

## SCHEDULE 3

### A AND B CONDITIONS AND CATEGORIES OF CERTIFICATE OF AIRWORTHINESS

#### PART A

##### A and B Conditions

###### **A Conditions**

1.—(1) A non-EASA aircraft registered in the United Kingdom may fly for a purpose set out in paragraph (2) subject to the conditions contained in paragraphs (3) to (8) when either:

- (a) it does not have a certificate of airworthiness duly issued or rendered valid under the law of the United Kingdom; or
- (b) the certificate of airworthiness or certificate of validation issued in respect of the aircraft has ceased to be in force by virtue of any of the matters specified in article 10.

(2) The purposes referred to in paragraph (1) are—

- (a) in the case of an aircraft falling within paragraph (1)(a) the aircraft shall fly only so as to enable it to—
  - (i) qualify for the issue, renewal or validation of a certificate of airworthiness after an application has been made for such issue, renewal or validation as the case may be, or carry out a functional check of a previously approved modification of the aircraft (and for the purpose of this Schedule “a previously approved modification” shall mean a modification which has previously been approved by the CAA or by an organisation approved for that purpose by the CAA in respect of that aircraft or another aircraft of the same type);
  - (ii) proceed to or from a place at which any inspection, repair, modification, maintenance, approval, test or weighing of, or the installation of equipment in, the aircraft is to take place or has taken place for a purpose referred to in subparagraph (i), after any relevant application has been made, or at which the installation of furnishings in, or the painting of, the aircraft is to be undertaken; or
  - (iii) proceed to or from a place at which the aircraft is to be or has been stored.
- (b) in the case of an aircraft falling within paragraph (1)(b), the aircraft shall fly only so as to enable it to—
  - (i) proceed to a place at which any inspection or maintenance required by virtue of article 10(b)(ii) is to take place; or
  - (ii) proceed to a place at which any inspection, maintenance or modification required by virtue of article 10(b)(i) or (c) is to take place and in respect of which flight the CAA has given permission in writing; or
  - (iii) carry out a functional check, test or in-flight adjustment in connection with the carrying out in a manner approved by the CAA of any overhaul, repair, previously approved modification, inspection or maintenance required by virtue of article 10.

(3) The aircraft, including any modifications, shall be of a design which previously has been approved by the CAA, or by an organisation approved for that purpose by the CAA, as being compliant with a standard accepted by the CAA as appropriate for the issue of a national certificate of airworthiness.

(4) The aircraft and its engines shall be certified as fit for flight by the holder of an aircraft maintenance engineer’s licence granted under this Order, being a licence which entitles him to issue

**Status:** This is the original version (as it was originally made).

that certificate or by a person approved by the CAA for the purpose of issuing certificates under this condition, and in accordance with that approval.

(5) The aircraft shall carry the minimum flight crew specified in any certificate of airworthiness or validation or flight manual which has previously been in force under the Order in respect of the aircraft, or is or has previously been in force in respect of any other aircraft of identical design.

(6) The aircraft shall not carry any persons or cargo except persons performing duties in the aircraft in connection with the flight or persons who are carried in the aircraft to perform duties in connection with a purpose referred to in paragraph (2).

(7) The aircraft shall not fly over any congested area of a city, town or settlement except to the extent that it is necessary to do so in order to take off or land.