JAA on 1st April 2004 and the Corrigendum adopted by the JAA on 1st July 2004;</p> <p>...</p> <p><u>'Part-ARO' means Annex II so entitled to the EASA Air Operations Regulation;</u></p> <p><u>'Part-CAT' means Annex IV so entitled to the EASA Air Operations Regulation;</u></p> <p><u>'Part-CAT aircraft' means an aircraft operated by a Part-CAT operator;</u></p> <p><u>'Part-CAT air operator certificate' means an air operator certificate issued under Part-ARO authorising the holder to operate commercial air transport operations;</u></p> <p><u>'Part-CAT commercial air transport operation' means a commercial air transport operation which is required to be operated in accordance with Part-CAT;</u></p>	

Item	ANO Reference	Proposed Amendment	Purpose
		<p><u>'Part-CAT operator' means an operator who holds a Part-CAT air operator certificate;</u></p> <p>...</p> <p><u>'Part-ORO' means Annex III so entitled to the EASA Air Operations Regulation;</u></p> <p><u>'Part-SPA' means Annex V so entitled to the EASA Air Operations Regulation;</u></p> <p>...</p> <p>'Private flight' means a flight which is not an aerial work <u>flight</u>, <u>nor a</u> public transport or <u>nor a</u> commercial air transport <u>flight operation</u>;</p> <p>...</p>	
51	Article 257	<p>257 Meaning of operator</p> <p>(1) Subject to paragraph (2), references in this Order to the operator of an aircraft are, for the purposes of the application of any provision of this Order in relation to any particular aircraft, references to the person who at the relevant time has the management of that aircraft.</p> <p>(2) For the purposes of the application of any provision in Part 3 and Part 4, when by virtue of any charter or other agreement for the hire or loan of an aircraft a person other than the holder of a national air operator's certificate, the holder of an EU-OPS <u>Part-CAT</u> air operator certificate or an aerial work undertaking has the management of that aircraft for a period of not more than 14 days, paragraph (1) has effect as if that agreement had not been entered into.</p>	<i>A simple replacement of a reference to EU-OPS with a reference to Part-CAT.</i>
52	Article 260	<p>260 Meaning of public transport</p> <p>(1) For the purposes of this Order and subject to Part 34, an aircraft in flight is flying on a public transport flight if the conditions specified in paragraph (2) are met.</p>	<i>A replacement of a reference to a commercial air transport flight with a reference to a commercial air transport operation. A replacement of references to</i>

Item	ANO Reference	Proposed Amendment	Purpose
		<p>(2) The conditions referred to in paragraph (1) are:</p> <p>(a) the aircraft is not flying on a commercial air transport flight <u>operation</u>; and</p> <p>(b) that:</p> <p>(i) valuable consideration is given or promised for the carriage of passengers or cargo in the aircraft on that flight; or</p> <p>(ii) the flight is operated by the holder of a national air operator's certificate or an EU-OPS <u>Part-CAT</u> 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).</p> <p>(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 or EU-OPS <u>Part-CAT</u>.</p> <p>(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.</p>	<p><i>EU-OPS with references to Part-CAT.</i></p>
53	Article 261	<p>261 Application of Part</p> <p>Nothing in this Part applies to a commercial air transport flight <u>operation</u>.</p>	<p><i>A replacement of a reference to a commercial air transport flight with a reference to a commercial air transport operation.</i></p>

Item	ANO Reference	Proposed Amendment	Purpose	
54	Schedule 13, Part A, Section 3	Schedule 13 – Penalties Part A – Provisions Referred to in Article 241(5) Section 3	<p><i>The provisions of EU-OPS which were made into criminal offences have been replaced in a limited number of cases by the corresponding provisions of EASA Ops.</i></p> <p><i>It is considered that many of the requirements which were formerly criminal offences may be effectively enforced using other means.</i></p>	
		Provision of EU-OPS <u>EASA Ops</u>		Subject Matter
		4.037		Accident prevention and flight safety programme
		4.110		Use of Portable Electronic Devices
		4.125		Documents to be carried
		4.130		Manuals to be carried
		4.135(a)		Additional information and forms to be carried
		4.140		Information to be retained on the ground
		4.150		Production of documentation and records
		4.155		Preservation of documentation
		4.165(b) and (c)		Leasing requirements
		4.205		Competence of operations personnel
		4.220		Authorisation of aerodromes by operator
		4.230		Use of instrument departure and approach procedures

