STATUTORY INSTRUMENTS

1965 No. 588

CIVIL AVIATION

The Colonial Air Navigation (Amendment) Order 1965

Made - - - -	*24th March* 1965
Laid before Parliament	*30th March* 1965
Coming into Operation	
Article 5(b) - -	*1st November* 1965
Remainder - -	*1st May* 1965

At the Court at Buckingham Palace, the 24th day of March 1965

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:—

Citation, construction, application and commencement.

1.—(1) This Order may be cited as the Colonial Air Navigation (Amendment) Order 1965 and shall be construed as one with the Colonial Air Navigation Order 1961(c) which Order, as amended by the Colonial Air Navigation (Amendment) Order 1962(d) and the Colonial Air Navigation (Amendment) Order 1963(e) is hereinafter referred to as " the principal Order ".

(2) This Order and the Colonial Air Navigation Orders 1961 to 1963 may be cited together as the Colonial Air Navigation Orders 1961 to 1965.

(3) Except as provided in paragraph (4) of this Article, this Order shall come into operation on 1st May 1965.

(4) Article 5(*b*) of this Order shall come into operation on 1st November 1965.

Amendment of certain Articles of principal Order.

2. The principal Order is amended as follows :—

(1) In Article 7—

(*a*) after paragraph (4)(*d*) there is added the following—

" or

(*e*) in relation only to the adjustment and compensation of direct reading magnetic compasses, the holder of an Airline Transport Pilot's Licence (Flying Machines), a Senior Commercial Pilot's Licence (Flying Machines) or a Flight Navigator's Licence." ;

(a) 12, 13 & 14 Geo. 6. c. 67. (b) S.I. 1952/868 (1952 I, p. 565).
(c) S.I. 1961/2316 (1961 III, p. 4146). (d) S.I. 1962/2597 (1962 III, p. 3485).
(e) S.I. 1963/1966 (1963 III, p. 3831).

(*b*) after paragraph (5) there is added the following paragraph—

"(6) In this Article, the expression "repair" includes in relation to a compass the adjustment and compensation thereof and the expression "repaired" shall be construed accordingly.".

(2) In Article 19 for paragraph (1) there is substituted the following paragraph—

"(1) A person shall not give any instruction in flying to any person flying or about to fly a flying machine for the purpose of becoming qualified for—

(*a*) the grant of a pilot's licence; or

(*b*) the inclusion in a pilot's licence of an aircraft rating entitling the holder of the licence to act as pilot of—

(i) a multi-engined aircraft, or

(ii) an aircraft of any class appearing in column 4 of the Table in Part A of the First Schedule to this Order,

if the person under instruction has not been previously entitled under the Act, or qualified in any of Her Majesty's naval, military or air forces, to act as pilot of a multi-engined aircraft, or of an aircraft of that class as the case may be; or

(*c*) the inclusion or variation of any rating, other than an aircraft rating, in a pilot's licence,

unless:—

(i) the person giving the instruction holds a licence, granted or rendered valid under this Order, entitling him to act as pilot in command of the aircraft for the purpose and in the circumstances under which instruction is to be given; and

(ii) such licence includes a flying instructor's rating or an assistant flying instructor's rating entitling the holder, in accordance with the privileges specified in the Ninth Schedule to this Order in respect of that rating, to give the instructions; and

(iii) if consideration is given for the instruction, such licence entitles the holder to act as pilot in command of an aircraft flying for the purpose of public transport:

Provided that sub-paragraph (iii) of this paragraph shall not apply if the aircraft is owned, or is operated under arrangements entered into, by a flying club of which both the person giving and the person receiving the instruction are members.".

(3) In Article 28(2)—

(*a*) in sub-paragraph (*g*)(i) for the words "an altitude of 13,000 feet above mean sea level" there are substituted the words "flight level 130";

(*b*) for sub-paragraph (*g*)(iii) there is substituted the following sub-paragraph—

"(iii) during any continuous period exceeding 30 minutes when the aircraft is flying above flight level 100 but not above flight level 130, and whenever the aircraft is flying above flight level 130, oxygen is used by all the crew of the aircraft.".

(4) After Article 29, the following is added as Article 29A—

"*Use of flight recorders and preservation of records*

29A.—(1) On any flight on which a flight recorder is required by or under this Order to be carried in an aeroplane, it shall always be in use from the beginning of the take-off run until the end of the landing run.

