4. In paragraph (1) of Regulation 27 of the said Regulations for sub-paragraphs (*a*) and (*b*) there shall be substituted the following sub-paragraphs:—

"(*a*) Knowledge of the elementary principles of radiotelephony;

(*b*) Detailed knowledge of the practical operation and adjustment of radiotelephone apparatus;"

5. In sub-paragraph (i) of paragraph (3) of Regulation 35 of the said Regulations the word "approved" before the words "manual radiotelegraphy operating experience" shall be omitted and after those words there shall be inserted the words "of a kind approved by the Minister".

6. In paragraph (*d*) of Regulation 38 of the said Regulations after the words "practical experience" there shall be inserted the words "of a kind approved by the Minister".

7. In Regulation 42 of the said Regulations for the words "special radiocommunication or with respect to" there shall be substituted the words "respect of special radiocommunication apparatus or".

8.—(1) These Regulations may be cited as the Air Navigation (Radio) (Amendment) Regulations, 1951.

(2) These Regulations shall come into operation on the first day of September, 1951.

Signed by order of the Minister of Civil Aviation this 16th day of July, 1951.

A. E. Overton,
Secretary to the Ministry of Civil Aviation.

The Colonial Air Navigation (Amendment) Order, 1951

1951 No. 1776

Made - - - -	*4th October*, 1951
Laid before Parliament	*4th October*, 1951
Coming into Operation	*1st January*, 1952

At the Court of Saint James, the 4th day of October, 1951

Present,

Her Majesty The Queen
Lord Chancellor
Lord President

Her Royal Highness The Princess Elizabeth
Mr. Secretary Ede
Sir Alan Lascelles

Whereas His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by Letters Patent dated the Twenty-seventh day of September, 1951, to delegate and grant unto Her Majesty The Queen, Her Royal Highness The Princess Elizabeth Duchess of Edinburgh, Lady of the Most Noble

Order of the Garter, C.I., Her Royal Highness The Princess Margaret, C.I., His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., and Her Royal Highness The Princess Royal, C.I., G.C.V.O., G.B.E., or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's illness to summon and hold on His Majesty's behalf His Privy Council and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required:

And Whereas His Majesty was pleased to make the Colonial Air Navigation Order, 1949(**a**), which Order, as amended by the Colonial Air Navigation (Amendment) Order, 1950(**b**), is hereinafter referred to as "the principal Order":

And Whereas it is expedient to amend the principal Order:

Now, therefore, Her Majesty The Queen and Her Royal Highness The Princess Elizabeth, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by the Colonial Air Navigation (Application of Acts) Orders 1937(**c**) to 1947(**d**), as continued in force by Section 70 of the Civil Aviation Act, 1949(**e**), and of all other powers in that behalf, do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf order, and it is hereby ordered, as follows:—

1. The principal Order shall be amended in accordance with the following provisions:—

(1) In paragraph (3) of Article 11—

(*a*) in sub-paragraph (*a*) after the words "flight manual" there shall be inserted the words "or performance schedule relating thereto" and the words "with the certificate" shall be omitted:

(*b*) in sub-paragraphs (*b*), (*c*), (*d*) and (*e*) after the words "flight manual" there shall be inserted the words "or performance schedule":

(*c*) in sub-paragraph (*e*) for the words "with which it is issued" there shall be substituted the words "to which it relates".

(2) In paragraph (3) of Article 13 the existing provision shall form the subject of a sub-paragraph lettered "(*a*)" and there shall be added the following sub-paragraph:—

"(*b*) For the purpose of satisfying himself that requirements prescribed pursuant to sub-paragraph (*a*) of this paragraph are complied with the Governor may, if he thinks fit, as regards all or any of such requirements accept reports or certificates furnished to him by any person or firm whom he may approve as qualified to furnish such reports or certificates, for which purpose the organisation or the organisations, if more than one, of any person or firm desiring to furnish such reports or certificates shall be subject to such inspection as the Governor may initially and thereafter from time to time require to be made in order that he may be satisfied that such person or firm is so qualified."

