STATUTORY INSTRUMENTS

1970 No. 1995

CIVIL AVIATION

The Air Navigation (General) (Second Amendment) Regulations 1970

Made - - - 18*th December* 1970

Coming into Operation 1*st April* 1971

The Secretary of State, in exercise of his powers under Article 27(1) of the Air Navigation Order 1970(**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) (Second Amendment) Regulations 1970 and shall come into operation on 1st April 1971.

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 1970(**d**), as amended (**e**), shall be further amended as follows:

(1) In the definition of "specified" in Regulation 6(3), for sub-paragraph (*b*) there shall be substituted:

"(*b*) the flight manual or performance schedule included in that certificate, or other document, whatever its title, incorporated by reference in that certificate;";

(2) The following Regulation shall be inserted after Regulation 9 as Regulation 9A—

"Weight and Performance of Public Transport Aeroplanes classified as Aeroplanes of Performance Group E in their Certificate of Airworthiness

9A.—(1) With reference to Article 27(1) of the Order an aeroplane registered in the United Kingdom in respect of which there is in force under the Order a certificate of airworthiness in which the aeroplane is designated as being of performance group E shall not fly for the purpose of public transport (except for the sole purpose of training persons to perform duties in aircraft) unless the weight of the aeroplane at the commencement of the take-off run is such that the following conditions are satisfied:

(*a*) That weight for the altitude and the air temperature at the aerodrome at which the take-off is to be made does not exceed the maximum take-off weight specified as being appropriate to:

(**a**) S.I. 1970/954 (1970 II, p. 2964).
(**b**) There is no relevant amending instrument.
(**c**) 1889 c. 63.
(**d**) S.I. 1970/1081 (1970 II, p. 3344).
(**e**) There is no relevant amending instrument.

(i) the weight at which the aeroplane is capable in the en route configuration and with all power units operating within the specified maximum continuous power conditions, of a rate of climb of 700 feet per minute if it has retractable landing gear and of 500 feet per minute if it has fixed landing gear, and

(ii) the weight at which the aeroplane is capable in the en route configuration and if it is necessary for it to be flown solely by reference to instruments for any period before reaching the minimum altitude for safe flight on the first stage of the route to be flown, stated in, or calculated from the information contained in, the operations manual relating to the aeroplane and, with one power unit inoperative, of a rate of climb of 150 feet per minute.

(*b*) The distance required by the aeroplane to attain a height of 50 feet, with all power units operating within the maximum take-off power conditions specified, when multiplied by a factor of 1·33 does not exceed the emergency distance available at the aerodrome at which the take-off is to be made. The distance required by the aeroplane to attain a height of 50 feet shall be that appropriate to :

(i) the weight of the aeroplane at the commencement of the take-off run ;

(ii) the altitude at the aerodrome ;

(iii) the air temperature at the aerodrome ;

(iv) not more than 50 per cent of the reported wind component opposite to the direction of take-off or not less than 150 per cent of the reported wind component in the direction of take-off.

(*c*) The aeroplane will, in the meteorological conditions expected for the flight, in the event of any one power unit becoming inoperative at any point on its route or on any planned diversion therefrom, and with the other power unit or power units, if any, operating within the specified maximum continuous power conditions, be capable of continuing the flight at altitudes not less than the relevant minimum altitudes for safe flight stated in, or calculated from the information contained in, the operations manual to a point 1,000 feet above a place at which a safe landing can be made:

Provided that in assessing the ability of the aeroplane to satisfy this condition it shall not be assumed to be capable of flying at any point on its route or on any planned diversion therefrom at an altitude exceeding that at which it is capable of a rate of climb with all power units operating within the maximum continuous power conditions specified of 150 feet per minute and if it is necessary for it to be flown solely by reference to instruments, be capable, with one power unit inoperative, of a rate of climb of 100 feet per minute.

(*d*) The landing weight of the aeroplane for the altitude and the expected air temperature for the estimated time of landing at the aerodrome at which it is intended to land and at any alternate aerodrome will not exceed the maximum landing weight specified :

(i) at which the aeroplane is capable, in the en route configuration and with all power units operating within the specified maximum continuous power conditions, of a rate of climb of 700 feet per minute if it has retractable landing gear and of 500 feet per minute if it has fixed landing gear, and

(ii) at which the aeroplane is capable in the en route configuration and if it is necessary for it to be flown solely by reference to instruments for any period after leaving the minimum altitude for safe flight on the last stage of the route to be flown, stated in, or calculated from the information contained in the operations manual relating to the aeroplane, and with one power unit inoperative, of a rate of climb of 150 feet per minute.

(*e*) The landing distance required does not, at the aerodrome at which it is intended to land and at any alternate aerodrome, exceed 70 per cent of the landing distance available on the most suitable runway for a landing in still air conditions, and for the purposes of this sub-paragraph the distance required to land from a height of 50 feet shall be taken to be that specified as being appropriate to :

(i) the landing weight ;

(ii) the altitude at the aerodrome ;

(iii) the temperature in the specified international standard atmosphere appropriate to the altitude at the aerodrome.

(2) An aeroplane designated as aforesaid as an aeroplane of performance group E shall not fly for the purpose of public transport (except for the sole purpose of training persons to perform duties in aircraft) at night or when the cloud ceiling or visibility prevailing at the aerodrome of departure and forecast for the estimated time of landing at the aerodrome at which it is intended to land and at any alternate aerodrome are less than 1,000 feet and one nautical mile respectively :

Provided that the foregoing prohibition shall not apply if the aeroplane is capable in the en route configuration and with one power unit inoperative, of a rate of climb of 150 feet per minute.".

Robert Burns,
A Deputy Secretary,
Department of Trade and Industry.

18th December 1970.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Air Navigation (General) Regulations 1970, as previously amended :

(1) The assessment of the ability of an aeroplane to comply with the weight and performance requirements of the Regulations is based on the information in either the certificate of airworthiness or in the flight manual or performance schedule. Now, in addition, that information may be set out in any other document referred to in the certificate of airworthiness (Regulation 6(3)).

(2) New requirements relating to weight and performance are introduced for aeroplanes not exceeding 6,000 lb. when they fly, or are intended by the operator of the aircraft to fly, for the purpose of public transport (Regulation 9A).

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