1955 No. 711

The Colonial Air Navigation Order, 1955

Made - - - -	*6th May*, 1955
Laid before Parliament	*6th May*, 1955
Coming into Operation	*1st July*, 1955

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At the Court at Buckingham Palace, the 6th day of May, 1955

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

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

behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows :—

PART I

REGISTRATION AND MARKING OF AIRCRAFT

Aircraft not to fly unless registered

1.—(1) No aircraft shall fly within the Colony unless it is registered in—

(*a*) a Contracting State ; or

(b) some part of Her Majesty's dominions ; or

(*c*) a country with which a special convention relating to air navigation entered into by or on behalf of Her Majesty is for the time being in force :

Provided that the Governor may, in such special circumstances and subject to such conditions or limitations as he may think fit, temporarily exempt from the provisions of this paragraph an aircraft registered elsewhere.

(2) An aircraft registered in a country with which such a special convention as aforesaid is in force, shall, in addition to complying with the provisions of this Order, also comply with the conditions of that convention.

(3) An aircraft exempted under the proviso to paragraph (1) of this Article shall carry, in addition to other documents which it is required by this Order to carry, a certificate, granted either by the Governor or by the competent authority in the country in which the aircraft is registered, certifying that the aircraft is so exempted and stating any conditions or limitations subject to which the exemption was granted.

(4) If any aircraft shall fly in contravention of paragraph (1) of this Article and in a manner or in circumstances such that, if the aircraft had been registered in the Colony, an offence against this Order would have been committed, the like offence shall be deemed to have been committed in respect of that aircraft.

Permission for aircraft to fly unregistered

2.—(1) Notwithstanding anything in the last foregoing Article an aircraft may fly within the Colony unregistered if and so long as it is flown for the purpose of or in connection with any experiment or test, or for any other purpose for which it appears to the satisfaction of the Governor that the aircraft may be permitted to fly unregistered :

Provided that in any such case the aircraft shall be flown in accordance with such conditions or limitations as may be prescribed, or as may be specified in a special permission in writing given by the Governor.

(2) An aircraft flying in pursuance of the foregoing provisions of this Article shall be deemed to be registered in the Colony for the purposes of the following provisions of this Order, namely, Articles 11, 14, 16, 17, 21, 22, 27, 28, 29, 30, 33, 34, 42, 43, and 44.

Registration of aircraft

3.—(1) The registration of aircraft in the Colony shall be carried out by the Governor.

(2) Application for registration of an aircraft shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars relating to the aircraft and the ownership thereof as he may require in connection with the application and with such evidence as he may require in support thereof.

(3) The register of aircraft registered in the Colony shall be kept so as to show, in relation to each aircraft registered in that register, any person appearing to the Governor to be owner for the time being of that aircraft, in this Order referred to as " registered owner " (which expression shall be deemed to include the personal representative or in the case of a body corporate the successor of that person) and such further particulars as may be prescribed.

(4) After completion of the registration the Governor shall issue a certificate of registration.

(5) The Governor shall transmit to the Ministry of Transport and Civil Aviation in the United Kingdom particulars of all registrations, and of changes in or cancellations of registrations, entered in the register.

Restrictions on registration of aircraft

4.—(1) (*a*) No aircraft shall be registered in the Colony unless it appears to the Governor that it is owned wholly by persons qualified to be owners of an aircraft registered in the Colony ; and

(*b*) No aircraft shall be so registered if it appears to the Governor that it is already registered in any other part of Her Majesty's dominions or in any foreign country.

(2) Persons of the following description are qualified to be owners of an aircraft registered in the Colony:—

(*a*) British subjects, citizens of the Republic of Ireland and British protected persons ; and

(*b*) bodies corporate—

(i) established under and subject to the laws of some part of Her Majesty's dominions ; and

(ii) having their principal place of business in those dominions ; and

(iii) whereof the chairman or person (if any) occupying the position of chairman, by whatever name called, and at least two-thirds of the directors or persons occupying the position of directors, by whatever name called, are British subjects, citizens of the Republic of Ireland or British protected persons.

(3) In a case where the usual station of an aircraft and its ordinary area of operation are not situated in the Colony and the owner of the aircraft is neither resident nor has his principal place of business in the Colony, the Governor may decline to accept an application for registration of the aircraft in the Colony, or, as the case may be, to permit the aircraft to remain registered in the Colony if in his opinion the aircraft could more suitably be registered in some other part of Her Majesty's dominions.

(4) In any particular case the Governor may decline to accept an application for registration of an aircraft in the Colony if in the circumstances of that case it appears to him to be inexpedient in the public interest that the aircraft should be so registered.

Cancellation of registration

5. The registration of an aircraft registered in the Colony may be cancelled at any time by the Governor as from a date to be specified by him on his being satisfied that the ownership of the aircraft is not as shown in the register or that such registration is not in conformity with the provisions of paragraph (1) of Article 4 of this Order or that the aircraft could more suitably be registered in some other part of Her Majesty's dominions or that it is inexpedient in the public interest that the aircraft should remain registered in the Colony and thereupon the certificate of such registration shall become void as from the specified date.

Registration of aircraft to be void on change of ownership

6.—(1) If there is any change in the ownership of an aircraft registered in the Colony—

(*a*) the registered owner shall forthwith notify the Governor in writing of the change and the date thereof; and

(*b*) the registration and the certificate thereof shall become void as from the date of the change.

(2) For the purpose of this Article there shall be deemed to be a change in the ownership of an aircraft if—

(*a*) any registered owner ceases to be owner; or

(*b*) any person other than a registered owner becomes owner; or

(*c*) the aircraft ceases to be owned wholly in conformity with paragraph (2) of Article 4 of this Order.

Registration of aircraft to be void if permanently withdrawn from use

7. If an aircraft registered in the Colony is destroyed or permanently withdrawn from use, the registered owner shall forthwith give notice of this in writing to the Governor and the registration and the certificate thereof shall become void as from the date of such notice.

No aircraft to fly without appropriate marks

8. No aircraft shall fly unless it bears painted thereon or affixed thereto in the manner required by the law of the country in which it is registered, the nationality and registration marks required by the law of that country, and no aircraft shall bear any mark purporting to indicate that it is registered in a country in which it is not registered.

Marks on aircraft registered in the Colony

9.—(1) The following provisions of this Article shall have effect with respect to the marks to be borne by aircraft registered in the Colony.

(2) The nationality mark of the aircraft shall be a group of two capital letters in Roman character, and the registration mark of the aircraft shall be a group of three capital letters in Roman character, assigned by the Governor on the registration of the aircraft. The letters shall be without ornamentation and a hyphen shall be placed between the nationality mark and the registration mark.

(3) The nationality and registration marks—

(*a*) shall be painted on the aircraft or shall be affixed thereto by any other means ensuring a similar degree of permanence in the manner provided in Schedule 1 to this Order;

(*b*) shall be inscribed, together with the full name and address of the registered owner of the aircraft, on a fireproof metal plate affixed in a prominent position to the fuselage or car or basket and near the main entrance of the aircraft; and

(*c*) shall always be kept clean and visible.

(4) If in respect of any aircraft any provision of paragraph (2) or paragraph (3) of this Article is contravened, the aircraft shall be in default.

Use of State marks

10. An aircraft other than a State aircraft shall not bear any mark or sign appropriated for use by State aircraft.

Part II

Maintenance of Aircraft

Certificate of airworthiness to be in force

11.—(1) Subject to the provisions of paragraph (2) of this Article no aircraft shall fly or attempt to fly unless—

(*a*) there is in force in respect thereof a certificate of airworthiness, duly issued or rendered valid under the law of the country in which the aircraft is registered; and

(*b*) any conditions on which the certificate was issued or rendered valid are duly complied with.

(2) Paragraph (1) of this Article shall not apply—

(*a*) in the case of—

(i) a balloon, not carrying passengers for hire or reward, or

(ii) a kite,

which is to be flown only within the Colony; or

(*b*) in the case of any other aircraft which is registered in the Colony and which is to be flown only within the Colony for the purpose of or in connection with any experiment or test or for any other purpose for which it appears to the satisfaction of the Governor that the aircraft may be permitted to fly without a certificate of airworthiness being in force in respect thereof:

Provided that in any such case the aircraft shall be flown in accordance with such conditions or limitations as may be prescribed or as may be specified in a special permission in writing given by the Governor.

Issue, renewal and validation of certificates of airworthiness

12.—(1) A certificate of airworthiness in respect of an aircraft may be issued by the Governor if he is satisfied that the aircraft complies with the requirements approved by him in respect of—

(*a*) design;

(*b*) construction, including workmanship and materials;

(*c*) instruments and equipment;

(*d*) weighing; and

(*e*) flying trials and other tests;

and if the aircraft, when fitted with an engine or engines, is fitted with an engine or engines of which an approval in writing has been given by him or under his authority:

Provided that when the Governor has issued a certificate of airworthiness in respect of a prototype or prototype (modified) aircraft he may dispense with all or any of the tests aforesaid in the case of a series aircraft conforming with such prototype or prototype (modified) aircraft.

(2) For the purpose of satisfying himself that an aircraft complies with the requirements specified in paragraph (1) of this Article the Governor may, if he thinks fit, as regards all or any of such requirements accept reports furnished to him by any person or firm whom he may approve as qualified to furnish such reports, for which purpose the organisation or the organisations, if more than one, of any person or firm desiring to furnish such reports 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.

(3) The following provisions of this paragraph shall have effect with respect to a certificate of airworthiness:—

(*a*) such particulars relating to the aircraft in respect of which the certificate is issued as may be determined by the Governor shall be specified in the certificate or in a flight manual or performance schedule relating thereto which may be issued by the Governor;

(*b*) the certificate shall be issued on such conditions as the Governor may think fit, which shall be specified in the certificate or such flight manual or performance schedule;

(*c*) the particulars specified in the certificate or such flight manual or performance schedule may from time to time be varied by the Governor on sufficient ground being shown to his satisfaction;

(*d*) the conditions specified in the certificate or such flight manual or performance schedule may from time to time be varied by the Governor if he is satisfied that they may properly be relaxed or that reasonable doubt exists as to whether they afford a sufficient margin of safety;

(*e*) a flight manual or performance schedule issued by the Governor as provided by sub-paragraph (*a*) of this paragraph shall be deemed to form part of the certificate to which it relates and shall be carried with that certificate.