(a) S.I. 1949 (No. 2000) I, p. 359. (b) S.I 1950 (No. 1188) I, p. 329.
(c) S.R. & O. 1937 (No. 378) p. 141. (d) S.R. & O. 1947 (No. 2738) I, p. 70.
(e) 12, 13 & 14 Geo. 6. c. 67.

(3) In sub-paragraph (vii) of paragraph (2) of Article 16 after the word "aerodrome" in both places where that word occurs there shall be inserted the words "or other place" and before the word "destination" there shall be inserted the word "intended".

(4) In paragraph (10) of Article 17 before the word "landing" where that word first occurs there shall be inserted the word "intended".

(5) In sub-paragraph (*b*) (iii) of paragraph (4) of Article 20 the words "or as second pilot" shall be omitted and before the word "paragraph" there shall be inserted the words and letter "sub-paragraph (*a*) of".

(6) For the fourth sub-paragraph of paragraph (2) of Article 23 there shall be substituted the following sub-paragraph:—

"(*d*) for the purpose of being satisfied that an applicant is qualified in accordance with the prescribed requirements to have a rating included in his licence or to have a rating extended or renewed, as the case may be, the Governor may accept a certificate that the applicant is so qualified furnished by any person or persons approved by the Governor as qualified to give such a certificate;"

(7) For sub-paragraph (*d*) of paragraph (3) of Article 24 there shall be substituted the following sub-paragraph:—

"(*d*) the log book, except the telecommunication log book, shall be preserved for a period of two years from the date of the last entry therein: the telecommunication log book shall be preserved for a period of at least six months from the date of the last entry therein and, in a case where that log book is required in connection with any enquiry or proceedings, for such longer period as may be required for the purposes thereof."

(8) In paragraph (2) of Article 31—

(*a*) for sub-paragraph (*a*) there shall be substituted the following sub-paragraph:—

"(*a*) (i) An aircraft registered in the Colony shall be equipped with radio apparatus when engaged in any flight in the circumstances of which it is required to be so equipped in accordance with such requirements as may be prescribed;

(ii) radio apparatus in any aircraft registered in the Colony (whether required as aforesaid to be equipped therewith or not) shall be of such type, have been manufactured in conformity with such conditions as to construction, testing and inspection, and be of such operative capacity as may be prescribed and shall be installed in the aircraft in the prescribed manner:

Provided that the approval in writing of the Governor shall be required as to the type and manufacture of such radio apparatus and its installation;

(iii) requirements may be prescribed as to the maintenance, overhaul, repair, modification and inspection of radio apparatus in aircraft of any prescribed class or description;"

(*b*) at the end of proviso (i) there shall be added the word "and":

(*c*) at the end of proviso (ii) the word "and" shall be omitted:

(*d*) proviso (iii) shall be omitted.

(9) In paragraph (1) of Article 72 in the definition of "Certificate of airworthiness" after the words "flight manual" there shall be inserted the words "or performance schedule relating to" and the word "issued" where that word first occurs shall be omitted.

(10) In Schedule II the amendments specified in the First Schedule to this Order shall be made.

(11) In Schedule IV the amendments specified in the Second Schedule to this Order shall be made.

2.—(1) This Order may be cited as the Colonial Air Navigation (Amendment) Order, 1951; and this Order and the principal Order may be cited together as the Colonial Air Navigation Orders, 1949 to 1951.

(2) This Order shall come into operation on the 1st day of January, 1952.

F. J. Fernau.

FIRST SCHEDULE

Amendments in Schedule II to the principal Order

1. After Rule 6 there shall be inserted the following Rule:—

"6A. The Governor may designate and cause to be notified such control areas, control zones and flight information regions within the Colony as he may consider necessary."

2. At the end of paragraph (2) of Rule 8 there shall be added the following words:—

"The person in command of an aircraft may elect to fly in accordance with Instrument Flight Rules in a control area or a control zone when V.F.R. weather conditions prevail in the area or zone. If he does so elect, he shall not change to flight in accordance with Visual Flight Rules unless he notifies Air Traffic Control that he desires to cancel his I.F.R. flight plan."

