STATUTORY INSTRUMENTS

1965 No. 1754

CIVIL AVIATION

The Air Navigation (General) (Fifth Amendment) Regulations 1965

Made - - - - *27th September* 1965
Coming into Operation *1st October* 1965

The Minister of Aviation in exercise of the powers conferred upon him by Articles 10, 22 and 56 of the Air Navigation Order 1960(a), as amended(b), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Air Navigation (General) (Fifth Amendment) Regulations 1965 and shall come into operation on 1st October 1965.

2. The Interpretation Act 1889(c) applies for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

3. The Air Navigation (General) Regulations 1960(d), as amended(e), shall be further amended as follows:—

Regulation 10C shall be omitted and the following shall be substituted therefor:—

"*Aeroplanes flying for the purpose of public transport of passengers—aerodrome facilities for approach to landing and landing*

10C.—(1) This Regulation shall apply to every aeroplane registered in the United Kingdom engaging on a flight for the purpose of the public transport of passengers on a scheduled journey and to every aeroplane so registered whose maximum total weight authorised exceeds 12,500 lb. engaging on such a flight otherwise than on a scheduled journey.

(2) For the purposes of Article 22(1)(*c*) of the Order, the following manning and equipment are prescribed in relation to aerodromes intended to be used for landing or as an alternate aerodrome by aircraft to which this regulation applies:—

(*a*) air traffic control service, including the reporting to aircraft of the current meteorological conditions at the aerodrome;

(*b*) very high frequency radio-telephony;

(*c*) at least one of the following radio navigation aids, either at the aerodrome or elsewhere, and in either case for the purpose of assisting the pilot in locating the aerodrome and in making an approach to landing there:—

(i) radio-direction finding apparatus utilising emissions in the very high frequency band;

(ii) a non-directional radio beacon transmitting signals in the low or medium frequency bands;

(iii) very high frequency omni-directional radio range;

(iv) radio navigation land stations forming part of the Decca radio navigation system;

(v) radar equipment.

(a) S.I. 1960/972 (1960 I, p 599). (b) The relevant amendments are S.I. 1964/55, 1965/126 (1964 I. p. 80; 1965 I, p. 241). (c) 52 & 53 Vict. c. 63. (d) S.I. 1960/1069 (1960 I, p. 691). (e) The relevant amendments are S.I. 1964/330, 1965/1355 (1964 I, p. 536; 1965 II, p. 3859).

It shall be sufficient if the equipment specified in sub-paragraph (*c*) is provided, even if for the time being it is not in operation.

(3) An aircraft to which this Regulation applies shall not land or make an approach to landing at any aerodrome unless services and equipment according with paragraph (2) of this Regulation are provided and are in operation at that aerodrome, and can be made use of by that aircraft; and, in the case of the navigation aids specified in sub-paragraph (*c*), items (i) to (iv), instructions and procedures for the use of the aid are included in the operations manual. A person shall be deemed not to have contravened the provisions of this paragraph if he proves that—

(*a*) for the time being use could not be made of the radio navigation aids provided under paragraph 2(*c*) whether by reason of those aids not being in operation or of the unserviceability of apparatus in the aircraft itself, and

(*b*) the approach to landing was made in accordance with instructions and procedures appropriate to that circumstance and included in the operations manual.

(4) An aircraft to which this Regulation applies shall, without prejudice to the requirements of Regulation 10B, be equipped with the apparatus necessary to enable use to be made of at least one of the navigation aids specified in paragraph 2(*c*) of this Regulation and in use for landing at the aerodrome, and in particular the equipment for use with the radio navigation land stations referred to in paragraph 2(*c*)(iv) of this Regulation shall include a flight log designed to operate with that equipment and to display on a chart to the pilot at the controls of the aeroplane a continuous and instantaneous pictorial plot of the path of the aircraft. Nothing in this paragraph shall require the duplication of any equipment carried in pursuance of any other provision of the Order or of any regulation made thereunder."

J. H. Riddoch,

An Under Secretary of the Ministry of Aviation.

27th September 1965.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Article 22(1)(*c*) of the Air Navigation Order 1960, as amended, prohibits the operator of an aircraft registered in the United Kingdom from permitting the aircraft to fly for the purpose of public transport without first satisfying himself (among other things) that aerodromes to be used are adequately manned and equipped, including such manning and equipment as may be prescribed. These Regulations replace Regulation 10C of the Air Navigation (General) Regulations 1960 as amended, and prescribe the manning and equipment for this purpose in relation to aeroplanes engaging in the public transport of passengers on scheduled journeys, and to aeroplanes over 12,500 lb. maximum total weight authorised engaging in such transport on non-scheduled journeys. Landing is prohibited unless prescribed equipment is provided and can be made use of at the aerodrome, and instructions for its use are included in the operations manual. The aircraft is required to be provided with apparatus to enable it to make use of the equipment.