(2) The operator of the aircraft shall, subject to the provisions of Article 53 of this Order, preserve the record made by the flight recorder, together with means of identifying the record with the flight to which it relates, for a period of 60 days after the end of the flight or such longer period as the Governor may in a particular case direct.".

(5) In Article 36, at the end of the proviso to paragraph (2), the full stop is deleted and the following words are added—

"and a door between the flight crew compartment and any adjacent compartment to which passengers have access may be locked or bolted if the commander of the aircraft so determines, for the purpose of preventing access by passengers to the flight crew compartment.".

(6) In Article 43(2)(*a*) the words and symbols "(other than an aircraft of which the maximum total weight authorised does not exceed 3,500 lb. and which is not flying for the purpose of public transport or aerial work)" are inserted after the word "aircraft".

(7) In Article 45—

(*a*) in paragraph (1)(*a*) there is substituted for the figure "30" the figure "28";

(*b*) at the end of paragraph (2) the full stop is deleted and the following words are added:—

"including, without prejudice to the generality of the foregoing—

(*a*) the type of aircraft in which the flight will be made;

(*b*) the area in which the flight will be made;

(*c*) the number of landings which will be made during the course of each flying duty period;

(*d*) the amount of night flying during each flying duty period;

(*e*) the number of consecutive occasions on which each member of the flight crew will be required to fly for the maximum period permitted under this Part of the Order.";

(*c*) the following paragraph is substituted for paragraph (3):—

"(3) No limits or minimum rest periods may be established under paragraph (1) of this Article which would require or permit any person to fly in any aircraft at a time when such flying would constitute a contravention of any of the provisions of Articles 46, 47 and 49 of this Order, or would require or permit any person to fly in any aircraft as a member of the flight crew thereof within the period of one hour immediately preceding the end of the specified time

referred to in Article 46(2) of this Order, or when the specified time is 24 hours, within the period of two hours immediately preceding the end of the specified time.".

(8) In the heading of Article 46 there are substituted for the words "*pilots and flight engineers*" the words "*flight crew*".

(9) The following Article is substituted for Article 46:—

"46.—(1) Without prejudice to the provisions of Article 44 of this Order, a person shall not fly in an aircraft to which this Article applies as a member of the flight crew thereof in the course of any duty period of that person after more than the specified time has elapsed since the beginning of that duty period.

(2) In paragraph (1) of this Article the expression "the specified time" means—

(*a*) in relation to a pilot whenever sub-paragraph (*b*) does not apply, 11 hours:

Provided that if, during the duty period, there has been a period of not less than five continuous hours throughout which that person has not flown in any aircraft to which this Article applies or performed any duties, the foregoing provisions of this sub-paragraph shall have effect as if 13 hours were substituted therein for 11 hours;

(*b*) in relation to a person who, at all times when he flies as a pilot in the course of his duty period, is one of two or more persons carried as pilots of the aircraft, 16 hours:

Provided that the foregoing provisions of this sub-paragraph shall have effect as if 24 hours were substituted therein for 16 hours if that person is one of three or more persons carried as pilots of the aircraft and the following conditions are fulfilled:—

(i) at least two of the pilots are qualified to act as commander of the aircraft in the circumstances both by their respective licences and in accordance with the requirements of paragraph 1(5)(*a*)(i) and (ii) of Part B of the Tenth Schedule to this Order (except in respect of their knowledge of the aerodromes of take-off and landing and any alternate aerodromes);

(ii) at least one of the pilots is carried in addition to those members of the flight crew who are required to be carried in the circumstances by or under this Order;

(iii) one suitable bunk is always available for the use only of pilots; and

(iv) each of the pilots has, during the duty period, been afforded opportunities of resting for a reasonable time;

(*c*) in relation to a flight engineer, 16 hours:

Provided that the foregoing provisions of this sub-paragraph shall have effect as if 24 hours were substituted therein for 16 hours in relation to a person who, at all times when he flies as a flight engineer in the course of his

duty period, is one of two or more persons carried as flight engineers of the aircraft, if the following conditions are fulfilled :—

(i) at least one of the flight engineers is carried in addition to the members of the flight crew who are required to be carried in the circumstances by or under this Order ;

(ii) one suitable bunk is always available for the use only of flight engineers ;

(iii) each of the flight engineers has, during the duty period, been afforded opportunities of resting for a reasonable time ;

(*d*) in relation to a flight navigator and a flight radio operator, 16 hours :

Provided that the foregoing provisions of this sub-paragraph shall have effect—

(i) as if 20 hours were substituted therein for 16 hours if one suitable bunk is always available for the use only of flight navigators or flight radio operators as the case may be ; and

(ii) subject to the proviso to sub-paragraph (*c*), which shall apply to flight navigators and to flight radio operators as it applies to flight engineers.".