3. In paragraph (2) of Rule 9 after the words "pursuant to" there shall be inserted the words, letter and figure "sub-paragraph (*c*) of paragraph (1) of":

4. At the end of paragraph (4) of Rule 13 there shall be inserted the following proviso:—

"Provided that, within the Colony, the requirement in this paragraph that an overtaking aircraft shall keep out of the way of the other aircraft by altering its course to the right shall not apply to a glider overtaking another glider if the person in command of the overtaking glider is satisfied that, having regard to all the circumstances, hazard would be caused by altering his course to the right."

5. For paragraph (3) of Rule 16 there shall be substituted the following paragraph:—

"(3) Nothing in this Rule shall be taken to prevent the person in command of an aircraft or any person authorised by him from—

(*a*) dropping ballast in the form of fine sand or water;

(*b*) dropping, in accordance with Rule 61, ropes used for towing aircraft;

(*c*) jettisoning fuel in a case of emergency;

(*d*) using apparatus for the purpose of navigating the aircraft when the approval of the Governor to the type of apparatus and method of use has previously been given; or

(*e*) dropping or projecting material for the purpose of dusting or spraying crops in accordance with an express authorisation for that purpose included in the terms of the certificate of airworthiness or the validation of such a certificate in force in respect of the aircraft."

6. After Rule 18 there shall be inserted, with headings as hereunder shown, the following Rules:—

"*Flying Instruction.*

18A. Any person who within the Colony gives to another person instruction in flying (including directions to that person when flying or about to fly as pilot in charge of an aircraft) shall take care that the instruction which he gives is such as to ensure as far as possible that an aircraft flown by the person receiving the instruction is flown in accordance with these Rules.

Simulated Instrument Flights and Practice Instrument Approaches.

18B.—(1) Within the Colony an aircraft shall not be flown in simulated instrument flight conditions unless—

(*a*) the aircraft is equipped with dual controls which are functioning satisfactorily; and

(*b*) a qualified pilot (being the holder of the appropriate pilot's licence and rating) is carried in the second control seat of the aircraft for the purpose of rendering such assistance as may be necessary to the person in command thereof; and

(*c*) if the field of vision of such qualified pilot is not adequate both forward and to each side of the aircraft, a competent observer is carried and occupies a position in the aircraft from which his field of vision adequately supplements that of the said pilot and from which he can readily communicate with the said pilot.

For the purposes of this Rule the expression "simulated instrument flight" means a flight during which mechanical or optical devices are used in order to reduce the field of vision or the range of visibility from the cockpit of the aircraft.

(2) Within the Colony an aircraft shall not carry out instrument approach practice when flying in V.F.R. weather conditions unless—

(*a*) the flight has been notified to the appropriate Air Traffic Control; and

(*b*) if the flight is being carried out in simulated instrument flight conditions, the provisions of sub-paragraphs (*a*) and (*b*) of paragraph (1) of this Rule are complied with; or

(*c*) if the flight is not being carried out in simulated instrument flight conditions, a competent observer is carried in such a position in the aircraft that he has an adequate field of vision and can readily communicate with the person in command thereof.

Avoidance of collision.

18C. When flying in V.F.R. weather conditions it is the direct responsibility of the person in command of an aircraft to avoid collision with other aircraft notwithstanding that the flight is being conducted on an air traffic clearance."

7. For Rule 22 there shall be substituted the following Rule:—

"22.—(1) The person in command of an aircraft entering or leaving the Colony on any flight for which a flight plan or a flight notification has been

submitted to the appropriate Air Traffic Control pursuant to Rule 29 or Rule 34 shall be responsible for ensuring that a notification of his arrival is submitted immediately upon landing for transmission to that Control.

(2) The person in command of an aircraft making a flight between any two places in the Colony for which a flight plan or a flight notification has been submitted to the appropriate Air Traffic Control pursuant to Rule 29 or Rule 34 shall be responsible for ensuring that notification of his arrival is submitted immediately upon landing for transmission to the Control at his aerodrome of departure if—

(*a*) a requirement that such notification of arrival should be made has been notified for the purpose of this paragraph ; or

(*b*) he is required to do so by the appropriate Air Traffic Control.

