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STATUTORY INSTRUMENTS

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**1995 No. 1038**

**The Air Navigation Order 1995**

**PART V**

**OPERATION OF AIRCRAFT**

**Use of flight recording systems and preservation of records**

**45.**—(1) On any flight on which a flight data recorder or a cockpit voice recorder or a combined cockpit voice recorder/flight data recorder is required by sub-paragraph 4(4), (5), (6) or (7) of Schedule 4 to this Order to be carried in an aeroplane, it shall always be in use from the beginning of the take-off run to the end of the landing run.

(2) The operator of the aeroplane shall at all times, subject to the provisions of article 70 of this Order, preserve:

- (a) the last 25 hours of recording made by any flight data recorder required by or under this Order to be carried in an aeroplane; and
- (b) a record of not less than one representative flight, that is to say, a recording of a flight made within the last 12 months which includes a take-off, climb, cruise, descent, approach to landing and landing, together with a means of identifying the record with the flight to which it relates;

and shall preserve such records for such period as the Authority may in a particular case direct.

(3) On any flight on which a cockpit voice recorder or a flight data recorder or a combined cockpit voice recorder/flight data recorder is required by paragraph 4(14) of Schedule 4 to this Order to be carried in a helicopter, it shall always be in use from the time the rotors first turn for the purpose of taking off until the rotors are next stopped.

(4) The operator of the helicopter shall at all times, subject to article 70 of this Order, preserve:

- (a) the last 8 hours of recording made by any flight data recorder specified at sub-paragraph (i) or (ii) of Scale SS of paragraph 5 of Schedule 4 to this Order and required by or under this Order to be carried in the helicopter;
- (b) in the case of a combined cockpit voice recorder/flight data recorder specified at sub-paragraph (iii) of the said Scale SS and required by or under this Order to be carried in a helicopter either:
  - (i) the last 8 hours of recording; or
  - (ii) the last 5 hours of recording or the duration of the last flight, whichever is the greater, together with an additional period of recording for either:
    - (aa) the period immediately preceding the last five hours of recording or the duration of the last flight, whichever is the greater; or
    - (bb) such period or periods as the Authority may permit in any particular case or class of cases or generally.

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(5) The additional recording retained pursuant to sub-paragraphs (b)(ii)(aa) and (bb) above shall, together with the recording required to be retained pursuant to sub-paragraph (b)(ii) above, total a period of 8 hours and shall be retained in accordance with arrangements approved by the Authority.

(6) An approval granted by the Authority for the purposes of this article shall be in writing and may be subject to such conditions as the Authority thinks fit.