(10) For the heading of Article 48 there shall be substituted the words "*Records of flight times and duty periods*".

(11) In Article 48(1)—

(*a*) there is substituted for the figure " 30 " the figure " 28 " ;

(*b*) in sub-paragraph (*a*) there are inserted after the word " person " the words " as a member of its flight crew " ;

(*c*) there are substituted for sub-paragraphs (*b*) and (*c*) the following sub-paragraphs :—

" (*b*) the times of the beginning and end of each duty period of that person in the course of which he makes a flight in any aircraft as a member of its flight crew, and

(*c*) the times of the beginning and end of each duty period of that person ending within a period of 72 hours immediately preceding the beginning of any duty period of that person in the course of which he makes a flight in any aircraft as a member of its flight crew, and

(*d*) brief particulars of the nature of the work or other duties carried out by that person during each of his duty periods of which a record is required to be kept under this paragraph.".

(12) In Article 49—

(*a*) there is substituted for the figure " 30 " the figure " 28 " ;

(*b*) there is substituted for the figure " 125 " where that figure first appears the figure " 115 " ;

(*c*) for the proviso there is substituted the following :—

" Provided that the foregoing prohibition shall not apply—

(*a*) to a flight made in an aircraft of which the maximum

total weight authorised does not exceed 3,500 lb. and which is not flying for the purpose of public transport or aerial work ; or

(*b*) to a flight made in an aircraft not flying for the purpose of public transport nor operated by an air transport undertaking, if at the time of the flight the aggregate of all the flight times of the person making the flight since he was last medically examined under this Order and found fit does not exceed 115 hours.".

(13) For the heading of Part VI there are substituted the words "DOCUMENTS AND RECORDS".

(14) For the heading of Article 52 there are substituted the words "*Production of documents and records*".

(15) In Article 52(2)—

(*a*) for all the words appearing before the commencement of sub-paragraph (*a*) there are substituted the following words—

"The operator of an aircraft registered in the Colony shall, within a reasonable time after being requested to do so by an authorized person, cause to be produced to that person such of the following documents or records as may have been requested by that person being documents or records which are required, by or under this Order, to be in force or to be carried, preserved or made available";

(*b*) in sub-paragraph (*d*) for the word and letter "and F" there are substituted the word and letters "F and H"; and

(*c*) after sub-paragraph (*e*) there are added the following sub-paragraphs—

"(*f*) any such operations manuals as are required to be made available under Article 21(2)(*a*)(i) of this Order;

(*g*) the record made by any flight recorder required to be carried by or under this Order.".

(16) In Article 53—

(*a*) after the word "document", wherever it occurs, there are inserted the words "or record";

(*b*) in sub-paragraph (*a*) of the proviso, after the words "weight schedule" there are inserted the words "and any record made by a flight recorder and preserved in accordance with paragraph (2) of Article 29A of this Order".

(17) For the heading of Article 55 there are substituted the words "*Offences in relation to documents and records*".

(18) In Article 55 for paragraph (3) there is substituted the following paragraph—

"(3) All entries made in writing in any log book or record referred to in paragraph (2) of this Article shall be made in ink or indelible pencil.".

(19) In Article 81(1)—

(*a*) after the definition of "Flight crew", there is inserted the following definition—

"" Flight level" means one of a series of levels of equal atmospheric pressure, separated by notified intervals and

each expressed as the number of hundreds of feet which would be indicated at that level on a pressure altimeter calibrated in accordance with the International Standard Atmosphere and set to 1013·2 millibars (29·92 inches of mercury);";

(*b*) in the definition of "Governor" for the words "and in relation to Zanzibar means the person for the time being performing the functions of the British Resident, Zanzibar" there are substituted the following words—

"and in relation to the Protectorate of South Arabia means the person for the time being performing the functions of the High Commissioner for Aden and the Protectorate of South Arabia";

(*c*) after the definition of "public transport aircraft" there is inserted the following definition:—

""Record" has the same meaning as in the Civil Aviation (Eurocontrol) Act 1962(a);";

(*d*) in paragraph (7)(*a*)(ii), for all the words after "persons" where that word occurs for the second time there is substituted the following:—

"with the authority of the Governor either making any inspection or witnessing any training, practice or test for the purposes of this Order, or cargo intended to be used by any such passengers as aforesaid, or by the undertaking; or".