(4) A certificate of airworthiness issued by the Governor shall, subject to the provisions of Article 31 of this Order, remain in force for such period as may be shown therein but may be renewed as provided by paragraph (6) of this Article.

(5) Where an aircraft is registered in the Colony in respect of which a certificate of airworthiness has been duly issued under the laws of any other part of Her Majesty's dominions or of any foreign country, the Governor may issue a validation conferring on that certificate, subject to such conditions and for such period as he may think fit, the same validity as if it had been issued under the foregoing provisions

of this Article or may, if he thinks fit, issue a new certificate of airworthiness in respect of the aircraft under the said provisions.

(6) The Governor may from time to time renew a certificate of airworthiness or a validation issued in accordance with the provisions of this Article on being furnished with such evidence as he may require with respect to the condition of the aircraft to which the certificate or validation relates, and in a case where such validation has been issued may, if he thinks fit and on being furnished with such evidence, issue a new certificate of airworthiness in respect of the aircraft under the said provisions instead of renewing the validation.

(7) Aircraft in respect of which certificates of airworthiness are issued or rendered valid under the provisions of this Article may be classified under such categories as may be prescribed and any prescribed restrictions which may be imposed on the manner in which and the purposes for which an aircraft in any prescribed category may be used shall be complied with.

(8) Application for the issue or renewal or for a validation or for the renewal of a validation of a certificate of airworthiness shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars as he may require in connection with the application.

Access to factories following application for certificate of airworthiness

13. Where an application has been made for a certificate of airworthiness in respect of an aircraft, any person authorised in writing by the Governor shall at all times during working hours while the aircraft is under construction have the right of access to any place in any aircraft factory to which access is necessary for the purpose of inspecting any part of the aircraft being manufactured or assembled or any drawings of any part of the aircraft.

Inspection, weighing, overhaul, repair and modification of aircraft

14.—(1) The following provisions of this Article shall have effect in relation to aircraft registered in the Colony, in respect of which certificates of airworthiness issued or rendered valid under this Order are or have been in force.

(2) Any such aircraft may be inspected by a person authorised in writing by the Governor for that purpose.

(3) (*a*) Requirements may be prescribed as to the inspection, overhaul, repair, replacement of parts and modification of any such aircraft, and as to ascertaining the weight thereof, and, in addition, a person authorised by the Governor as aforesaid may in any particular case give any special instructions with regard to the matters aforesaid which appear to him to be required for the purpose of securing the safety of the aircraft.

(*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.

(4) In such cases as may be prescribed the approval in writing of the Governor or such other approval in writing as may be prescribed shall be obtained for a modification of an aircraft, whether such modification has been carried out in pursuance of the provisions of this Article or otherwise, and the Governor may require that, if a modification of an aircraft proposed for approval is carried out, a new certificate of airworthiness in respect of that aircraft shall be obtained.

(5) An aircraft in respect of which any such prescribed requirements or special instructions as are referred to in paragraph (3) of this Article have not been complied with or in respect of which an approval or a new certificate of airworthiness required under paragraph (4) of this Article has not been obtained shall not, pending compliance with such prescribed requirements or special instructions or pending the obtaining of such approval or new certificate of airworthiness, as the case may be, fly or attempt to fly except in so far as it may be permitted to fly by the Governor or except in so far as it might fly if no certificate of airworthiness was in force in respect thereof.

(6) In this Article:—

(*a*) the reference to the inspection, overhaul, repair, replacement of parts and modification of an aircraft includes reference to the inspection, overhaul, repair, replacement of parts and modification of the engines, components, accessories, instruments, equipment and apparatus of an aircraft and the manner of the installation of the same.

(*b*) the reference to ascertaining the weight of an aircraft includes reference to ascertaining the weight of the engines, components, accessories, instruments, equipment and apparatus thereof; and

(*c*) the expression "modification" includes any change in the type of engines, components, accessories, instruments, equipment and apparatus of an aircraft.

Licensing of aircraft maintenance engineers

15.—(1) The Governor may grant licences to persons to act in the capacity of aircraft maintenance engineers for the purpose of entitling such persons to issue in connection with the construction, repair and maintenance of aircraft and matters connected therewith such certificates as may be prescribed or required under the provisions of this Order, and the following provisions of this Article shall have effect with respect to such licences.

(2) A licence may relate to aircraft, engines or instruments and accessories.

(3) The Governor may grant a licence on application being made and on his being satisfied that the applicant is qualified in accordance with such requirements as may for the purposes of this Article be prescribed from time to time (hereinafter in this Article referred to as "the requirements") to hold a licence.

(4) (*a*) The privileges which may be conferred by a licence shall be classified in such categories of certification and duties of certification as may be prescribed.

(*b*) A rating in any such category shall specify the types of aircraft or the types of engine or the types of instruments and accessories in respect of which the holder of the licence is entitled to perform the duties of certification appropriate to that category.

(*c*) A rating in respect of aircraft or engines may relate either to a single type of aircraft or engine or to a group of types of aircraft or engine.

(*d*) The Governor may, on application being made, at any time during the currency of a licence extend the ratings included therein by the addition of further ratings in any category on his being satisfied that the applicant is qualified in accordance with the requirements to have such extension.

(5) (*a*) A licence shall, subject to the provisions of Article 31 of this Order, remain in force for such period, not exceeding the prescribed period, as may be shown in a certificate of validity issued by the Governor with the licence but may, on application being made and on the Governor being satisfied that the applicant is qualified in accordance with the requirements to have the licence renewed, from time to time be renewed by the Governor so as to remain in force for the further period, not exceeding the prescribed period, specified in a certificate of validity issued by the Governor on the occasion of the renewal:

Provided that, on any such application being made, the applicant may be required to satisfy the Governor as to his qualifications in accordance with all or any of the requirements applicable with respect to the grant of a licence.

(*b*) A certificate of validity issued in accordance with the provisions of sub-paragraph (*a*) of this paragraph shall, while it remains in force, be deemed to form part of the licence to which it relates and the certificate of validity which is for the time being in force shall be carried with that licence.

(6) On the issue of a licence to an applicant he shall forthwith sign his name thereon in ink with his ordinary signature as the holder thereof.

(7) A licence shall not be granted or renewed if the Governor is satisfied that the applicant is not a fit and proper person to hold a licence and in any particular case the Governor may refuse to grant or to renew a licence if in the circumstances of that case it appears to him to be inexpedient in the public interest that the licence should be granted or renewed as the case may be.

(8) Application for the grant or renewal of a licence or for an extension of a rating shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars as he may require in connection therewith.

Certificates of maintenance

16.—(1) An aircraft registered in the Colony which carries or is intended by the operator for carrying passengers or goods for hire or reward shall not fly or attempt to fly unless it has been maintained in accordance with maintenance schedules approved as prescribed (hereinafter in this Article referred to as "the maintenance schedules") in respect of that aircraft and a certificate (in this Order referred to as a "certificate of maintenance") has been issued and is in force under this Article, certifying that the aircraft has been so maintained.

(2) The certificate of maintenance shall be in the prescribed form and shall be issued in duplicate in accordance with the prescribed requirements by the holder of an aircraft maintenance engineer's licence granted or rendered valid under this Order:

Provided that, if the Governor shall so direct, and subject to any conditions specified in such direction, a certificate of maintenance may be issued by any person not being the holder of an aircraft maintenance engineer's licence granted or rendered valid under this Order, but having the qualifications specified in such directions.

(3) The certificate of maintenance shall come into force immediately after it has been issued and shall cease to be in force on the expiration of its period of validity, being a period of time from its issue which shall be specified in the maintenance schedules relating to the aircraft, or as soon as the aircraft has flown for the number of hours which shall be specified for this purpose in the maintenance schedules relating to it, whichever shall first occur.

(4) The operator of the aircraft shall record in the prescribed form on every certificate of maintenance relating to the aircraft the period of its validity.

(5) (*a*) As soon as a certificate of maintenance in respect of the aircraft is issued, the operator of the aircraft shall provide a book (in this Order referred to as a "record of flying hours") for the purpose of recording the number of hours during which the aircraft has flown since the issue of such certificate of maintenance;

(*b*) on the termination of every flight the person in command of the aircraft shall enter in the record of flying hours the duration of the flight in hours and minutes and shall sign and date such entry;

(*c*) the entry shall be preserved by the operator for two years after the expiration of such certificate of maintenance.

PART III

OPERATION OF AIRCRAFT

Precautionary action to be taken by person in command and pilot

17.—(1) The following provisions of this Article shall have effect in relation to aircraft registered in the Colony.

(2) Before the aircraft flies or attempts to fly, the person in command of the aircraft shall satisfy himself—

(i) (*a*) that the prescribed instruments and equipment required to be carried in the aircraft are carried and are in a fit condition for immediate use;

(*b*) in the case of an aircraft required in the circumstances of the proposed flight to be equipped with radio apparatus as prescribed, that the aircraft is so equipped, that such apparatus is fit in every way for the flight, and that any prescribed certificate in respect of such radio apparatus is in force;

(*c*) in the case of an aircraft which carries or is intended by the operator for carrying passengers or goods for hire or reward that a certificate of maintenance in respect of the aircraft is in force and will not cease to be in force before the expected termination of the proposed flight;

(*d*) that the aircraft is in every way fit for the proposed flight, and, in the case of an aircraft which carries or is intended by the operator for carrying passengers or goods for hire or reward, that any recorded defect has been rectified, or, if not rectified, that such defect will not render the aircraft unfit for such flight;

(ii) that provision as may be necessary in the circumstances of the proposed flight has been made for any prescribed devices to be used and for any prescribed precautionary measures to be taken in the aircraft for the purpose of promoting the safety thereof;

(iii) that the load carried by the aircraft is of such weight, and so distributed and secured, that it may safely be carried on the proposed flight;

(iv) that, except in such cases as may be prescribed, the view of the pilot is not interfered with by any obstruction not forming part of the structure of the aircraft and is not obscured by reason of any discolouration of, damage to, or deposit on any of the windows, windscreens or sidescreens of the aircraft;

(v) in the case of a flying machine or airship, that sufficient fuel and oil and engine cooling fluid (when required) are carried therein for the proposed flight, including a safe margin for contingencies, and that the output of electricity which will be available is sufficient to ensure the effective operation of all the electrical equipment installed in the aircraft which it is intended or which it may be necessary to bring into operation during the flight;

(vi) in the case of a flying machine or glider, that the wings and control surfaces are free from ice and hoar frost;

(vii) in the case of a flying machine, that, having regard to the performance of the flying machine in the conditions to be expected on the proposed flight, it is capable of clearing by a safe margin the edge of the aerodrome or other place of departure, of reaching and maintaining a safe height thereafter along the route of the proposed flight and of making a safe landing at the aerodrome or other place of intended destination; and

(viii) in the case of an airship or balloon—

(*a*) that sufficient ballast is carried for the proposed flight; and

(*b*) that any conditions laid down in the certificate of airworthiness as to purity of gas have been complied with.