(3) The person in command of an aircraft making a flight of the nature described in paragraph (1) or paragraph (2) of this Rule who, prior to flight, has made or caused to be made either through the appropriate Air Traffic Control or otherwise a notification of his intended arrival to the responsible aviation authority of the aerodrome of his destination, shall, if he changes his destination, or if he makes a landing en route so that arrival at his destination would be appreciably delayed beyond the time notified, make known or cause to be made known to that authority any such alteration by the most rapid means at his disposal."

8. In Rule 24—

(*a*) for paragraph (*b*) there shall be substituted the following paragraph:—

"(*b*) in the case of a special V.F.R. flight, be flown in accordance with any instructions received from Air Traffic Control, or":

(*b*) in the proviso the words and figures "(i) if so directed, the aircraft at night shall always comply with paragraph (*b*) of this Rule ; and (ii)" shall be omitted.

9. Rule 25 shall be omitted.

10. In paragraph (2) of Rule 28—

(*a*) the existing provision shall form the subject of a sub-paragraph lettered "(*a*)" and in that sub-paragraph—

(i) after the words "the Colony" there shall be inserted the words "flying within a control area or a control zone"; and

(ii) the words "or, in a case where in pursuance of any provision of this Order a second pilot is required as a member of the operating crew of the flying machine, as second pilot" and the words "valid with respect to that flying machine" shall be omitted ; and

(*b*) after that sub-paragraph there shall be inserted the following sub-paragraph:—

"(*b*) in the case of a flying machine registered outside the Colony flying within a control area or a control zone no person shall as from such date as the Governor may by order appoint act as pilot in charge thereof unless there is included in the pilot's licence which he holds an instrument rating."

11. In Rule 29 the existing provision shall from the subject of a paragraph numbered "(1)" and there shall be added the following paragraph:—

"(2) The person in command of an aircraft flying in a control area or a control zone shall not cancel his I.F.R. flight plan unless he is able, and intends, to continue his flight in uninterrupted V.F.R. weather conditions."

12. For Rule 34 and the heading thereof there shall be substituted the following Rule, with the heading " Notification of Flight ":—

" 34.—(1) The following provisions of this paragraph shall have effect in relation to public transport aircraft:—

(*a*) Before commencing a flight—

(i) within an air space notified for the purposes of this paragraph (hereinafter in this paragraph referred to as " a notified air space "), or

(ii) which involves a sea crossing beyond a distance of ten miles from the coast line of the Colony, or

(iii) over an area notified as an area in which search and rescue operations would be difficult,

the person in command of an aircraft shall submit or cause to be submitted to the appropriate Air Traffic Control a flight notification containing such of the particulars specified in paragraph (1) of Rule 29 as may be required by that Control.

(*b*) In addition, if the flight is to be made within a notified air space the person in command of the aircraft shall obtain an air traffic clearance, based on the flight notification, from the appropriate Air Traffic Control. The conditions applicable to flights within a control area or a control zone specified in Rule 30 shall apply to such clearance. If an air traffic clearance is not granted, the aircraft shall not fly within a notified air space except in accordance with Visual Flight Rules.

(*c*) When a flight notification has been submitted in accordance with subparagraph (*a*) of this paragraph the person in command of an aircraft which is able to communicate by radio with an appropriate radio station shall, if he finds it necessary to deviate in respect of any particular from the said flight notification, report by radio the nature of the proposed deviation to the appropriate Air Traffic Control as soon as practicable and, if the flight is being made in accordance with an air traffic clearance, shall obtain an amended air traffic clearance.

(2) The person in command of an aircraft other than a public transport aircraft which is to be flown in any of the circumstances described in subparagraph (*a*) of paragraph (1) of this Rule may, if he so desires, submit or cause to be submitted to the appropriate Air Traffic Control a flight notification containing such of the particulars specified in paragraph (1) of Rule 29 as may be required by that Control. If a flight notification is submitted, the person in command of the aircraft shall comply with the requirements specified in subparagraphs (*b*) and (*c*) of paragraph (1) of this Rule in so far as they may be appropriate."

