Japan.
Jordan.
Laos.
Lebanon.
Liberia.
Luxembourg.
Mexico.
Morocco.
Netherlands.
New Zealand.
Nicaragua.
Norway.
Pakistan.
Paraguay.
Peru.
Philippine Republic.
Poland.
Portugal.
Republic of Korea.
Republic of Vietnam.
Spain.
Sweden.
Switzerland.
Syria.
Thailand.
Turkey.
Union of South Africa.
United States of America.
Uruguay.
Venezuela.

EXPLANATORY NOTE

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

Section 53 of the Civil Aviation Act, 1949, exempts aircraft to which that section applies, and parts of such aircraft, from seizure on patent claims by reason of lawful entry into, or lawful transit across, the United Kingdom, and provides that the Section applies to aircraft registered in any country or territory in the case of which there is in force a declaration made by Order in Council that the benefits of those provisions of the Chicago Convention of 1944 to which the Section relates apply to that country or territory, and to such other aircraft as may be specified by Order in Council. This Order declares the countries or territories to which the benefits of those provisions apply, and in addition specifies aircraft registered in Yugoslavia.

1957 No. 99

The Colonial Air Navigation (Amendment) Order, 1957

Made - - - -	*24th January,* 1957
Laid before Parliament	30*th January,* 1957
Coming into Operation	1*st March,* 1957

At the Court at Buckingham Palace, the 24th day of January, 1957

Present,

The Queen's Most Excellent Majesty in Council

Whereas it is expedient to amend the Colonial Air Navigation Order, 1955(a) (hereinafter referred to as the " principal Order "), in the manner hereinafter appearing:

Now, therefore, Her Majesty, in pursuance of the powers conferred upon Her by the Civil Aviation Act, 1949(b), and the Colonial Civil Aviation (Application of Act) Order, 1952(c), and of all other powers

(a) S.I. 1955/711 (1955 I, p. 351).
(b) 12, 13 & 14 Geo. 6. c. 67.
(c) S.I. 1952/868 (1952 I, p. 565).

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:—

Citations, construction and commencement

1.—(1) This Order may be cited as the Colonial Air Navigation (Amendment) Order, 1957, and shall be construed as one with the Colonial Air Navigation Orders, 1955 and 1956(a).

(2) The Colonial Air Navigation Orders, 1955 and 1956, and this Order may be cited together as the Colonial Air Navigation Orders, 1955 to 1957.

(3) This Order shall come into operation on the 1st day of March, 1957.

Amendment of Articles 42, 45 *and* 55 *and Schedule II of the principal Order*

2. The principal Order is hereby amended in accordance with the following provisions:—

(*a*) in Article 42, for paragraph (2) there is hereby substituted the following paragraph—

"(2) The operator of any aircraft so registered shall cause to be exhibited in the aircraft notices indicating that smoking is prohibited in accordance with any conditions with regard to smoking which are imposed by the certificate of airworthiness relating to the aircraft.";

(*b*) after paragraph (2) of Article 42 there is hereby inserted the following paragraph—

"(3) A person shall not smoke in any compartment of an aircraft so registered at a time when smoking is prohibited in that compartment by a notice exhibited in accordance with the preceding paragraph of this Article.";

(*c*) in proviso (*b*) to paragraph (1) of Article 45 there is hereby inserted after the word "thereto" the words "where this is necessary for the purpose of saving life, or";

(*d*) in Article 55—

(i) the proviso to paragraph (1) is hereby amended by the insertion after the words "Provided that" of the words "subject to paragraph (2) of this Article";

(ii) after paragraph (1) there is hereby inserted the following paragraph—

"(2) The Governor may by regulations direct that proviso (ii) or proviso (iii) to paragraph (1) of this Article, or both those provisos, shall not apply to aircraft, or to classes of aircraft, in the Colony, or in some parts of the Colony, and such regulations shall have effect accordingly.";

(iii) the paragraph now numbered "(2)" is hereby renumbered "(3)";

(*e*) Schedule II is hereby amended in accordance with the provisions set out in the Schedule to this Order.

W. G. Agnew.

(a) S.I. 1955/711, 1956/615 (1955 I, p. 351; 1956 I, p. 472).

THE SCHEDULE

AMENDMENTS OF SCHEDULE II TO THE PRINCIPAL ORDER

1. For Rule 15 there is hereby 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

(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 Governor 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 Governor 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 force for any area of the Colony.