(3) The pilot of the aircraft shall take all such steps as are practicable to secure that, at all times when the aircraft is in flight or is being manœuvred by him on land or water, the windows, windscreens or sidescreens of the aircraft through which he obtains his view forward or sideways are maintained in such a condition as not to obscure his view.

(4) A public transport or aerial work aircraft of any class prescribed in relation to this paragraph shall not, subject to any prescribed exceptions, fly or attempt to fly unless such requirements as may be prescribed with respect to its weight and performance have been complied with.

(5) A public transport aircraft of any class or description prescribed in relation to this paragraph shall not fly or attempt to fly unless—

(*a*) written loading instructions have been given by the operator of the aircraft to the person superintending the loading of the aircraft instructing him how the load is to be distributed and secured to ensure

(i) that the load may safely be carried on the proposed flight, and
(ii) that the conditions on which the certificate of airworthiness relating to the aircraft was issued or rendered valid are complied with;

(*b*) the person superintending the loading of the aircraft for the proposed flight has made out, signed and dated a load sheet in duplicate containing the prescribed particulars, and the said load sheet has been submitted to and examined by the person in command of the aircraft.

(6) A public transport aircraft of any class prescribed in relation to this paragraph, when engaged in a flight over water during which it may at any time be flying at a flying distance from the nearest shore exceeding a flying distance prescribed in relation to such a flight, shall comply with such conditions as may be prescribed with respect to such a flight.

(7) Where aircraft about to fly consist of one or more flying machines with a glider or gliders in tow, they shall not fly or attempt to fly unless the person in command of the flying machine, or, if there is more than one flying machine, the person in command of one of them who shall be in charge of the tow, has satisfied himself that:—

(i) the types of the flying machine or flying machines and the glider or gliders are such as to form a combination which is in accordance with the authorisations as to towing operations included in the terms of the certificates of airworthiness or any validation of such a certificate in force in respect of such aircraft;

(ii) the tow rope or ropes to be used are in good condition and of adequate strength for the purpose of the towing operation; and

(iii) the weights of the flying machine or flying machines and the glider or gliders considered in combination are such as to satisfy on the proposed flight the requirements of sub-paragraph (vii) of paragraph (2) of this Article and, where applicable, any prescribed requirements with respect to the weight and performance of public transport or aerial work flying machines.

(8) (*a*) As soon as a certificate of maintenance in respect of an aircraft registered in the Colony which carries or is intended by the operator for carrying passengers or goods for hire or reward is issued, the operator of the aircraft shall provide a book (in this Order referred to as a "record of defects") for the purpose of recording defects in the aircraft occurring during the period of validity of such certificate of maintenance and the rectification of such defects;

(*b*) on the termination of every flight the person in command of the aircraft shall enter in the record of defects—

(i) particulars of any defects in the aircraft including its engines, components, accessories, instruments, equipment, apparatus and their installations observed by him during the flight or reported to him, or

(ii) if no such defect has been observed by him during the flight or reported to him, a statement to that effect

and shall sign and date such entry;

(*c*) after rectifying any such defect in the aircraft the person effecting such rectification shall enter in the record of defects particulars of such rectification and shall sign and date such entry;

(*d*) the operator shall either preserve each entry in the record of defects for a period of two years after the expiration of the period of validity of such certificate of maintenance or shall, as soon as is reasonably practicable and in any case within six months of the expiration of such period, cause a copy of the entry to be made in the aircraft log book, engine log book or propeller log book, whichever is appropriate, kept in respect of the aircraft:

(*e*) if no copy of an entry is made in the appropriate log book, the operator shall, as soon as is reasonably practicable and in any case within six months of the expiration of the period of validity of such certificate of maintenance, cause particulars sufficient to identify the entry to be written in such log book.

(9) Where the aircraft is a flying machine or glider it shall not be used to carry out any trick flying or exhibition flying while carrying passengers for hire or reward unless the person in command of the flying machine or glider has satisfied himself before commencing the flight that every passenger (whether carried for hire or reward or not) and the pilot (or pilots, if more than one) are properly secured by the safety harness or other similar devices prescribed to be carried and maintained in a fit condition for immediate use in the flying machine or glider.

(10) If in respect of any aircraft default is made in complying with any provision of paragraph (2), paragraph (3), paragraph (8) or paragraph (9) of this Article, the aircraft shall be in default.

Operational Training and provision of Operations Manual

18.—(1) Subject to the provisions of paragraph (2) of this Article, this Article shall have effect in relation to public transport aircraft registered in the Colony.

(2) (*a*) This Article shall not have effect in relation to aircraft for the time being used solely for the purpose of training persons carried therein to perform duties in an aircraft;

(*b*) Paragraphs (5) and (6) of this Article shall not have effect in relation to aircraft flown in accordance with the Visual Flight Rules in Section IV of the Second Schedule to this Order if the aircraft is for the time being used solely either (i) for local pleasure flights commencing from and finishing at the same aerodrome with no intermediate landings, or (ii) for flights other than flights made on a scheduled journey and the total maximum weight authorised for the aircraft as shown for the time being in its certificate of airworthiness does not exceed 5,000 lb.

(3) The operator of the aircraft (hereinafter in this Article called "the operator") shall ensure that every member of the operating crew thereof (hereinafter in this Article called "the operating crew") is fully instructed as to the duties and responsibilities to be discharged by him in the capacity in which he is acting as such member and as to the relationship of such duties and responsibilities to the operations system of any air route over which he may be called upon to discharge the same and that he has adequate knowledge of every such air route.

(4) The operator shall ensure that every member of the personnel has training, practice and periodical tests in accordance with such requirements as may be prescribed with respect to those matters and shall keep such records of such training, practice and periodical tests as may be prescribed.

(5) The operator shall provide for the use and guidance of the members of the operating crew an Operations Manual containing such particulars as may be prescribed and such further information as will enable them to become fully acquainted with the nature of any flying operations in which they will be engaged and their respective duties and responsibilities in relation thereto.

(6) The following provisions of this paragraph shall have effect with respect to the said Manual—

(*a*) the operator shall cause the Manual to be revised from time to time as may be necessary in consequence of any change affecting the operation of the aircraft or the equipment thereof or as may otherwise appear to the operator to be necessary;

(*b*) the operator shall cause copies of the Manual and of any revised portion thereof to be furnished to the members of the operating crew and to such other persons as appear to the operator to be persons to whom it is necessary or expedient that such copies should be supplied;

(*c*) the operator shall ensure that all copies of the Manual in the hands of members of the operating crew are kept so revised as to show at any time any variation which may then have been made in the requirements with respect to the matters to which the Manual relates;

(*d*) the operator shall cause to be furnished to the Governor copies of such parts of the Manual as the Governor may from time to time require including any revisions therein.

(7) The operator shall maintain current records of the flight times of every member of the operating crew and shall establish limitations on those flight times such as to ensure that the safety of the aircraft is not endangered by reason of fatigue of any such member attributable to the length or frequency of his flight times.

(8) The Governor may take such measures as he may consider necessary to satisfy himself that the provisions of paragraphs (3) to (7) of this Article are being complied with by the operator.

(9) In this Article the expression "flight time" means any period in the course of the time from the moment at which any aircraft first moves under its own power for the purpose of taking-off for a flight until the moment at which it comes to rest at the end of that flight during which a member of the operating crew of the aircraft is engaged in discharging or remains liable to discharge his duties and responsibilities in the capacity in which he is acting as such member.

Aerodrome Meterological Minima for aircraft not registered in the Colony

19.—(1) The operator of a public transport aircraft which is not registered in the Colony shall cause to be furnished to the Governor as he may from time to time require particulars of any weather conditions, together with any instructions related thereto, which that operator may have specified for any aerodrome in the Colony for the purpose of limiting its use either for take-off or landing.

(2) No aircraft to which this Article applies shall commence a flight from or land at any aerodrome in the Colony if the weather conditions at that aerodrome are less favourable than the weather conditions specified for that aerodrome under paragraph (1) of this Article.

Aerodrome Meteorological Minima for aircraft registered in the Colony

20.—(1) Subject to the provisions of paragraph (2) of this Article, this Article shall apply to public transport aircraft registered in the Colony.

(2) This Article shall not apply to (*a*) aircraft for the time being used solely for the purpose of training persons carried therein to perform duties in an aircraft, or (*b*) aircraft flown in accordance with the Visual Flight Rules in Section IV of the Second Schedule to this Order if the aircraft is for the time being used solely either (i) for local pleasure flights commencing from and finishing at the same aerodrome with no intermediate landings, or (ii) for flights other than flights made on a scheduled journey and the total maximum weight authorised for the aircraft as shown for the time being in its certificate of airworthiness does not exceed 5,000 lb.

(3) (*a*) No aircraft to which this Article applies shall commence a flight if either the cloud ceiling or runway visual range at the aerodrome from which the flight is to be commenced is less than the relevant minimum for take-off.

(*b*) No aircraft to which this Article applies shall commence a flight if according to the available information the aircraft would not, without infringing the provisions of paragraph (4) of this Article, be able to commence or continue an approach to landing at the aerodrome of intended landing at the estimated time of arrival at that aerodrome or at any alternate aerodrome at any time at which according to a reasonable estimate the aircraft would arrive at that aerodrome.

(4) (*a*) No aircraft to which this Article applies shall commence or continue an approach to landing at any aerodrome if the runway visual range at that aerodrome is less than the relevant minimum for landing.