Item	ANO Reference	Proposed Amendment	Purpose	
		1.295	Selection of aerodromes	
		1.300	Submission of ATS flight plan	
		1.335 <u>CAT.OP.MPA.240</u>	Smoking on board	
		1.340 <u>CAT.OP.MPA.245</u>	Meteorological conditions	
		1.345(b) <u>CAT.OP.MPA.250(b)</u>	Commander not to take off unless external surfaces are clear	
		1.350 <u>CAT.OP.MPA.260</u>	Fuel and oil supply	
		1.355 <u>CAT.OP.MPA.265</u>	Take-off conditions	
		1.360	Commander to be satisfied as to take-off minima	
		1.385 <u>CAT.OP.MPA.285</u>	Use of supplemental oxygen	
		1.400 <u>CAT.OP.MPA.300</u>	Approach and landing conditions	
		1.405(a), (d) and (e) <u>CAT.OP.MPA.305(a), (b) and (e)</u>	Commencement and continuation of approach	
		1.415 <u>CAT.OP.MPA.415</u>	Requirement for journey log	
		<u>CAT.GEN.MPA.100(b) (1), (2) and (3)</u>	<u>Crew member's duty to report faults, incidents etc.</u>	
		1.420(b), (c) and (d)	Occurrence reporting	

Item	ANO Reference	Proposed Amendment	Purpose	
		1.440	Low visibility operations — general operating roles	
		1.445	Low visibility operations — aerodrome considerations	
		1.450	Low visibility operations — training and qualifications	
		1.455 <u>SPA.LVO.125(b)</u>	Low visibility operations – operating procedures	
		1.460 <u>SPA.LVO.130(b)</u>	Low visibility operations – minimum equipment	
		1.465	VFR operating minima	
		1.615	Mass values for crew	
		1.620	Mass values for passengers and baggage	
		1.985	Training records for flight crew	
		1.1035	Training records for cabin crew	
		1.1105	Maximum daily flight duty period	
		1.1110	Rest requirements	
		1.1135 <u>CAT.GEN.MPA.100(b)(4)</u>	Flight duty, duty and rest period records	

Item	ANO Reference	Proposed Amendment	Purpose	
55	Schedule 13, Part B, Section 3	Schedule 13 – Penalties Part B – Provisions Referred to in Article 241(6) Section 3	<p><i>The provisions of EU-OPS which were made into criminal offences have been replaced in a limited number of cases by the corresponding provisions of EASA Ops.</i></p> <p><i>It is considered that many of the requirements which were formerly criminal offences may be effectively enforced using other means.</i></p>	
		Provision of EU-OPS <u>EASA Ops</u>		Subject Matter
		1.030		Operator to establish and operate in accordance with minimum equipment list
		1.070		Carriage of sporting weapons and ammunition
		1.075		Carriage of person in part of aeroplane not designed for that purpose
		1.085(f) 7, 8, 10, and 12 <u>CAT.GEN.MPA.105(a)</u> <u>(7), (8), (10) and (12)</u>		Responsibilities of commander
		1.160 <u>CAT.GEN.MPA.195(a)</u> <u>to (e)</u>		Preservation, production and use of flight recorder recordings
		1.240		Operator's responsibilities in relation to routes and areas of operation
		1.241		Operation in airspace with reduced vertical separation minima
1.243	Operation in areas with specific navigation performance requirements			

Item	ANO Reference	Proposed Amendment	Purpose	
		1.245	Operation at distance from nearest aerodrome of two-engined aeroplane without ETOPS approval	
		1.246	Requirement for ETOPS approval	
		1.285	Requirement for passenger briefing	
		1.290(b) <u>CAT.OP.MPA.175(b)</u>	Flight preparation by commander	
		1.310(a)1 and 2 <u>CAT.OP.MPA.210(a)(1) and (2)</u>	Flight crew to remain at station	
		1.320	Crew and passengers to be secured	
		1.398	Use of airborne collision avoidance system	
		1.430	Aerodrome operating minima	
		1.470	Performance requirements	
		1.605	Requirements for loading, mass and balance and centre of gravity	
		1.625	Mass and balance documentation	
		1.630(a)	Instruments and equipment required for flight	
		1.845(a)	Communication and navigation equipment required for flight	