13. In paragraph (2) of Rule 37 there shall be inserted at the end thereof the following proviso:—

" Provided that paragraph (3) of Rule 40 and paragraph (3) of Rule 42 shall be applicable only to helicopters."

14. In Rule 40—

(*a*) after paragraph (2) there shall be inserted the following paragraph:—

" (3) When the " H " signal described in paragraph (5) of Rule 46 is displayed at a land aerodrome a helicopter shall land in the area marked by the ground signal described in paragraph (6) of that Rule unless otherwise given permission by Air Traffic Control."

(*b*) the paragraphs numbered " (3) ", " (4) ", and " (5) " shall be renumbered " (4) ", " (5) " and " (6) " respectively.

15. In Rule 42—

(*a*) after paragraph (2) there shall be inserted the following paragraph:—

"(3)" When the "H" signal described in paragraph (5) of Rule 46 is displayed at a land aerodrome a helicopter shall take off from the area marked by the ground signal described in paragraph (6) of that Rule unless otherwise given permission by Air Traffic Control."

(*b*) the paragraphs numbered "(3)" and "(4)" shall be renumbered "(4)" and "(5)" respectively.

16. In paragraph (3) of Rule 43—

(*a*) sub-paragraph (*b*) shall be omitted:

(*b*) sub-paragraph (*c*) shall be re-lettered "(*b*)":

(*c*) after the sub-paragraph to be re-lettered "(*b*)" there shall be inserted the following sub-paragraph:—

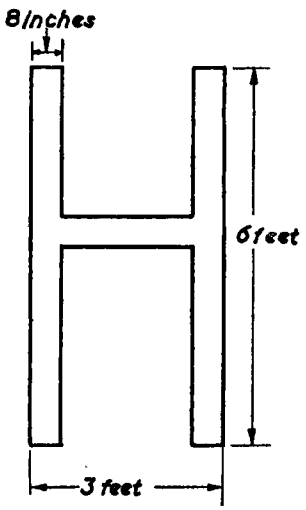
"(*c*) when an aeroplane or a vehicle is overtaking another aeroplane or vehicle, the one which is overtaking shall keep out of the way of the other by altering its course to the left and no subsequent change in the relative positions of the two shall absolve the one which is overtaking from its obligation until it is finally past and clear of the other."

17. In Rule 46—

(*a*) in paragraph (3) in the illustration of the cross diagram the words "Perpendicular to boundary of area marked" and the arrow drawn therefrom shall be omitted:

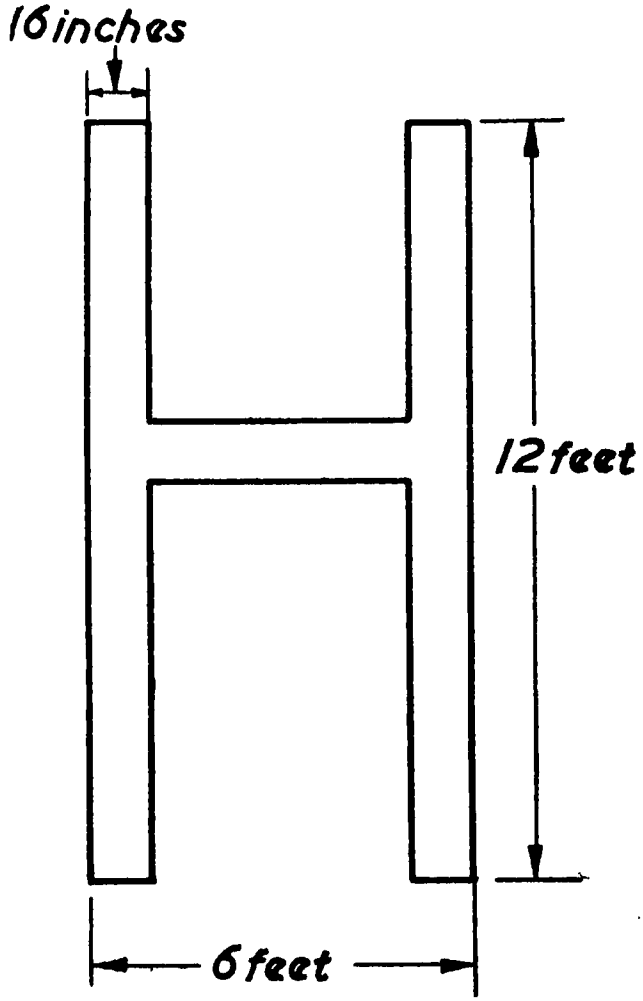
(*b*) after paragraph (4) there shall be inserted the following paragraphs:—