(*b*) No aircraft to which this Article applies shall continue its approach to landing at any aerodrome below the critical height of the relevant minimum for landing if from that height the approach to landing cannot be completed entirely by visual reference to the ground.

(5) If according to the available information an aircraft would as regards any flight be required by Rule 28 of the Second Schedule to this Order to be flown in accordance with the Instrument Flight Rules in Section V of the said Second Schedule at the aerodrome of intended landing, the person in command of the aircraft shall select prior to take-off an alternate aerodrome unless no aerodrome suitable for that purpose is available.

(6) In this Article :—

" alternate aerodrome " means an aerodrome selected prior to take-off to which a flight may proceed when a landing at the intended destination becomes inadvisable ;

" approach to landing " means that portion of the flight of the aircraft in which it is descending below a height of 1,000 feet above the critical height of the relevant minimum for landing ;

" appropriate authority " means the national authority of a Contracting State responsible for the safety of air navigation over the territory of that State and, in the case of the Colony, means the Governor ;

"cloud ceiling" in relation to an aerodrome means the distance measured vertically from aerodrome elevation to the lowest part of any cloud visible from the aerodrome which is sufficient to obscure more than one half of the sky visible from the aerodrome;

"critical height" means the height specified in the Operations Manual as the minimum height above aerodrome elevation to which an approach to landing can safely be continued without visual reference to the ground;

"flight" includes the whole of the period occupied in transit from an aerodrome to the aerodrome of next landing from the time when the aircraft is first in motion on the ground until the time when it comes to rest on landing;

"landing strip" means a rectangular portion of the landing area, specially prepared for the take-off and landing of aircraft in a particular direction;

"relevant minimum" in relation to an aerodrome means a weather minimum specified in the Operations Manual required by Article 18 of this Order;

"runway" means a hard surfaced straight path, within a landing strip, normally used for the take-off and landing of aircraft;

"runway visual range" means the maximum distance along the runway or the landing strip measured from any point on the runway or landing strip in the direction in which the aircraft will approach or from which it will commence its flight, as the case may be, at which the runway or landing strip, or the markers or lights delineating it, are visible, provided that where any such maximum distance has been measured in relation to any aerodrome in the Colony by the aerodrome authorities of that aerodrome, and has been communicated to the person in command, the distance so measured shall be taken to be the runway visual range;

"weather minima" means the cloud ceiling and runway visual range for take-off and the critical height and runway visual range for landing below which the aircraft cannot safely take-off or land (as the case may be) at the relevant aerodrome, provided that no weather minima shall be less than any minima specified for that aerodrome by the appropriate authority unless it shall have been specifically approved by that authority.

Members of operating crew to hold licences

21.—(1) Subject as hereinafter in this Article provided, no person shall fly or attempt to fly as a member of the operating crew of an aircraft registered in the Colony unless he is the holder of a licence granted or rendered valid under this Order.

(2) No person shall fly or attempt to fly within the Colony as a member of the operating crew of an aircraft registered outside the Colony, unless—

(*a*) in the case of a public transport or aerial work aircraft, he is the holder of a licence granted or rendered valid under the law of the country in which the aircraft is registered;

(*b*) in the case of any other aircraft, he is the holder of a licence granted or rendered valid either under the law of the country in which the aircraft is registered or under this Order.

(3) No aircraft shall fly or attempt to fly unless every member of the operating crew thereof is the holder of the licence which he is required to hold under the provisions of this Article.

(4) (*a*) For the purposes of this Article the expression "licence" means a licence which entitles the holder thereof to act in the capacity in which he is flying as a member of the operating crew of an aircraft having regard to the privileges conferred by the licence and any limitation affecting such privileges in relation to the class, type and description of the aircraft or otherwise and to the circumstances of the flight in which the aircraft is engaged.

(*b*) For the purposes of this Article a valid and subsisting licence issued by a State which is a member of the International Civil Aviation Organisation in conformity with Annex I (Personnel Licensing) of the Convention on International Civil Aviation purporting to authorise the holder thereof to fly as a member of the operating crew of any aircraft shall be deemed to be a licence granted under this Order entitling the holder thereof to fly as a member of the operating crew of aircraft other than aerial work aircraft or public transport aircraft in so far as he is permitted to do so by the terms of the licence and by the law of the State by which it is issued.

(5) For the purposes of this Article—

(*a*) a person shall not be deemed to be a member of the operating crew of an aircraft—

(i) if he is flying in accordance with the provisions of this Order and any conditions that may be prescribed for the purpose of becoming qualified for the grant or renewal of a licence of any class; or

(ii) if he is flying in accordance with the provisions of this Order for the purpose of undergoing tests or receiving instruction in flying required to be undertaken for admission into any of Her Majesty's air forces;

(*b*) (i) a member of a flying club when carried in the Colony in an aircraft registered in the Colony belonging to or being flown under arrangements made by the club for the purposes of instruction or otherwise if the pilot is also a member of the same club; or

(ii) a person carried in an aircraft registered in the Colony for the purposes of instruction given by a person specially approved by the Governor for those purposes in the course of being trained to be a pilot or to perform other duties in any of Her Majesty's air forces—

shall not be deemed to be a passenger carried for hire or reward, notwithstanding that payment is made for such carriage or instruction.

(6) (*a*) The holder of a pilot's licence of any class may fly as pilot in charge of an aircraft of a class or type other than a class or type to which the licence applies if he is so flying in accordance with the provisions of this Order and the prescribed conditions for the purpose of qualifying for the extension pursuant to paragraph (6) of Article 23 of this Order of the aircraft rating included in the licence to cover an additional class or type or additional classes or types of aircraft.

(*b*) A person may fly in accordance with the provisions of the last foregoing sub-paragraph as pilot in charge of a flying machine notwithstanding that it is a public transport flying machine if the licence which he holds entitles him to fly as pilot in charge of a public transport flying machine and every passenger carried in the flying machine is being carried in accordance with the prescribed conditions for the purpose of being trained to perform duties as a member of the operating crew of a flying machine.

(7) This Article shall not apply—

(i) to a person operating radio apparatus in such special cases as may be prescribed and in accordance with the conditions prescribed with respect to any such case; or,

(ii) except in the case of a person flying as a flight radio operator, to a person flying as a member of the operating crew of a glider which is not being used as a public transport aircraft or an aerial work aircraft.

Number and description of members of operating crew

22.—(1) No aircraft shall fly or attempt to fly unless the members of its operating crew are of the number and description required by the law of the country in which the aircraft is registered.

(2) The number and description of the members of the operating crew who shall be carried in an aircraft registered in the Colony and the arrangements made as to their duties shall be in accordance with the prescribed requirements including requirements with respect to the class, type and description of the aircraft or the circumstances of the flight in which it is engaged:

Provided that in any particular case the Governor may vary any of the prescribed requirements or add further requirements thereto or may except an aircraft from compliance with any of the prescribed requirements subject to such conditions, if any, as he may consider to be required, if in the circumstances of that case it appears to him to be expedient so to do.

(3) If in respect of any aircraft default is made in complying with any of the requirements having effect pursuant to paragraph (2) of this Article, the aircraft shall be in default.

Grant of licences to members of operating crew

23.—(1) For the purpose of entitling persons to act as members of the operating crew of an aircraft registered in the Colony the Governor may grant licences of any of the following classes:—

Private pilot's licence (flying machines),
Commercial pilot's licence (flying machines),
Senior commercial pilot's licence (flying machines),
Airline transport pilot's licence (flying machines),
Private pilot's licence (balloons),
Commercial pilot's licence (balloons),
Airship pilot's licence (first class),
Airship pilot's licence (second class),
Airship pilot's licence (third class),
Commercial pilot's licence (soaring gliders),
Commercial pilot's licence (trailing gliders),
Flight navigator's licence,
Flight engineer's licence,

Flight radio operator's licences as follows:—

General flight radiotelephony operator's licence,

General flight radiotelephony operators licence (Temporary),

Flight radiotelephony operator's restricted licence,

First class flight radiotelegraphy operator's licence,

First class flight radiotelegraphy operator's licence (Temporary),

and of any other class which may be prescribed, and the following provisions of this Article shall have effect with respect to such licences.

(2) The Governor may grant a licence of any class on application being made and on his being satisfied that the applicant is qualified in accordance with such requirements as may for the purposes of this Article be prescribed or from time to time specified in a publication issued by him (hereinafter in this Article referred to as "the requirements") to hold a licence of the class to which the application relates:

Provided that on or before the grant of a flight radio operator's licence of any class there shall be issued by the Governor to the applicant a certificate of competency as to his technical competence in accordance with the requirements, which certificate shall be deemed to form part of the licence and shall be carried therewith.

(3) (*a*) A licence shall, subject to the provisions of Article 31 of this Order, remain in force for such period, not exceeding the prescribed period, as may be shown in a certificate of validity issued by the Governor with the licence but may on application being made and on the Governor being satisfied that the applicant is qualified in accordance with the requirements to have the licence renewed, from time to time be renewed by the Governor so as to remain in force for the further period, not exceeding the prescribed period, shown in a certificate of validity issued by the Governor on the occasion of the renewal:

Provided that, on any such application being made, the applicant may be required to satisfy the Governor as to his qualifications in accordance with all or any of the requirements applicable with respect to the grant of a licence of the class to which the application relates.

(*b*) A certificate of validity issued in accordance with the provisions of sub-paragraph (*a*) of this paragraph shall, while it remains in force, be deemed to form part of the licence to which it relates and the certificate of validity which is for the time being in force shall be carried with that licence.

(4) (*a*) (i) With respect to each class of licence the privileges which may be conferred by a licence of that class shall, subject to the provisions of sub-paragraph (*b*) of this paragraph, be as prescribed and shall be subject to any prescribed conditions or limitations.

(ii) A rating may be included by the Governor in a licence on the grant thereof or at any time while the licence remains in force on application being made.

(iii) A rating specifying a privilege may be included in a licence if the Governor is satisfied that the applicant for or, as the case may be, the holder of the licence is qualified in accordance with the requirements for such rating.

(iv) A rating may be deleted by the Governor at any time while the licence in which it is included remains in force if the Governor is satisfied that it should no longer be included in that licence.