Amendment of Fifth Schedule to principal Order.

3. The Fifth Schedule to the principal Order is amended as follows:—

(*a*) for paragraph 4(2)(*d*) there is substituted the following—

"(*d*) When flying over water—

(i) in the case of an aeroplane

(*a*) classified in its certificate of airworthiness as being of performance group A, C. or X, or

(*b*) having no performance group classification in its certificate of airworthiness and of such a weight and performance that with any one of its power units inoperative and the remaining power unit or units operating within the maximum continuous power conditions specified in the certificate of airworthiness, performance schedule or flight manual relating to the aeroplane issued or rendered valid by the Governor it is capable of a gradient of climb of at least 1 in 200 at an altitude of 5000 feet in the International Standard Atmosphere specified in or ascertainable by reference to the certificate of airworthiness in force in respect of that aircraft,

when either more than 400 nautical miles or more than 90 minutes flying time* from the nearest aerodrome at which an emergency landing can be made;

(ii) in the case of all other flying machines, when more than 30 minutes flying time* from such an aerodrome";

(a) 10 & 11 Eliz. 2. c. 8.

* For the purposes of this Table, flying time shall be calculated on the assumption that the aircraft is flying in still air at the speed specified in the relevant Certificate of Airworthiness as the speed for compliance with regulations governing flights over water.

(*b*) in the Table in paragraph 4—

in item (*ii*) of sub-paragraph (2) for sub-paragraph (iv) there are substituted the following sub-paragraphs—

"(iv) flying machines of such other classes or descriptions as may be prescribed when flying within such areas at such times and in such circumstances as may be prescribed,

(v) any other flying machine, if the Governor so directs in a particular case,";

(*c*) in the Table in paragraph 4 a column headed "P" is added in which the letter "P" is inserted opposite the following sub-paragraph, which is added after sub-paragraph (4) in the first column of the Table—

"(5) *Turbine-engined aeroplanes over* 12,500 *lb. maximum total weight authorised and piston-engined aeroplanes over* 60,000 *lb. maximum total weight authorised*

(*a*) *which are operated by an air transport undertaking under a certificate of airworthiness of the Transport Category (Passenger) or the Transport Category (Cargo); or*

(*b*) *in respect of which application has been made and not withdrawn or refused for such a certificate, and which fly under the "A" Conditions or under a certificate of airworthiness of the Special Category*

when flying on any flight—

on or after 1st July 1965 in the case of a turbine-engined aircraft which first flies on or after that date, or on or after 1st October 1966 in the case of any other aircraft";

(*d*) in the Table in paragraph 4 a column headed "Q" is added in which the letter Q is inserted opposite the following item, which item shall be inserted after item (*ii*) of sub-paragraph (2) in the first column of the Table:—

"(*iii*) On all flights for the purpose of the public transport of passengers";

(*e*) in paragraph 5 for Scale K, there is substituted the following—

"Scale K

PART I

(i) In every flying machine which is provided with means for maintaining a pressure greater than 700 millibars throughout the flight in the flight crew compartment and in the compartments in which passengers are carried—

(*a*) a supply of oxygen sufficient, in the event of failure to maintain such pressure, occurring in the circumstances specified in columns 1 and 2 of the Table set out in Part II of this Scale, for continuous use, during the periods specified in column 3 of the said Table, by the persons for whom oxygen is to be provided in accordance with column 4 of that Table, and

(*b*) in addition, in every case where the flying machine flies above flight level 350, a supply of oxygen in a portable container sufficient for the simultaneous first aid treatment of two passengers,

together with suitable and sufficient apparatus to enable such persons to use the oxygen.

(ii) In any other flying machine—

(*a*) a supply of oxygen sufficient for continuous use by all the crew, and, if passengers are carried, by 10 per cent. of the number of passengers, for any period exceeding 30 minutes during which the flying machine flies above flight level 100 but not above flight level 130 ; and

(*b*) a supply of oxygen sufficient for continuous use by all persons on board for the whole time during which the flying machine flies above flight level 130,

together with suitable and sufficient apparatus to enable such persons to use the oxygen.