"(5) When helicopters are required to land or take off within an area set aside for their operation at a land aerodrome which is open for use by aeroplanes and helicopters there shall be displayed in the signal area a letter "H" as illustrated below:—



(6) At a land aerodrome which is open for use by aeroplanes and helicopters, when an area is set aside for the take-off and landing of helicopters, the centre of the said area shall be marked by a letter " H " as illustrated below.

If the said area forms part of the landing area for aeroplanes, its boundaries, if not otherwise clearly defined, shall be marked by the boundary markers described in paragraph (3) of this Rule."



(*c*) the paragraph numbered " (5) " shall be re-numbered " (7) ".

18. In the heading of Section IX after the word " Aerodromes " there shall be inserted the words " and other places ".

19. For paragraph (1) of Rule 48 there shall be substituted the following paragraph: —

" (1) (*a*) Whenever aeroplanes are making use of or may be expected to make use of any aerodrome referred to in Rule 45 by night the Rules in this Section shall be complied with;

(*b*) Whenever aeroplanes carrying passengers for hire or reward are making use of or may be expected to make use of any aerodrome or other place (not being an aerodrome referred to in Rule 45) by night the Rules in this Section, excepting Rule 56, shall be complied with;

(*c*) Whenever aeroplanes not carrying passengers for hire or reward are making use of or may be expected to make use of any aerodrome or other place (not being an aerodrome referred to in Rule 45) by night lights shall be provided which shall be adequate for the purposes of such use;

except in so far as exemption from any of the foregoing requirements may be notified in respect of any such aerodrome or place:

Provided that at a water aerodrome the Rules in this Section shall apply only in so far as compliance therewith is practicable in the circumstances.

SECOND SCHEDULE

Amendments in Schedule IV to the principal Order

1. In paragraph 8 after the words and figures "paragraph (2) of Article 11" there shall be inserted the words, letter and figures "or sub-paragraph (*b*) of paragraph (3) of Article 13".

2. Paragraph 22 shall be omitted.

3. In paragraph 24 after the word "destroyed" there shall be inserted the words "except in the case of a flight manual, where a fee equivalent to the amount of the cost of preparing the copy or document in replacement shall be chargeable subject to a maximum charge of £5 5s. 0d.".

4. In paragraph 26 for the word and letter "sub-paragraph (*a*)" there shall be substituted the word, letter and figures "sub-paragraph (*a*) (ii)".

EXPLANATORY NOTE

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

This Order amends the Colonial Air Navigation Order, 1949, as amended by the Colonial Air Navigation (Amendment) Order, 1950. The amendments relate to a number of matters, including aircraft performance, the grant of instructors' ratings, the approval of radio apparatus, the rules of the air and air traffic control.

AIR REGISTRATION BOARD

The Civil Aviation (Air Registration Board) Order, 1951

1951 No. 812

Draft Laid before Parliament	7*th March*, 1951
Made - - - -	4th *May*, 1951
Coming into Operation	15*th May*, 1951

Whereas by subsection (1) of section seven of the Civil Aviation Act, 1949(**a**), it is enacted that the Minister of Civil Aviation may by order provide for delegating to a body appearing to him to be so constituted as to consist of the persons therein described such of the administrative functions of the

(**a**) 12, 13 & 14 Geo. 6. c. 67.