(*b*) (i) A pilot's licence (flying machines) of any class shall include a rating or ratings (in this Article collectively called "an aircraft rating") specifying the classes and types of flying machines which the holder of the licence may fly as pilot in charge or as second pilot.

(ii) a pilot's licence of any other class shall include a corresponding aircraft rating, if so prescribed.

(iii) a pilot's licence (flying machines) of any class may, and where so prescribed shall, include an instrument rating entitling the holder of the licence to fly as pilot in charge under Instrument Flight Rules in accordance with the provisions of sub-paragraph (*a*) of paragraph (2) of Rule 33 in Schedule II to this Order.

(iv) The holder of a private pilot's licence (flying machines) shall not carry passengers by night (as defined in Section I of Schedule II to this Order) in a flying machine of which he is the pilot in charge unless there is included in the licence a night rating entitling him to do so.

(v) A flight engineer's licence shall include an aircraft rating specifying the types of aircraft in which he is entitled to act as flight engineer.

(vi) A flight radio operator's licence shall include a rating showing the types of radio apparatus which he is entitled to operate.

(vii) The ratings above specified in this sub-paragraph shall be framed in accordance with such provisions as may be prescribed.

(viii) There may be included in a licence other ratings to which the provisions of Articles 26 and 46 of this Order apply.

(5) With respect to any particular licence, the Governor may on the grant or renewal thereof or at any time during a period for which it remains in force impose any special limitation on or in connection with the exercise of the privileges conferred by the licence for which there appears to him to be sufficient ground. Any such limitation shall be entered in the licence and may at any time be removed by the Governor upon his being satisfied that the same need no longer be imposed.

(6) Where any privilege is limited as to the class or type of aircraft with respect to which it is conferred or, in the case of a first class flight radiotelegraphy operator's licence, as to the type of radio apparatus which the holder of the licence is entitled to operate, the Governor may at any time while the licence remains in force, on application being made, extend the rating limiting the effect of the privilege to cover additional classes or types of aircraft or, as the case may be, additional types of radio apparatus if he is satisfied that the applicant is qualified in accordance with the requirements to have the rating so extended.

(7) The holder of a flight engineer's licence may carry out the duties of a flight engineer in an aircraft of a type other than a type to which the licence applies if he is so acting under the direct supervision of the flight engineer of that aircraft.

(8) Every holder of a licence shall submit himself to medical examination as may be prescribed.

(9) On the issue of a licence to an applicant he shall forthwith sign his name thereon in ink with his ordinary signature as the holder thereof. A flight radio operator shall also so sign (if he has not already so signed) the certificate of competency issued to him in accordance with the proviso to paragraph (2) of this Article.

(10) A licence shall not be granted or renewed if the Governor is satisfied that the applicant is not a fit and proper person to hold a licence and in any particular case the Governor may refuse to grant or to renew a licence if in the circumstances of that case it appears to him to be inexpedient in the public interest that the licence should be granted or renewed as the case may be.

(11) Application for the grant or renewal of a licence or for a rating or (where so prescribed) for an extension of a rating shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars as he may require in connection therewith.

Validation of licences granted outside the Colony

24. When a licence has been granted by the competent authority in any part of Her Majesty's dominions outside the Colony or in any foreign country the Governor may issue and from time to time renew a validation conferring on such licence subject to such conditions and limitations and for such period as he may think fit the same validity as if such licence had been granted under this Order:

Provided that:—

(i) such a validation shall not be issued or renewed if the Governor is satisfied that the holder of such licence is not a fit and proper person to hold such a validation;

(ii) in any particular case the Governor may refuse to issue or to renew such a validation if in the circumstances of that case it appears to him to be inexpedient in the public interest that the validation should be issued or renewed as the case may be; and

(iii) in the case of such a licence held by a flight radio operator, a validation thereof shall not be issued unless the holder thereof satisfies any requirements with respect to nationality prescribed in the case of an applicant for the grant of a licence under this Order.

Student Pilot's licence

25.—(1) A person shall not fly within the Colony as pilot in charge of a flying machine for the purpose of becoming qualified for the grant or renewal of a flying machine pilot's licence of any class unless he is the holder of a student pilot's licence, except in a case where—

(*a*) within the immediately preceding six months he was either the holder of a flying machine pilot's licence, granted under this Order, or was serving as a qualified pilot of flying machines in any of Her Majesty's air forces and his physical condition has not, so far as he is aware, deteriorated in any respect so that it is below the standard required for the grant of a pilot's licence of the class for which he intends to qualify, or

(*b*) he is flying in accordance with the provisions of this Order for the purpose of undergoing tests or receiving instruction in flying required to be undertaken for admission into any of Her Majesty's air forces.

(2) The following provisions of this paragraph shall have effect with respect to a student pilot's licence:—

(*a*) The Governor may grant a licence on application being made and on his being satisfied that the applicant is qualified in accordance with such requirements as may be prescribed to hold a licence;

(*b*) a licence shall be granted subject to such conditions as may be prescribed and to any further conditions which in any particular case the Governor may think fit to add thereto;

(*c*) a licence shall, subject to the provisions of Article 31 of this Order, remain in force for such period, not exceeding the prescribed period, as may be shown therein but may from time to time be renewed by the Governor for such further period, not exceeding the prescribed period, as may be shown therein on application being made and on the Governor being satisfied that the applicant is qualified in accordance with the prescribed requirements to have the licence renewed;

(*d*) on the issue of a licence to an applicant he shall forthwith sign his name thereon in ink with his ordinary signature as the holder thereof;

(*e*) a licence shall not be granted or renewed if the Governor is satisfied that the applicant is not a fit and proper person to hold a licence and in any particular case the Governor may refuse to grant or to renew a licence if in the circumstances of that case it appears to him to be inexpedient in the public interest that the licence should be granted or renewed, as the case may be;

(*f*) application for the grant or renewal of a licence shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars as he may require in connection therewith.

Instruction in flying

26.—(1) Subject as hereinafter in this paragraph provided, a person shall not fly within the Colony in an aircraft, other than a glider (except a towed glider of which the maximum total weight authorised exceeds 1,250 lb. or such other weight as may be prescribed), for the purpose of giving instruction in flying to another person flying therein for the purpose of becoming qualified for the grant or renewal of a pilot's licence of any class or for a rating or an extension of a rating nor give any direction relating to such instruction to a person flying or about to fly as pilot in charge of an aircraft for the purpose of becoming so qualified unless—

(*a*) the first mentioned person holds a pilot's licence to fly aircraft of the class and type in the flying of which the instruction is to be given, being a licence granted or rendered valid under this Order; and

(*b*) in a case where payment is made for the instruction, the licence held by that person is a licence entitling him to act as pilot in charge of a public transport aircraft; and

(*c*) in a case where payment is made for the instruction, or, if the person receiving the instruction is flying or about to fly as pilot in charge of an aircraft, whether payment is made or not, the holder of the licence is entitled by virtue of an instructor's rating included in his licence to give instruction in flying aircraft of the class and type in the flying of which the instruction is to be given:

Provided that—

(i) sub-paragraph (*b*) of this paragraph shall not apply in a case where the aircraft belongs to, or is being flown under arrangements made by, a flying club of which both the person

giving and the person receiving the instruction are members; and

(ii) sub-paragraphs (*b*) and (*c*) of this paragraph shall not apply in a case where the instruction is given by a person specially approved by the Governor for that purpose in the course of training another person to be a pilot or to perform other duties in any of Her Majesty's air forces.

(2) The following provisions of this paragraph shall have effect with respect to the instructor's rating required under condition (*c*) in paragraph (1) of this Article:—

(*a*) The rating may be included by the Governor in a licence on application being made and on the Governor being satisfied that the applicant is qualified in accordance with the prescribed requirements for the rating;

(*b*) a rating enabling the holder of the licence to give instruction in flying aircraft of any class and type may subsequently be extended by the Governor to cover the giving of instruction in flying aircraft of any other class or type on application being made and on the Governor being satisfied that the applicant is qualified in accordance with the prescribed requirements to have the rating so extended;

(*c*) the rating shall, subject to the provisions of Article 31 of this Order, continue in operation for the period, not exceeding the prescribed period, shown in the certificate of validity for the time being in force relating to the licence in which the rating is included, but may from time to time be renewed by the Governor for such further period, not exceeding the prescribed period, as may be shown in that certificate on application being made and on the Governor being satisfied that the applicant is qualified in accordance with the prescribed requirements to have the rating renewed;

(*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;

(*e*) a rating shall be subject to such conditions, and may from time to time be varied, as may be prescribed;

(*f*) a rating shall not be included in a licence or renewed if the Governor is satisfied that the holder of the licence is not a fit and proper person to have the rating;

(*g*) application for the inclusion in a licence, or the extension or renewal, of a rating shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars as he may require in connection therewith.

(3) (*a*) If so prescribed, persons qualified to give instruction in flying may be graded as instructors and assistant instructors according to their qualifications as ascertained in accordance with the prescribed requirements:

Provided that a person graded as an assistant instructor shall be authorised to give instruction in flying only under the direction of an instructor.

(*b*) If a person is graded as an assistant instructor, any rating included in his licence with respect to the giving of instruction in flying shall be an assistant instructor's rating and the provisions of paragraph (2) of this Article shall be deemed to apply thereto.

(*c*) The expression "instructor's rating" in condition (*c*) in paragraph (1) of this Article shall be deemed to include an assistant instructors' rating:

Provided that with respect to flights in which a person receiving instruction is flying as pilot in charge of an aircraft an assistant instructor shall not in such cases as may be prescribed give any direction to such person.

(4) Payment shall be deemed for the purposes of this Order to be made for the instruction to which this Article relates if any sum is paid or payable by any person in respect of the particular flight in which the instruction is given either to the person giving the instruction or to any person by whom the person giving the instruction is employed, or to whom he gives his services as an instructor in flying, or if the person giving the instruction is employed for reward primarily for the purpose of instructing persons in flying.