(iii) The quantity of oxygen required for the purpose of complying with paragraphs (i) and (ii) of this Part of this Scale shall be computed in accordance with the information and instructions relating thereto specified in the operations manual relating to the aircraft pursuant to Item (VA) of Part A of the Tenth Schedule to this Order.

PART II

Column 1 *Vertical displacement of the flying machine in relation to flight levels*	*Column 2* *Capability of flying machine to descend (where relevant)*	*Column 3* *Period of supply of oxygen*	*Column 4* *Persons for whom oxygen is to be provided*
Above flight level 100	—	30 minutes or the period specified at A hereunder whichever is the greater	In addition to any passengers for whom oxygen is provided as specified below, all the crew
Above flight level 100 but not above flight level 300	Flying machine is either flying at or below flight level 150 or is capable of descending and continuing to destination as specified at X hereunder	30 minutes or the period specified at A hereunder whichever is the greater	10 per cent of number of passengers
	Flying machine is flying above flight level 150 and is not so capable	10 minutes or the period specified at B hereunder whichever is the greater	All passengers
		and in addition	
		30 minutes or the period specified at C hereunder whichever is the greater	10 per cent of number of passengers
Above flight level 300 but not above flight level 350	Flying machine is capable of descending and continuing to destination as specified at Y hereunder	30 minutes or the period specified at A hereunder whichever is the greater	15 per cent of number of passengers
	Flying machine is not so capable	10 minutes or the period specified at B hereunder whichever is the greater	All passengers
		and in addition	
		30 minutes or the period specified at C hereunder whichever is the greater	15 per cent of number of passengers

Above flight level 350	—	10 minutes or the period specified at B hereunder whichever is the greater	All passengers
		and in addition	
		30 minutes or the period specified at C hereunder whichever is the greater	15 per cent of number of passengers

A. The whole period during which, after a failure to maintain a pressure greater than 700 millibars in the control compartment and in the compartments in which passengers are carried has occurred, the flying machine flies above flight level 100.

B. The whole period during which, after a failure to maintain such pressure has occurred, the flying machine flies above flight level 150.

C. The whole period during which, after a failure to maintain such pressure has occurred, the flying machine flies above flight level 100, but not above flight level 150.

X. The flying machine is capable, at the time when a failure to maintain such pressure occurs, of descending in accordance with the emergency descent procedure specified in the relevant flight manual and without flying below the minimum altitudes for safe flight specified in the operations manual relating to the aircraft, to flight level 150 within 6 minutes, and of continuing at or below that flight level to its place of intended destination or any other place at which a safe landing can be made.

Y. The flying machine is capable, at the time when a failure to maintain such pressure occurs, of descending in accordance with the emergency descent procedure specified in the relevant flight manual and without flying below the minimum altitudes for safe flight specified in the operations manual relating to the aircraft, to flight level 150 within 4 minutes and of continuing at or below that flight level to its place of intended destination or any other place at which a safe landing can be made.";

(*f*) in paragraph 5 after Scale " O ", there are inserted the following Scales—

" *Scale P*

A flight recorder which is capable of recording, by reference to a time-scale, the following data—

(*a*) indicated air speed;

(*b*) indicated altitude;

(*c*) vertical acceleration;

(*d*) magnetic heading;

(*e*) pitch attitude, if the equipment provided in the aircraft is of such a nature as to enable this item to be recorded.

The recorder shall be so constructed that the record would be likely to be preserved in the event of an accident to the aircraft.

Scale Q

If the maximum total weight authorised of the flying machine exceeds 12,500 lb. and it is first registered, whether in the Colony or elsewhere, on or after 1st June 1965, a door between the flight crew compartment and any adjacent compartment to which passengers have access, which door shall be fitted with a lock or bolt capable of being worked from the flight crew compartment.".

Amendment of Sixth Schedule to principal Order.

4. In the Sixth Schedule to the principal Order in paragraph 3 at the end of Scale B the full stop is deleted and there are added the words " including such apparatus as may be prescribed.".

Amendment of Ninth Schedule to principal Order.

