1956 No. 1578

The Air Navigation (Fourth Amendment) Order, 1956

Made - - - -	*9th October*, 1956
Laid before Parliament	*15th October*, 1956
Coming into Operation	
(*a*) *for making regulations* - -	*16th October*, 1956
(*b*) *for all other purposes* - -	*1st January*, 1957

At the Court at Buckingham Palace, the 9th day of October, 1956

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections eight, fifty-seven and fifty-nine of the Civil Aviation Act, 1949(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and Operation

1. This Order may be cited as the Air Navigation (Fourth Amendment) Order, 1956, and shall come into operation—

(*a*) on the sixteenth day of October, 1956, for the purpose of enabling the Minister to make regulations, and

(*b*) on the first day of January, 1957, for all other purposes.

Interpretation

2.—(1) In this Order, "the Order" means the Air Navigation Order, 1954(b), as amended by the Air Navigation (Amendment) Order, 1956(c), the Air Navigation (Second Amendment) Order, 1956(d), and the Air Navigation (Third Amendment) Order, 1956(e).

(2) The Interpretation Act, 1889(f), applies for the purposes of the interpretation of this Order as it applies for the purposes of the interpretation of an Act of Parliament.

3. Schedule II to the Order shall be amended in accordance with the provisions set out in the Schedule to this Order.

W. G. Agnew.

THE SCHEDULE

AMENDMENT OF SCHEDULE II TO THE ORDER

For Rule 15 there shall be substituted the following Rule:—

"*Low Flying*

15.—(1) Subject to the provisions of paragraphs (2) and (3) of this Rule:—

(*a*) An aircraft other than a helicopter shall not fly over any congested area of a city, town or settlement below—

(i) such height as would enable the aircraft to alight clear of the area and without danger to persons or property on the surface, in the event of failure of a power unit, or

(a) 12, 13 & 14 Geo. 6. c. 67.
(b) S.I. 1954/829 (1954 I, p. 259).
(c) S.I. 1956/82 (p. 458 above).
(d) S.I. 1956/421 (p. 460 above).
(e) S.I. 1956/1212 (p. 461 above).
(f) 52 & 53 Vict. c. 63.

(ii) a height of 1,500 feet above the highest fixed object within 2,000 feet of the aircraft,

whichever is the higher.

(*b*) A helicopter shall not fly below such height as would enable it to alight without danger to persons or property on the surface, in the event of failure of a power unit.

(*c*) Except with the permission in writing of the Minister and in accordance with any conditions or limitations therein specified a helicopter shall not fly—

(i) over a congested area of a city, town or settlement below a height of 1,500 feet above the highest fixed object within 2,000 feet of the helicopter;

(ii) over an area prescribed for the purposes of this paragraph below such height as would enable it to alight clear of the area in the event of failure of a power unit.

(*d*) An aircraft shall not fly over, or within 1,000 yards of, any assembly in the open air of more than 1,000 persons assembled for the purpose of witnessing or participating in any organised event, except with the permission in writing of the Minister and in accordance with any conditions or limitations therein specified and the consent in writing of the organisers of the event nor, even with such consent, below such height as would enable it to alight clear of the assembly in the event of failure of a power unit:

Provided that where a person is charged with an offence under this Order by reason of a contravention of this paragraph, it shall be a good defence to prove that the flight of the aircraft over, or within 1,000 yards of, the assembly was made at a reasonable height and for a reason not connected with the assembly or with the event which was the occasion for the assembly.

(*e*) An aircraft shall not fly closer than 500 feet to any person, vessel, vehicle or structure.

(2) (*a*) Paragraphs (1) (*d*) and (*e*) of this Rule shall not apply to an aircraft in the service of the police authority for any area of the United Kingdom.

(*b*) Paragraphs (1) (*d*) and (*e*) of this Rule shall not apply to the flight of an aircraft over or within 1,000 yards of an assembly of persons gathered for the purpose of witnessing an event which consists wholly or principally of an aircraft race or contest or exhibition of flying, if the aircraft is taking part in such race, contest or exhibition or is engaged in a flight arranged by, or made with the consent in writing of, the organisers of the event.

(*c*) Paragraph (1) (*e*) of this Rule shall not apply to:—

(i) any aircraft while it is engaged in sowing any seed or in dusting or spraying the surface of the land or water or anything growing thereon;

(ii) any aircraft while it is landing or taking off in accordance with normal aviation practice.

(3) Nothing in this Rule shall prohibit any aircraft from—

(*a*) taking off, landing or practising approaches to landing, or

(*b*) flying for the purpose of checking navigational aids or procedures

in accordance with normal aviation practice at a Government or licensed aerodrome in the United Kingdom or at any aerodrome in any other State, or

(*c*) flying in such a manner as may be necessary for the purpose of saving life:

Provided that in the case of practising approaches to landing as aforesaid such practising is confined to the airspace customarily used by aircraft when landing or taking off in accordance with normal aviation practice at the aerodrome concerned."

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order substitutes for the existing Rule of the Air dealing with minimum safe altitudes in Schedule II to the Air Navigation Order, 1954, a new Rule which inter alia increases the minimum height at which aircraft may fly over a congested area of a city, town or settlement, and contains new provisions applicable to helicopters. The new Rule will come into operation on 1st January, 1957.

1956 No. 126

The Air Navigation (General) (Amendment) Regulations, 1956

Made - - - -	*3rd February,* 1956
Coming into Operation	*4th February,* 1956

The Minister of Transport and Civil Aviation, in exercise of the powers conferred upon him by the Air Navigation Order, 1954(**a**), as amended by the Air Navigation (Amendment) Order, 1956(**b**), hereby makes the following Regulations :—

Citation and Operation

1. These Regulations may be cited as the Air Navigation (General) (Amendment) Regulations, 1956, and shall come into operation on the fourth day of February, 1956.

Interpretation

2.—(1) In these Regulations, " the Order " means the Air Navigation Order, 1954, as amended by the Air Navigation (Amendment) Order, 1956 and " the Regulations " means the Air Navigation (General) Regulations, 1954(**c**) ;

(2) The Interpretation Act, 1889(**d**) applies for the purposes of the interpretation of these Regulations as it applies for the purposes of the interpretation of an Act of Parliament.

3. The Regulations shall be amended in accordance with the following provisions of this Regulation, that is to say :—

(1) In the definition of " Night " in Regulation 3 the words " except as specified below " shall be omitted and the third paragraph is revoked ;

(2) In Regulation 12 :—

(i) for the words from " the conditions subject to which " to " in force in respect thereof " inclusive there shall be substituted the following words—

" which relate respectively to the flying within the United Kingdom of unregistered aircraft and to the flying within the United Kingdom of aircraft without a certificate of airworthiness being in force in respect thereof, the prescribed conditions "

(**a**) S.I. 1954/829 (1954 I, p. 259).
(**b**) S.I. 1956/82 (p. 458 above).
(**c**) S.I. 1954/925 (1954 I, p. 356).
(**d**) 52 & 53 Vict. c. 63.