Log books to be kept

27.—(1) The following log books shall be kept in respect of an aircraft registered in the Colony—

(*a*) for every aircraft, except in respect of a flight from a place situated in the Colony to the same or another place therein situated not being a flight made on a scheduled journey, a journey log book;

(*b*) in addition, for every aircraft carrying or intended by the operator for carrying passengers or goods for hire or reward, an aircraft log book;

(*c*) in addition, for every aircraft carrying or intended by the operator for carrying passengers or goods for hire or reward and fitted with an engine, an engine log book, and if fitted with more than one engine, a separate log book for each engine;

(*d*) in addition, for every aircraft carrying or intended by the operator for carrying passengers or goods for hire or reward and fitted with a variable pitch propeller, a variable pitch propeller log book, and if fitted with more than one such propeller, a separate log book for each propeller;

(*e*) in addition, for every aircraft equipped with radio apparatus, a telecommunication log book;

(*f*) in the case of a captive balloon carrying or intended by the operator for carrying passengers for hire or reward, a log book in respect of every winch (including the cable worked thereby) used for the operation of the balloon.

(2) Every member of the operating crew of an aircraft registered in the Colony and every person flying in accordance with the provisions of this Order and the prescribed conditions for the purpose of becoming qualified for the grant or renewal of a licence by the Governor or flying in accordance with the provisions of this Order for the purpose of undergoing tests or receiving instruction in flying required to be undertaken for admission into any of Her Majesty's air forces shall keep a personal flying log book.

(3) The following provisions shall have effect with respect to the log books specified in paragraph (1) and paragraph (2) of this Article—

(*a*) the log book, except the telecommunication log book, shall be in such form as may be prescribed or as may be approved by the Governor and in the case of the journey log book shall be a book issued by the Governor; the telecommunication log book shall, if the Governor so directs, be in such form as he may require;

(*b*) there shall be entered in the log book particulars as to the prescribed matters and the log book shall be kept in such manner as may be prescribed or as may be required by the Governor;

(*c*) requirements may be prescribed as to the persons by whom, the manner in which and the time within which entries in the log book shall be made and, if so required, signed;

(*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.

(4) If in respect of any aircraft default is made in complying with any provision of paragraph (1) or paragraph (3) of this Article, the aircraft shall be in default.

Documents to be carried

28.—(1) No aircraft shall fly unless it carries the documents required to be carried therein by the law of the country in which it is registered.

(2) An aircraft registered in the Colony shall carry on all flights:—

(*a*) any licence to install and operate radio apparatus in the aircraft for the time being in force;

(*b*) a journey log book, if required by this Order to be kept;

(*c*) its telecommunication log book, if equipped with radio apparatus which is operated.

(3) A public transport or aerial work aircraft registered in the Colony shall carry, on any flight within the Colony made solely for the purpose of training any person carried in the aircraft or during which no landing is made by the aircraft except at the aerodrome from which it takes off, the licences of the operating crew and any validation of any such licence issued by the Governor.

(4) A public transport aircraft registered in the Colony shall carry on all flights other than flights specified in paragraph (3) of this Article:—

(*a*) its certificate of airworthiness and any validation thereof issued by the Governor;

(*b*) the licences of the operating crew and any validation of any such licence issued by the Governor;

(*c*) one of the duplicate copies of the load sheet.

(5) An aerial work aircraft registered in the Colony shall carry on all flights other than flights specified in paragraph (3) of this Article:—

(*a*) its certificate of airworthiness and any validation thereof issued by the Governor;

(*b*) the licences of the operating crew and any validation of any such licence issued by the Governor.

(6) An aircraft registered in the Colony which carries or is intended by the operator for carrying passengers or goods for hire or reward shall carry on all flights other than flights specified in paragraph (3) of this Article:—

(*a*) one of the duplicate copies of the certificate of maintenance in force in respect of the aircraft;

(*b*) the current record of flying hours in respect of the aircraft;

(*c*) the current record of defects in respect of the aircraft.

(7) An aircraft registered in the Colony shall carry on an international flight:—

(*a*) its certificate of registration;

(*b*) its certificate of airworthiness and any validation thereof issued by the Governor;

(*c*) the licences of the operating crew and any validation of any such licence issued by the Governor;

(*d*) a list of the names of the passengers carried therein, if any, stating the places of their embarkation and destination;

(*e*) a manifest of the goods therein, if any.

(8) For the purposes of this Article an "international flight" means a flight in which a landing is made outside the Colony or State in which the aircraft commences the flight.

General provisions as to documents

29.—(1) In the case of an aircraft registered outside the Colony, the documents required by this Order to be carried therein shall be kept in the form and manner required by the law of the country in which the aircraft is registered.

(2) The certificate of airworthiness of an aircraft registered in the Colony and, if such certificate has been rendered valid by a validation issued by the Governor under this Order, the validation so issued shall be kept with the journey log book when that log book is required under this Order to be carried in the aircraft.

(3) The following provisions of this paragraph shall have effect with respect to the duplicate copies of a certificate of maintenance:—

(*a*) one copy shall, if the certificate is issued by a person in the employment of the operator of the aircraft, be retained by the operator and, if not issued by such a person, shall be sent by the person in command of the aircraft to the operator thereof;

(*b*) the other copy shall be carried in the aircraft on any flight except a flight within the Colony made solely for the purpose of training any person carried in the aircraft or during which no landing is made by the aircraft except at the aerodrome from which it takes off, and shall be kept with the journey log book of the aircraft whenever such log book is required under this Order to be carried in the aircraft until a further certificate is issued, and shall then be sent by the person in command of the aircraft to the operator thereof;

(*c*) the operator of the aircraft shall preserve both copies until the expiration of a period of six months from the date of the certificate.

(4) The following provisions of this paragraph shall have effect with respect to the duplicate copies of a load sheet :—

(*a*) After the load sheet has been completed and examined in accordance with the provisions of paragraph (5) of Article 17 of this Order the operator of the aircraft shall cause one copy thereof to be sent to him ;

(*b*) the other copy thereof shall be carried in the aircraft and shall be kept with the journey log book of the aircraft whenever such log book is required under this Order to be carried in the aircraft, until the flight to which it relates has been completed, and shall then be sent by the person in command of the aircraft to the operator thereof ;

(*c*) the operator of the aircraft shall preserve both copies until the expiration of six months from the date of completion thereof ;

(*d*) in any case where the loading of the aircraft to which the load sheet relates forms the subject of enquiry or proceedings the particulars contained in the load sheet shall be deemed to be correctly stated unless the contrary is proved.

(5) In a case where the operator of an aircraft is also the person in command thereof he shall cause the copy of the certificate of maintenance referred to in sub-paragraph (*a*) of paragraph (3), or, as the case may be, the copy of the load sheet referred to in sub-paragraph (*a*) of paragraph (4) of this Article to be retained at his principal office or place of business and shall retain the copy of the certificate of maintenance referred to in sub-paragraph (*b*) of paragraph (3), or, as the case may be, the copy of the load sheet referred to in sub-paragraph (*b*) of paragraph (4) of this Article after the issue in the one case of the further certificate referred to in the former sub-paragraph or the completion in the other case of the flight referred to in the latter sub-paragraph and the provisions of sub-paragraph (*c*) of each of the said paragraphs shall be deemed to apply in such a case.

(6) As from the time when any copy of a certificate of maintenance or any load sheet becomes retainable by or transmissible to the operator of the aircraft it shall not be carried in the aircraft to which it relates.

(7) If in respect of any aircraft default is made in complying with any provision of paragraph (1) or paragraph (2) of this Article, or the provisions of sub-paragraph (*b*) of paragraph (3) or sub-paragraph (*b*) of paragraph (4) thereof as to the carriage and keeping of the document referred to in those sub-paragraphs or the provisions of paragraph (5) thereof, the aircraft shall be in default.

Production of documents

30.—(1) The person in command of an aircraft shall produce to any authorised person as and when requested by that person so to do within a reasonable time before the commencement or after the termination of a flight any of the following documents :—

(*a*) the certificate of registration of the aircraft ;

(*b*) any certificate of airworthiness for the time being in force with respect to the aircraft ;

(*c*) the licences of its operating crew, and the student pilot's licence of any person required under Article 25 of this Order to be the holder of such a licence ;

(*d*) its journey log book in all cases in which the journey log book is required under this Order to be carried in the aircraft;

(*e*) its telecommunication log book in all cases in which the telecommunication log book is required under this Order to be carried in the aircraft;

(*f*) any licence to install and operate radio apparatus in the aircraft for the time being in force;

(*g*) in the case of a public transport aircraft registered in the Colony one of the duplicate copies of any load sheet relating to the aircraft which may be required under this Order;

(*h*) if the flight is an international flight, a list of the names of the passengers, if any, carried in the aircraft stating the places of their embarkation and destination;

(*i*) if the flight is an international flight, a manifest of the goods, if any, carried in the aircraft;

(*j*) in the case of an aircraft registered in the Colony which carries or is intended by the operator for carrying passengers or goods for hire or reward, one of the duplicate copies of the certificate of maintenance in force, the current record of flying hours and the current record of defects:

Provided that the person in command of the aircraft shall be deemed to have complied with this paragraph if, after a request has been made for the production of any of the said documents other than a document required by this Order to be carried on the flight, he produces or causes to be produced the document or documents in question within five days after such request has been made at such police station in the Colony as may be specified by him at the time of such request.

(2) The operator of an aircraft registered in the Colony or, in the case of the record or certificate referred to in sub-paragraph (*d*) of this paragraph, any person having the possession or the custody of such record or certificate shall, on demand made by an authorised person, produce or cause to be produced, within a reasonable time, to that person—

(*a*) any certificate of registration or certificate of airworthiness for the time being in force with respect to the aircraft;

(*b*) one of the duplicate copies of any load sheet completed and examined in accordance with the provisions of paragraph (5) of Article 17 of this Order in relation to the aircraft within the period of six months next before the date of the demand;

(*c*) any journey log book or any other log book required by this Order to be kept in respect of the aircraft wherein any entry was made within the period of two years next before the date of the demand;

(*d*) any licence to install and operate radio apparatus in the aircraft for the time being in force and any record or certificate made or given in accordance with requirements prescribed with respect to the maintenance and certification of such apparatus;

(*e*) any certificate of maintenance and any duplicate thereof, any record of flying hours, any record of defects, and any entry in either such record required under this Order to be preserved;

(*f*) any records of the training, practice and periodical test of members of personnel required by this Order to be kept.

