



Miscellaneous

No: 1524

Air Navigation Order 2016

Publication date: 21 January 2022

UK Regulation (EU) No. 785/2004

General Exemption E 5628

Exemption for Certain French Registered Aircraft not possessing ICAO Compliant Certificates of Airworthiness

Background

- 1) This exemption is issued to facilitate over-flight and visits to the UK by any French registered aircraft coming within the definitions of paragraph 5 that do not hold ICAO compliant Certificates of Airworthiness, from the requirements of Article 33 of the Air Navigation Order 2016 (as amended), subject to the conditions specified in paragraph 6.

Interpretation

- 2) In this exemption, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced as "UK Regulation (EU) No. year/number" or "UK Regulation (EU) No. number/year".
- 3) The Air Navigation Order 2016 (as amended) is referred to as 'the Order'.

Exemption

- 4) The Civil Aviation Authority ('the CAA'), pursuant to Article 266 of the Order, exempts subject to paragraph 6, any French registered aircraft coming within the definitions of paragraph 5, from the requirements of Article 33 of the said Order.
- 5) This exemption applies to civil aircraft in the following categories:
 - a) Factory built microlight aeroplanes classified and operating under the ULM category in France¹;
 - b) Historic aircraft, as defined by the French DGAC, of civil design² and possessing a CNRAC airworthiness certificate; and
 - c) Civil aircraft classified and operating under a CDNR airworthiness certificate in France.
- 6) This exemption is subject to the following conditions:

¹ e.g. an aircraft complying with the definition of Article 2 of the French Order of 23rd September 1998 as modified, relating to microlights (excluding gyroplanes).

² Civil design means an aircraft designed and certified against civil design codes, although historic aircraft may not have been issued with a civil type certificate at the time of manufacture. This can include civil types used in military service, e.g. the DH Chipmunk.

- a) The aircraft must be flown under and in accordance with a valid airworthiness certificate (e.g. CDNR, CNRAC), Permit to Fly or equivalent document, e.g. Carte d'Identification (ULM) for the aircraft, issued by the French Direction Generale de L'aviation Civile (DGAC).
 - b) The aircraft must not be flown for the purpose of public transport or aerial work.
 - c) The aircraft must be flown by day only and in accordance with the Visual Flight Rules.
 - d) The aircraft must not remain in the United Kingdom pursuant to this exemption for a period of more than 28 days in any one visit, without the prior permission of the CAA.
 - e) The owner of the aircraft must ensure that the documents specified in Schedule 1 to this exemption are valid and available for inspection by the CAA on demand when the aircraft is in the UK.
 - f) The aircraft must be registered in France and display the relevant markings assigned by France as the State of Registry, e.g. F-xxxx. In the case of the French ULM category, sub-ICAO aircraft registered under provincial rules; the CAA has agreed with DGAC-F to recognise the use of provincial registrations e.g. 21-xx.
 - g) The aircraft should have minimum levels of insurance as required by UK Regulation (EU) No. 785/2004.
- 7) This exemption supersedes Official Record Series 4 No. 910, which is revoked.

Date in Force

- 8) This exemption has effect from the date it is signed until revoked.

MD Shortman
for the Civil Aviation Authority

Schedule 1

Documents to be made available for inspection by the CAA

Whenever a foreign registered non-ICAO compliant aircraft is visiting the UK under the terms of this exemption, the owner of the aircraft shall ensure that the documents specified as set out below, are valid and available for inspection by the CAA on demand:

- A valid registration document from the ECAC Member State or, if appropriate, the Provincial authority for French ULM aircraft;
- A valid airworthiness certificate issued by the State of Registry (e.g. CDNR, CNRAC), Permit to Fly or equivalent document, e.g. Carte d'Identification (ULM) or Flight Permit for the aircraft;
- A valid insurance certificate or document as appropriate that meets the requirements of UK Regulation (EU) No. 785/2004, where necessary; and
- A valid radio station licence, if appropriate.