5. Paragraph 2 of Part A of the Ninth Schedule to the principal Order is amended as follows:—

(*a*) in the sub-paragraphs under the heading " Commercial Pilot's Licence (Flying Machines) ", " Senior Commercial Pilot's Licence (Flying Machines) " and " Airline Transport Pilot's Licence (Flying Machines) ", there is added in each case under the sub-heading " Privileges " after paragraph (*b*) of the proviso to paragraph (i), the following paragraph:—

" (*c*) he shall not, unless his licence includes an instrument rating, fly any such aircraft of which the maximum total weight authorised exceeds 5,000 lb. on any flight for the purpose of public transport except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome.";

(*b*) in the sub-paragraph under the heading " Senior Commercial Pilot's Licence (Flying Machines) " for the figure " 30,000 " there is substituted the figure " 45,000 "; in the sub-paragraph under the heading " Airline Transport Pilot's Licence (Flying Machines) ", under the sub-heading " Privileges ", there is added after paragraph (*c*) of the proviso to paragraph (i), the following—

" (*d*) he shall not at any time after he attains the age of sixty years fly such an aircraft on a flight for the purpose of public transport if its maximum total weight authorised exceeds 45,000 lb.".

6. In Part B of the Tenth Schedule to the principal Order :— Amendment of Tenth Schedule principal Order.

(*a*) for paragraph 1(2) there is substituted the following sub-paragraph—

"(2) *Pilots*

(*a*) Every pilot included in the flight crew who is intended by the operator to fly as a pilot in circumstances requiring compliance with the Instrument Flight Rules shall within the relevant period have been tested by or on behalf of the operator—

(i) as to his competence to perform his duties while executing normal manœuvres and procedures in flight, in an aircraft of the type to be used on the flight, including the use of the instruments and equipment provided in the aircraft ;

(ii) as to his competence to perform his duties in instrument flight conditions while executing emergency manoeuvres and procedures in flight, in an aircraft of the type to be used on the flight, including the use of the instruments and equipment provided in the aircraft.

A pilot's ability to carry out normal manoeuvres and procedures shall be tested in the aircraft in flight.

The other tests required by this sub-paragraph may be conducted either in the aircraft in flight, or under the supervision of a person approved by the Governor for the purpose by means of apparatus so approved in which flight conditions are simulated on the ground. The tests specified in sub-paragraph (2)(*a*)(ii) of this paragraph when conducted in the aircraft in flight shall be carried out either in actual instrument flight conditions or in instrument flight conditions simulated by means approved by the Governor.

(*b*) Every pilot included in the flight crew whose licence does not include an instrument rating or who, notwithstanding the inclusion of such a rating in his licence, is not intended by the operator to fly in circumstances requiring compliance with the Instrument Flight Rules, shall within the relevant period have been tested, by or on behalf of the operator in flight in an aircraft of the type to be used on the flight

(i) as to his competence to act as pilot thereof, while executing normal manoeuvres and procedures, and

(ii) as to his competence to act as pilot thereof, while executing emergency manoeuvres and procedures." ;

(*b*) for paragraph 1(5)(*a*)(ii) there is substituted the following sub-paragraph—

"(ii) have been tested as to his proficiency in using instrument approach-to-land systems of the type in use at the aerodrome of intended landing and any alternate aerodromes, such test being carried out either in flight in instrument flight conditions or in instrument flight conditions simulated by means approved by the Governor or under the supervision of a person approved by the Governor for the purpose by means of apparatus so approved in which flight conditions are simulated on the ground." ;

(*c*) for paragraph 1(6) there is substituted the following sub-paragraph—

"(6) For the purposes of this paragraph—

"instrument flight conditions" means weather conditions such that the pilot is unable to fly by visual reference to objects outside the aircraft;

"relevant period" means a period which immediately precedes the commencement of the flight, being a period—

(*a*) in the case of sub-paragraph (5)(*a*)(iii) of this paragraph, of three months;

(*b*) in the case of sub-paragraphs (2)(*a*)(ii), (2)(*b*)(ii), (3) and (5)(*a*)(ii) of this paragraph, of six months;

(*c*) in the case of sub-paragraphs (1), (2)(*a*)(i), (2)(*b*)(i), (4) and (5)(*a*)(i) of this paragraph, of thirteen months:

Provided that—

(i) any pilot of the aircraft to whom the provisions of sub-paragraphs (2)(*a*)(ii), (2)(*b*)(ii), or (5)(*a*)(ii) and any flight engineer of the aircraft to whom the provisions of sub-paragraph (3) of this paragraph apply shall for the purposes of the flight be deemed to have complied with such requirements respectively within the relevant period if he has qualified to perform his duties in accordance therewith on two occasions within the period of thirteen months immediately preceding the flight, such occasions being separated by an interval of not less than four months;

(ii) the requirements of sub-paragraph (5)(*a*)(i) shall be deemed to have been complied with within the relevant period by a pilot designated as commander of the aircraft for the flight if, having become qualified so to act on flights between the same places over the same route more than thirteen months before commencement of the flight, he has within the period of thirteen months immediately preceding the flight flown as pilot of an aircraft between those places over that route.".

Amendment of Eleventh Schedule to principal Order.

7. In the Eleventh Schedule to the principal Order:—

(*a*) in the list of documents to be carried on a flight for the purpose of public transport after the letter "F" there is inserted the letter "H"; and

(*b*) after the definition of document "G" there is inserted the following definition—

"'H' means the operations manual, if any, required by Article 21(2)(*a*)(ii) of this Order to be carried on the flight.".

Amendment of Twelfth Schedule to Principal Order.

8. The Twelfth Schedule to the principal Order is amended as follows:—

(*a*) In Rule 1—

(i) at the end of the definition of "aerodrome traffic zone" there is added the following—

"except any part of that airspace which is within the aerodrome traffic zone of another aerodrome which is notified for

the purposes of these Rules as being the controlling aerodrome.";

(ii) for the definition of "manoeuvring area" there is substituted the following—

"'manoeuvring area' means the part of an aerodrome provided for the take-off and landing of aircraft and for the movement of aircraft on the surface, excluding any parts of the aerodrome set aside for the embarkation and disembarkation of passengers, the loading and unloading of cargo, or the maintenance or parking of aircraft.";

(iii) in the definition of "Runway" for the words "a rectangular" there is substituted the word "an";

(*b*) In paragraph (1) of Rule 23 from the words commencing "For the purposes of the Rule 'special VFR flight'" to the end of that paragraph there are substituted the following words—

"For the purposes of this Rule 'special VFR flight' means a flight made in Instrument Meteorological conditions or at night or in controlled airspace notified for the purposes of Rule 21 of these Rules, in respect of which the appropriate air traffic control unit has given permission for the flight to be made in accordance with special instructions given by that unit instead of in accordance with the Instrument Flight Rules.";

(*c*) In Rule 26, before the Tables, there is inserted the following proviso—

"Provided that an aircraft may be flown at a level other than the level required by this Rule if it is flying in conformity with instructions given by an air traffic control unit or in accordance with holding procedures notified in relation to an aerodrome.";

(*d*) In the heading to Rule 32 there are added at the end the words "and other parts of the aerodrome used by aircraft";

(*e*) In Rule 32(1), for the words "the manœuvring area of an aerodrome" there are substituted the words "any part of an aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome";

(*f*) In Rule 33(1), for the words "the manœuvring area of a land aerodrome" there are substituted the words "any part of a land aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome";

(*g*) For Rule 35(1) there is substituted the following—

"35.—(1)(*a*) An aircraft shall not fly within a zone which the commander of the aircraft knows or ought reasonably to know to be the aerodrome traffic zone of an aerodrome where no air traffic control unit is for the time being notified as being on watch, except for the purpose of taking off or landing at that aerodrome or observing the signals in the signals area with a view to landing there, unless he has the permission of the person in charge of the aerodrome.

(*b*) An aircraft flying within such a zone for the purpose of observing the signals shall remain clear of cloud and at least 500 feet above the level of the aerodrome.";

(*h*) For Rule 36(1) and (2), there is substituted the following—

"36.—(1) An aircraft shall not fly within a zone which the commander of the aircraft knows or ought reasonably to know to be the aerodrome traffic zone of an aerodrome where an air traffic control unit is for the time being notified as being on watch, except for the purpose of taking off or landing at that aerodrome, or observing the signals in the signals area with a view to landing there, unless he has the permission of the appropriate air traffic control unit.