(3) The holder of any licence granted or rendered valid under this Order shall, on demand made by an authorised person, produce the licence:

Provided that, in the case of a demand being made as aforesaid for the production of a licence granted under Article 23 or rendered valid under Article 24 of this Order, and not being a licence entitling the holder thereof to act in any capacity as a member of the operating crew of a public transport aircraft or an aerial work aircraft, it shall be deemed to be a sufficient compliance with this paragraph if the holder of such licence shall, within five days after such demand has been made, produce or cause to be produced the licence so demanded at such police station as may be specified by him at the time of such demand.

(4) Every person required in accordance with the provisions of paragraph (2) of Article 27 of this Order to keep a personal flying log book shall, on demand made by an authorised person, produce or cause to be produced within a reasonable time, to that person any personal flying log book kept by him wherein any entry was made within the period of two years next before the date of the demand.

(5) In any case where a certificate of airworthiness or a licence required to be produced in accordance with the provisions of this Article has been rendered valid by a validation issued by the Governor under this Order there shall be produced with the certificate or licence the validation so issued.

(6) For the purpose of this Article—

(*a*) an "authorised person" means an officer of police, or a person acting with the authority of the Governor;

(*b*) an "international flight" means a flight in which a landing is made outside the Colony or State in which the aircraft commences the flight.

Cancellation, etc. of certificates, licences and other documents

31.—(1) The Governor may, on sufficient ground being shown to his satisfaction after due investigation by him and with effect from such date as he may determine cancel, suspend or endorse any certificate, licence or other document issued under this Order or cancel, suspend or vary any particulars or other matter entered by him in or on any such certificate, licence or other document and may in any particular case provisionally suspend any such certificate, licence or other document pending investigation of the case.

(2) The holder or any person having the possession or custody of any certificate, licence or other document issued under this Order shall, within a reasonable time after demand made by the Governor, surrender the same to the Governor.

(3) The Governor may, on being satisfied that the original of any certificate, licence or other document issued under this Order has been lost or destroyed, issue a copy thereof or a similar document in replacement thereof.

(4) Upon application being made to the Governor for the renewal of any certificate, licence or other document issued under this Order after such certificate, licence or other document has ceased to be in force, the Governor may, if he is satisfied that the conditions applicable in accordance with the provisions of this Order to the renewal of such

certificate, licence or other document are complied with, either renew the same or, if he think fit, issue to the applicant a fresh certificate, licence or other document as the case may be.

Offences in relation to documents

32.—(1) No person shall with intent to deceive—

(*a*) forge, alter, assist in forging or altering, or procure to be forged or altered, any certificate, licence or other document required by this Order or authorised by this Order to be issued; or

(*b*) use any such certificate, licence or other document which has been forged, altered, cancelled or suspended, or to which he is not entitled; or

(*c*) lend any such certificate, licence or other document to or allow it to be used by any other person; or

(*d*) make, assist in making, or procure to be made, any false representation for the purpose of procuring for himself or any other person the grant, issue, renewal or variation of any such certificate, licence or other document.

(2) No person shall mutilate, alter or render illegible any log book, record of flying hours or record of defects or any entry made therein, or wilfully make, or procure or assist in the making of, any false entry in or omission from any log book, record of flying hours or record of defects, nor shall any person destroy any log book, record of flying hours or record of defects during the period for which it is required under this Order to be preserved.

(3) No person shall wilfully or negligently make in a load sheet any entry which is incorrect in any material particular.

(4) No person other than a person entitled as the holder of a licence to act in any capacity for the purposes of any provision of this Order or any regulation made thereunder or authorised so to act in accordance with the terms of any such provision or regulation shall do anything purporting to be done by him as being so entitled or authorised.

(5) No person who is the holder of a licence granted or rendered valid under this Order entitling him to act in the capacity of an aircraft maintenance engineer or an aircraft radio maintenance engineer or who is authorised in accordance with the terms of any provision of this Order or any regulation made thereunder to certify anything for the purposes thereof shall in acting as being so entitled or authorised certify anything which he is not qualified under the terms and conditions of his licence to certify, or which he is not so authorised to certify, as the case may be, or wilfully or negligently certify anything which he has not ascertained to be correct.

Instruments, equipment and safety devices for aircraft registered in the Colony

33.—(1) The following provisions of this Article shall have effect in relation to aircraft registered in the Colony when flying or about to fly.

(2) (*a*) The Governor may prescribe measures which shall be taken in an aircraft for the purpose of securing the safety of the aircraft, its personnel and its passengers, and in particular may prescribe—

(i) the instruments and equipment that shall be carried in an aircraft according to the class or description of the aircraft and the circumstances of its flight,

(ii) how and in what places such instruments and equipment shall be installed or stowed and how such places shall be marked,

(iii) how and when the personnel of the aircraft shall use any such instruments or equipment,

(iv) how and when passengers shall be instructed in the method of use of any such equipment or shall be informed when any such equipment should be used by them,

(v) that any such instruments or equipment shall be of a type, design or construction approved in writing by or under the authority of the Governor and that they shall be installed or stowed in a manner approved in writing by or under the authority of the Governor.

(*b*) The prescribed instruments and equipment shall be maintained in a fit condition for immediate use.

(3) If in respect of any aircraft to which this Article applies any regulations made by the Governor in pursuance of this Article are contravened, the aircraft shall be in default.

Radio communication and licensing of aircraft radio maintenance engineers

34.—(1) No aircraft shall fly unless it is equipped with radio apparatus to such extent and in such manner as may be required by the law of the country in which the aircraft is registered.

(2) (*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*) no modification shall be made in any such radio apparatus or installation as to which the approval in writing of the Governor has been given unless the like approval has been given for such modification;

(*c*) every aircraft required under sub-paragraph (*a*) (i) of this paragraph to be equipped with radio apparatus shall carry such number of licensed flight radio operators qualified to operate that apparatus as may be prescribed and every such operator shall perform duties with respect to that apparatus in accordance with the prescribed requirements:

Provided that:—

(i) as to anything prescribed in pursuance of any of the above provisions the Governor may except any particular aircraft or type of

aircraft from compliance with all or any of the prescribed requirements subject, if he thinks fit in the circumstances of the case, to such conditions, if any, as he may consider to be required; and

(ii) an aircraft employed on a scheduled journey shall comply with such further conditions, if any, relating to any of the matters referred to in the above provisions, in addition to conditions prescribed in pursuance of the said provisions, as the Governor may in any particular circumstances require to be observed.

(3) The Governor may grant licences to persons to act in the capacity of aircraft radio maintenance engineers for the purposes of the prescribed requirements as to the maintenance in working order, examination and certification of radio apparatus installed or intended to be installed in an aircraft and the following provisions of this paragraph shall have effect with respect to such licences:—

(*a*) The Governor may grant a licence on application being made and on his being satisfied that the applicant is qualified in accordance with such requirements as may for the purposes of this paragraph be prescribed or from time to time be specified in a publication issued by him (hereinafter in this Article referred to as "the requirements") to hold a licence:

Provided that on or before the grant of a licence there shall be issued by the Governor to the applicant a certificate of competency as to his technical competence in accordance with the requirements, which certificate shall be deemed to form part of the licence and shall be carried therewith.

(*b*) There shall be specified in a licence the privileges thereby conferred, and a licence shall include a rating showing the types of radio apparatus in respect of which the holder of the licence is entitled to act in accordance with such privileges.

(*c*) (i) A licence shall, subject to the provisions of Article 31 of this Order, remain in force for such period, not exceeding the prescribed period, as may be shown in a certificate of validity issued by the Governor with the licence but may, on application being made and on the Governor being satisfied that the applicant is qualified in accordance with the requirements to have the licence renewed, from time to time be renewed by the Governor so as to remain in force for the further period, not exceeding the prescribed period, specified in a certificate of validity issued by the Governor on the occasion of the renewal:

Provided that, on any such application being made, the applicant may be required to satisfy the Governor as to his qualifications in accordance with all or any of the requirements applicable with respect to the grant of a licence.

(ii) A certificate of validity issued in accordance with sub-paragraph (i) of this sub-paragraph shall, while it remains in force, be deemed to form part of the licence to which it relates and the certificate of validity which is for the time being in force shall be carried with that licence.

(*d*) Where the privileges are limited with respect to types of radio apparatus, the Governor may, on application being made, at any time during the currency of a licence extend the rating included therein to cover additional types of radio apparatus on his being satisfied that the applicant is qualified in accordance with the requirements to have the rating so extended.

(*e*) On the issue of a licence to an applicant he shall forthwith sign his name thereon in ink with his ordinary signature as the holder thereof and shall also so sign (if he has not already so signed) the certificate of competency issued to him in accordance with the proviso to sub-paragraph (*a*) of this paragraph.

(*f*) A licence shall not be granted or renewed if the Governor is satisfied that the applicant is not a fit and proper person to hold a licence and in any particular case the Governor may refuse to grant or to renew a licence if in the circumstances of that case it appears to him to be inexpedient in the public interest that the licence should be granted or renewed, as the case may be.

(*g*) Application for the grant or renewal of a licence or for an extension of a rating shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars as he may require in connection therewith.

(4) An aircraft station shall be operated in accordance with such requirements as may be prescribed and, if in respect of any aircraft this provision is contravened, the aircraft shall be in default.

(5) Nothing in this Article or in any regulations made in pursuance thereof shall exempt any person from any requirements as to licences for wireless telegraphy which are for the time being in force in the Colony.

(6) For the purposes of this Article the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Licensed flight radio operator" means an operator who is the holder of a flight radio operator's licence granted or rendered valid under this Order:

"Aircraft station" means a radio station on board an aircraft.

PART IV

NAVIGATION AND MANAGEMENT OF AIRCRAFT

Prohibited areas

35.—(1) The Governor may by proclamation declare any specifically defined area in the Colony to be a prohibited area.

(2) Except as may be provided in the proclamation whereby the prohibited area is established, or in any subsequent proclamation issued by the Governor, no aircraft shall fly over, or land in, any prohibited area.