(*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 Colony 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."

2. In Rule 29 a colon is hereby substituted for the full stop at the end thereof, and after such colon the following proviso is hereby added—

"Provided further that where the Governor has notified increases in all or any of the distances mentioned in paragraph (*a*) or in the first proviso to this Rule then such increased distances shall be deemed to be substituted for the distances mentioned in this Rule for so long as the notification concerned is in force."

3. In paragraph (1) of Rule 34 the words "or in other circumstances prescribed for this purpose" are hereby inserted after the words "control zone".

4. In Rule 48—

(*a*) for paragraph (3) there is hereby substituted the following paragraph:—

"(3) Subject to the provisions of paragraph (2) of this Rule, in case of danger of collision between two aeroplanes—

(*a*) when the two aeroplanes are approaching head-on or approximately so, each shall alter its course to the right;

(*b*) when the two aeroplanes are on converging courses, the one which has the other on its right shall give way to the other and shall avoid crossing ahead of the other unless passing well clear of it;

(*c*) an aeroplane which is being overtaken shall have the right of way, and the overtaking aeroplane shall keep out of the way of the other aeroplane by altering its course to the left until it is past and clear, notwithstanding any change in the relative positions of the two aeroplanes."

(*b*) for paragraph (4) there is hereby substituted the following paragraph—

"(4) Subject to the provisions of paragraph (2) of this Rule, a vehicle shall—

(*a*) when overtaking another vehicle, overtake so that the other vehicle is on the left side of the overtaking vehicle;

(*b*) keep to the left when passing another vehicle which is approaching head-on or approximately so."

5. In paragraph (1) of Rule 70, for sub-paragraph (*d*) there is hereby substituted the following sub-paragraph:—

"(*d*) prevent the use of lamps fitted to the exterior of the aircraft for the purpose of—

(i) enabling the operating crew to inspect the exterior during flight, or

(ii) enabling the aircraft to be more readily detected at considerable distances by other aircraft at night,

being in either case lamps so designed, fitted and operated that the lights shown thereby cannot be mistaken for, and do not obscure or otherwise impair the visibility of, any light required to be shown by the aircraft pursuant to this Section."

EXPLANATORY NOTE

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

This Order amends provisions of the Colonial Air Navigation Order, 1955, dealing with smoking in aircraft (Article 42), with the carriage of persons on parts of aircraft or attachments thereto (Article 45) and with the aerodromes to be used by passenger-carrying aircraft (Article 55). The Order 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 (Rule 15 of Schedule II); it makes provision for increases in the range of visibility and distance from cloud necessary for flight complying with Visual Flight Rules (Rule 29 of Schedule II) and for more widespread filing of flight plans (Rule 34 of Schedule II); it amends the rules applicable to the movement of aeroplanes and vehicles on the manoeuvring areas of land aerodromes (Rule 48 of Schedule II); and, subject to certain conditions, it permits aircraft flying at night to show lights designed to facilitate the detection of aircraft at considerable distances (Rule 70 of Schedule II).

The references quoted are to provisions of the Colonial Air Navigation Order, 1955.

1957 No. 1741

The Colonial Air Navigation (Amendment) (No. 2) Order, 1957

Made - - - -	*8th October*, 1957
Laid before Parliament	*14th October*, 1957
Coming into Operation	*1st February*, 1958

At the Court at Buckingham Palace, the 8th day of October, 1957

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of the powers conferred upon Her by the Civil Aviation Act, 1949(**a**), and the Colonial Civil Aviation (Application of Act) Order, 1952(**b**), 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:—

Citations, construction and commencement

1.—(1) This Order may be cited as the Colonial Air Navigation (Amendment) (No. 2) Order, 1957, and shall be construed as one with the Colonial Air Navigation Orders, 1955 to 1957(**c**).

(2) Article 1 of the Colonial Air Navigation (Amendment) Order, 1957, is hereby amended by the deletion of paragraph (2).

(**a**) 12, 13 & 14 Geo. 6. c. 67. (**b**) S.I. 1952/868 (1952 I, p. 565).
(**c**) S.I. 1955/711, 1956/615, 1957/99 (1955 I, p. 351; 1956 I, p. 472; 1957 I, p. 382).