(2) The commander of an aircraft flying in the aerodrome traffic zone of an aerodrome where an air traffic control unit is for the time being notified as being on watch, or moving on the manœuvring area of such an aerodrome shall—

(*a*) cause a continuous watch to be maintained on the appropriate radio frequency notified for air traffic control communications at the aerodrome, or, if this is not possible, cause a watch to be kept for such instructions as may be issued by visual means;

(*b*) not taxi at the aerodrome or take off or land anywhere in the zone except with the permission of the air traffic control unit;

(*c*) comply with the provisions of paragraphs 1(*b*), (2), (3) and (4) of Rule 35 of these Rules as if the aerodrome did not have an air traffic control unit, unless he has the permission of the air traffic control unit at the aerodrome, or has been instructed by that unit, to do otherwise.".

Replacement of Fifteenth Schedule to principal Order.

9.—(1) The Fifteenth Schedule to the principal Order is replaced by the following new Schedule:—

"Fifteenth Schedule

Article 76

Territories to which this Order applies

Aden and the Protectorate of South Arabia.
Antigua.
Bahamas.
Barbados.
Basutoland.
Bechuanaland Protectorate.
Bermuda.
British Antarctic Territory.
British Guiana
British Honduras.
British Solomon Islands Protectorate.
British Virgin Islands.
Cayman Islands.
Central and Southern Line Islands.
Cyprus: Sovereign Base Areas of Akrotiri and Dhekelia.
Dominica.

Falkland Islands and Dependencies.
Fiji.
Gibraltar.
Gilbert and Ellice Islands Colony.
Grenada.
Hong Kong.
Kamaran.
Kuria Muria Islands.
Mauritius.
Montserrat.
Perim.
Seychelles.
Swaziland.
St. Christopher, Nevis and Anguilla.
St. Helena and Ascension Island.
St. Lucia.
St. Vincent.
Turks and Caicos Islands."

(2) The provisions of paragraph (1) of this Article shall apply only to the territories mentioned in the Schedule contained in that paragraph, and Article 76 of the principal Order shall be construed accordingly.

W. G. Agnew.

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 1961, as previously amended. The principal changes are as follows :—

(1) Changes are made in establishing flying duty periods, flight times, and rest periods for flight crew (Articles 45, 46 and 48).

(2) The Governor is given power to make regulations prescribing classes and descriptions of flying machines, in addition to those specifically referred to in the Fifth Schedule to the Colonial Air Navigation Order 1961, as amended, which are required to carry storm warning radar in certain areas and in certain circumstances (Fifth Schedule).

(3) Flight recorders are required to be carried in public transport aircraft from 1st July 1965 in the case of turbine-engined aeroplanes over 12,500 lb. maximum total weight authorised which first fly on or after that date, and from 1st October 1966 in the case of other turbine-engined aeroplanes over that weight, and piston-engined aeroplanes over 60,000 lb. Provision is also made for the records made by flight recorders to be preserved for 60 days, and for their production to authorised persons (Article 52(2) and Fifth Schedule).

(4) Aircraft which previously had to carry a dinghy when flying over water more than 90 minutes flying time from the nearest land are required to do so if they are either more than 400 nautical miles or more than 90 minutes flying time from an aerodrome (Fifth Schedule).

(5) A lockable door is required to be provided between the flight crew compartment and the passenger compartment in flying machines of over 12,500 lb. maximum total weight authorised when flying for the purpose of public transport of passengers. This requirement applies only to aircraft first registered on or after 1st June 1965 (Article 36 and Fifth Schedule).

(6) The requirements for the carriage of oxygen are related to flight levels instead of to altitudes above mean sea level, and the quantities of oxygen required to be carried above flight level 150 are reduced in specified cases (Article 28, Article 81 and Fifth Schedule).

(7) From 1st November 1965 certain changes will take place in the privileges attaching to Senior Commercial Pilots' Licences and Airline Transport Pilots' Licences.

(8) With certain exceptions a pilot may no longer be in command of a flying machine on a flight for the purpose of public transport unless his licence includes an instrument rating.

(9) Changes are made in the requirements for competency checks for crews of public transport aircraft. The principal changes are that tests formerly required every 12 months are required every 13 months, while the test of a pilot's ability to execute normal manoeuvres and procedures in flight is required every 13 months only; the test of ability to execute emergency manoeuvres and procedures in flight will, as before, be required every 6 months (Tenth Schedule, Part B).

(10) Some minor changes are made in the Rules of the Air and Traffic Control (Twelfth Schedule).

(11) The Fifteenth Schedule, enumerating the territories to which the Order applies, is replaced.