Item	ANO Reference	Proposed Amendment		Purpose
		1.875	Aeroplane maintenance requirements	
		1.940	Composition of flight crew	
		1.943	Crew resource management training	
		1.945	Conversion training and checking	
		1.950	Differences and familiarisation training	
		1.960	Commanders holding a Commercial Pilot Licence — operator's obligations	
		1.965	Training and checking crew	
		1.990	Number and composition of cabin crew	
		1.1040	Operations manual requirements	
		1.1100	Flight and duty limitations	
		1.1195	Requirements for acceptance of dangerous goods	
		1.1200(a)	Inspection for damage, leakage or contamination	
		1.1205(a)	Removal of contamination	
		1.1205(b)	Steps to be taken in the event of contamination	
		1.1210	Loading restrictions	

Item	ANO Reference	Proposed Amendment		Purpose
		1.1215	Provision of information	
		1.1220	Training requirements	
		1.1225 <u>CAT.MPA.GEN.200(e)</u>	Reporting of dangerous goods incidents and accidents	
		<u>SPA.PBN.100</u>	<u>Requirement for Performance Based Navigation approval</u>	
		<u>SPA.MNPS.100</u>	<u>Requirement for Minimum Navigation Performance Specification approval</u>	
		<u>SPA.RVSM.100</u>	<u>Requirement for Reduced Vertical Separation Minimum approval</u>	
		<u>SPA.LVO.100</u>	<u>Requirement for Low Visibility Operations approval</u>	
		<u>SPA.ETOPS.100</u>	<u>Requirement for Extended Range Operations approval</u>	
		<u>SPA.DG.100</u>	<u>Requirement for Dangerous Goods approval</u>	
		<u>SPA.NVIS.100</u>	<u>Requirement for Night Vision Imaging Systems approval</u>	
		<u>SPA.HHO.100</u>	<u>Requirement for Helicopter Hoist Operations approval</u>	

Item	ANO Reference	Proposed Amendment	Purpose	
56	Schedule 13, Part C, Section 1	Schedule 13 – Penalties Part C – Provisions Referred to in Article 241(7) Section 1	<i>Penalties associated with deleted and new articles have been amended.</i>	
		Article of Order		Subject Matter
		233		Flight by third country aircraft in contravention of direction not to fly
		<u>233A</u>		<u>Grounded aircraft not to fly</u>
57	Schedule 13, Part C, Section 3	Schedule 13 – Penalties Part C – Provisions Referred to in Article 241(7) Section 3	<i>The provisions of EU-OPS which were made into criminal offences have been replaced in a limited number of cases by the corresponding provisions of EASA Ops.</i> <i>It is considered that many of the requirements which were formerly criminal offences may be effectively enforced using other means.</i>	
		Provision of EU-OPS <u>EASA Ops</u>		Subject Matter
		1.065 <u>CAT.MPA.GEN.155</u>		Prohibition of carriage of weapons or munitions of war
		1.085(d) 4 and 5 <u>CAT.MPA.GEN.100(c)</u>		Crew member's obligation not to fly in dangerous state of fatigue
		1.390(a) 1 to 4		Protection of crew from cosmic radiation
		1.1090 paragraphs 1 to 3		Operator's obligations for flight and duty time limitations and rest scheme

Item	ANO Reference	Proposed Amendment		Purpose
		1.1090 paragraph 4.1	Crew member not to operate when fatigued or unfit	
		1.1145 <u>CAT.GEN.MPA.200</u>	Operator to comply with Technical Instructions	
		1.1155(a) <u>SPA.DG.100(a)</u>	Operator to hold approval to transport dangerous goods	
		1.1165	Operator not to carry dangerous goods forbidden for transport by air	
58	Schedule 13, Part C, Section 4	<p><u>Schedule 13 – Penalties</u> <u>Part C – Provisions Referred to in Article 241(7)</u> <u>Section 4</u></p>		This provision of EU-OPS remains in force.
<u>Provision of EU-OPS</u>		<u>Subject Matter</u>		
<u>1.1090 paragraphs 1 to 3</u>		<u>Operator's obligations for flight and duty time limitations and rest scheme</u>		
<u>1.1090 paragraph 4.1</u>		<u>Crew member not to operate when fatigued or unfit</u>		