STATUTORY INSTRUMENTS

1969 No. 1082

CIVIL AVIATION

The Air Navigation (Fourth Amendment) Order 1969

Made - - -	31*st July* 1969
Laid before Parliament	6*th August* 1969
Coming into Operation	1*st September* 1969

At the Court at Arundel Park, the 31st day of July 1969
Present,
The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 8, 57 and 59 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 1969 and shall come into operation on 1st September 1969.

Interpretation

2.—(1) In this Order, "the Principal Order" means the Air Navigation Order 1966(**b**), as amended (**c**).

(2) The Interpretation Act 1889(**d**) applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

Amendment of Air Navigation Order 1966

3. The Principal Order shall be further amended as follows:

(1) In Article 2(7), immediately after "(*e*)" there shall be inserted "(i)" and for "(*f*)" there shall be substituted "(ii)";

(2) In Article 16(1)(*b*) "by the Postmaster General" shall be deleted;

(3) In Article 17(7):

(*a*) For the first sentence in sub-paragraph (*a*) there shall be substituted the following:

"(7) On the basis of the medical examination referred to in paragraph (6) of this Article, the Board or any person approved by them as competent to do so may issue a medical certificate subject

(**a**) 1949 c.67. (**b**) S.I. 1966/1184 (1966 III, p.3073).
(**c**) S.I. 1966/1408; 1967/1678; 1968/1857 (1966 III, p.3769; 1967 III, p.4592; 1968 III, p.4883).
(**d**) 1889 c.63.

to such conditions as they think fit to the effect that they have assessed the holder of the licence as fit to perform the functions to which the licence relates."

(*b*) Sub-paragraph (*b*) shall be deleted.

(4) In Article 26(1), for "An aircraft" there shall be substituted "A public transport aircraft", and "for the purpose of public transport" shall be deleted ;

(5) The following shall be added at the end of Article 26(1):

"The aircraft shall not fly in or over the United Kingdom unless the operator shall have made such amendments of or additions to the weather conditions so specified and any instructions so given as the Board may require for the purpose of ensuring the safety of the aircraft or the safety, efficiency or regularity of air navigation." ;

(6) The following shall be added as paragraphs (3) and (4) of Article 26:

"(3) Without prejudice to the provisions of paragraph (2) of this Article a public transport aircraft registered in a country other than the United Kingdom shall not commence or continue an approach to landing at any aerodrome in the United Kingdom if the runway visual range at that aerodrome is at the time less than the relevant minimum for landing established in accordance with paragraph (1) of this Article.

(4) For the purposes of this Article "runway visual range" in relation to a runway or landing strip means the maximum distance in the direction of landing at which the runway or landing strip or the markers or lights delineating it can be seen from a point 15 feet above its centre line ; and if that distance has been communicated to the commander of the aircraft by or on behalf of the person in charge of the aerodrome as being the runway visual range, the distance so communicated shall be taken to be the runway visual range for the time being." ;

(7) In Article 83(1), for the definition of "aerodrome" there shall be substituted the following:

"aerodrome" means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically, but shall not include any area the use of which for affording facilities for the landing and departure of aircraft has been abandoned and has not been resumed ;".

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Air Navigation Order 1966, as previously amended.

In addition to some minor and drafting amendments the following changes are made in the Articles mentioned below:

(1) The reference to the Postmaster General is deleted (Article 16(1)(*b*)).

(2) When a medical certificate is issued abroad in respect of an applicant for or holder of a flight crew licence the counter-signature of a person approved by the Board is no longer required (Article 17(7)).

(3) The weather minima for use of aerodromes in the United Kingdom by a public transport aircraft registered elsewhere than in the United Kingdom must now be amended as the Board of Trade may require (Article 26(1)). An approach to landing by such an aircraft at an aerodrome in the United Kingdom must not be commenced or continued if the runway visual range falls below that specified by the operator (Article 26(3)). Hitherto these requirements have applied only to aircraft registered in the United Kingdom.

(4) The definition of "aerodrome" is altered to take account of that in section 28(3) of the Civil Aviation Act 1968 (c.61).