Power to restrict flying

36.—(1) Where it is brought to the notice of the Governor—

(*a*) that a large number of persons are likely to gather in any district in the Colony; or

(*b*) that it is intended to hold in any district in the Colony an aircraft race or contest or exhibition of flying; or

(*c*) that any district in the Colony is to be used for purposes relating to defence which render expedient the temporary restriction of the flying of aircraft within or in the neighbourhood of such district;

the Governor may by regulations impose such temporary restrictions on the flying of aircraft within or in the neighbourhood of any such district as he may consider expedient in the interest of public safety or, with respect to any district to which sub-paragraph (*c*) of this paragraph applies, as may be required in connection with the purposes for which the district is to be used, and no aircraft shall fly in contravention of any such regulations.

(2) Any regulations made in pursuance of this Article shall specify the district or districts to which the restrictions extend and the time or times during which the restrictions are to be in force, and, in the case of restrictions applying only to aircraft of, or other than, any particular class or description, the class or description of aircraft to which the restrictions apply, or do not apply, as the case may be.

Carriage of munitions of war, etc.

37. No aircraft shall carry munitions of war or implements of war.

Restrictions as to carriage of dangerous goods

38.—(1) Subject as hereinafter in this paragraph provided, no person shall carry in an aircraft any dangerous goods to which this Article applies except with the special permission in writing of the Governor or, in a case where the aircraft is registered outside the Colony and there is in force an agreement between the Governor and the duly competent authority in the country in which the aircraft is registered relating to the carriage of such goods in aircraft, with the special permission in writing of that authority, and subject to any conditions imposed by any such special permission:

Provided that no such special permission shall be required for the carriage of any article of equipment of the aircraft or of any article required for the purposes of the operation, navigation or safety of the aircraft or for the safety or well-being of any person or persons on board.

(2) Subject as hereinafter in this paragraph provided, every person consigning for carriage by any aircraft any dangerous goods—

(i) shall mark the nature of such goods on a label which shall be attached or affixed to the outside of the package or container; and

(ii) shall give the carrier an air consignment note stating the nature of such goods:

Provided that this paragraph shall not apply to the carriage of equipment or other articles in accordance with the proviso to paragraph (1) of this Article.

(3) In cases to which paragraph (2) of this Article applies the carrier shall inform the person in command of the aircraft of the nature, weight and quantity of the goods at or before the time of sending such goods to be carried or taken on board the aircraft.

(4) In this Article the expression "dangerous goods" means any explosive substance and any other goods (whether explosive or not) which by reason of their nature are liable to endanger the safety of the aircraft or persons on board the aircraft.

(5) The provisions of this Article shall be in addition to and not in derogation of the provisions of the last foregoing Article.

Restrictions as to captive balloons, kites and moored airships

39.—(1) (*a*) (i) A captive balloon shall not be flown within the Colony;

(ii) a kite shall not be flown within the Colony at a distance of less than 3 statute miles from the boundary of an aerodrome or be elevated at any place within the Colony above a height of 200 feet from ground level; and

(iii) an airship shall not be moored at any place within the Colony

except with the permission in writing of the Governor and subject to any conditions which may be prescribed or which may be specified in such permission.

(*b*) The Governor may, on the granting of such permission or subsequently, direct that any of the provisions of this Order which he may specify shall not apply to a particular captive balloon, kite or airship, as the case may be, or shall apply thereto subject to any modification which he may consider to be required in the circumstances of the case.

(2) An application for the permission referred to in paragraph (1) of this Article shall be made in the prescribed manner and in connection therewith the applicant shall furnish the Governor with particulars and information in accordance with such requirements as may be prescribed.

(3) A captive balloon or kite flown within the Colony and an airship when moored at any place within the Colony shall comply with such conditions as to mooring, lighting and marking as may be prescribed or as the Governor may in any particular case require to be observed.

Imperilling safety of aircraft

40. No person shall commit any act likely to imperil the safety of an aircraft or any person on board, whether by interference with any member of the personnel of the aircraft, or by tampering with the aircraft or its equipment, or by disorderly conduct or by any other means.

Drunkenness in aircraft

41.—(1) No person shall enter or be in any aircraft while in a state of intoxication.

(2) No person, while acting as a member of the personnel of an aircraft or carried in an aircraft for the purpose of so acting, shall be in a state in which his capacity so to act is impaired by reason of his having taken any intoxicating liquor or taken or used any sedative, narcotic or stimulant drug or preparation.

(3) If any aircraft commences to fly carrying any person who is acting in contravention of this Article, the aircraft shall be in default.

Smoking in aircraft

42.—(1) The certificate of airworthiness of every aircraft registered in the Colony shall contain a condition stating in what compartment or compartments of the aircraft smoking is or is not permissible.

(2) The operator of every such aircraft shall cause to be exhibited and kept exhibited in a conspicuous place in every compartment (including every control cabin) of the aircraft a legible notice, consistent

with the condition referred to in paragraph (1) of this Article, stating either that smoking is or that smoking is not permitted in that compartment and no person shall smoke in any compartment of the aircraft unless smoking therein is stated by such notice to be permitted.

Particulars or notices to be exhibited in aircraft

43.—(1) In every aircraft registered in the Colony such particulars of or notices relating to the design, construction and weight of the aircraft or the equipment thereof or to any restrictions to be observed and precautions to be taken to secure the safety of the aircraft shall be exhibited and kept exhibited, in such manner and in such places in the aircraft, as may be prescribed or as may in any particular case be required by the Governor.

(2) If in respect of any aircraft to which paragraph (1) of this Article applies the provisions of that paragraph are contravened, the aircraft shall be in default.

Exits in aircraft

44.—(1) In every aircraft registered in the Colony and carrying passengers for hire or reward or, in a case where the carriage is effected by an air transport undertaking, whether for hire or reward or not—

(*a*) every means of exit from the aircraft and from every passenger compartment therein shall be kept free from any obstruction and no such means of exit shall be so fastened by locking or otherwise as to hinder the immediate use thereof in an emergency; and

(*b*) the position of every such means of exit which is specially provided for use in an emergency shall be clearly marked with the words "Emergency Exit" and in each case the method of operation shall be indicated.

(2) If in respect of any aircraft to which paragraph (1) of this Article applies any of the provisions of that paragraph are contravened the aircraft shall be in default.

Persons not to be carried on or in certain parts of aircraft, etc.

45.—(1) Subject to the provisions of this Article when an aircraft is flying within the Colony no person shall at any time be carried on the wings or under-carriage of the aircraft, or on or in any other part thereof which is not designed for the accommodation of the personnel or passengers, or on or in anything (other than a glider or a flying machine) attached to the aircraft:

Provided that—

(*a*) nothing in this Article shall prevent a person having temporary access—

(i) to any part of the aircraft for the purpose of executing repairs to the aircraft or adjusting the machinery or equipment thereof or for the purpose of doing anything which may be necessary for the safety of the aircraft or persons or goods carried therein; or

(ii) to any part of the aircraft in which goods or stores are being carried and to which proper means of access is provided; and

(*b*) a person may be carried on or in any part of the aircraft, or anything attached thereto, with the permission in writing of the Governor and subject to any conditions which may be specified in that permission.

(2) If any provision of this Article is contravened, the aircraft shall be in default.

Towing by aircraft

46.—(1) Subject to the proviso to paragraph (2) of this Article, no flying machine shall be used in flight for the purpose of towing another aircraft other than a glider of which the maximum total weight authorised does not exceed 1,250 lb. or such other weight as may be prescribed and no aircraft other than such a glider as aforesaid shall be towed in flight by a flying machine, unless the pilot in charge of the flying machine is entitled or permitted in accordance with the provisions of this Article to fly as pilot in charge of a flying machine towing another aircraft.

(2) Save with the special permission in writing of the Governor and subject to any conditions or limitations contained therein, a person shall not fly or attempt to fly as pilot in charge of a flying machine towing another aircraft, other than such a glider as aforesaid, unless he is the holder of a pilot's licence (flying machines) granted or rendered valid under this Order and is entitled by virtue of a towing rating included in such licence to fly as pilot in charge of a flying machine towing another aircraft:

Provided that the holder of a pilot's licence (flying machines) granted or rendered valid under this Order, if he is flying in accordance with the provisions of this Order and the prescribed conditions for the purpose of becoming qualified to have a towing rating included in his licence—

(*a*) may fly within the Colony as pilot in charge of a flying machine towing another aircraft notwithstanding that a towing rating is not included in his licence; and

(*b*) may also fly as pilot in charge of any aircraft as pilot in charge of which he is required to fly by requirements prescribed in pursuance of paragraph (3) of this Article, notwithstanding that his licence does not entitle him to fly as pilot of such an aircraft.

(3) The following provisions of this paragraph shall have effect with respect to the towing rating required under paragraph (2) of this Article:—

(*a*) The rating may be included by the Governor in a licence on application being made and on the Governor being satisfied that the applicant is qualified in accordance with the prescribed requirements for the rating.

(*b*) The rating shall, subject to the provisions of Article 31 of this Order, continue in operation while the licence in which it is included remains in force:

Provided that upon each occasion of the renewal of that licence the holder thereof may in any case with respect to which it is so prescribed be required to satisfy the Governor in accordance with the prescribed requirements that the rating may so continue in operation.

(*c*) Application for the rating shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars as he may require in connection therewith.

(4) If any aircraft is used or towed in contravention of the provisions of paragraph (1) of this Article, the aircraft shall be in default.

Minimum age for sole control of aircraft

47. No person under the age of 16 years shall have sole control of a glider in motion and no person under the age of 17 years shall have sole control of any other aircraft in motion.

Rules of the Air, and Air Traffic Control

48. Every person and every aircraft shall comply with such of the Rules of the Air and Air Traffic Control contained in Schedule II to this Order as may be applicable to that person or aircraft in the circumstances of the case.

Special signals and other communications

49. The Governor may for the purpose of promoting the safety of aircraft make regulations as to special signals and other communications to be made by or to an aircraft, as to the course on which and the height at which an aircraft shall fly and as to any other precautions to be observed in relation to the navigation and control of aircraft which the Governor may consider expedient for the purpose aforesaid and no aircraft shall fly in contravention of any such regulations.

Stowaways in aircraft

50. If any person secretes himself and is carried in an aircraft without the consent of the pilot in charge of the aircraft or, in the case where a person other than the pilot in charge is in command thereof, without the consent of that person, he shall be liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

PART V

AERODROMES, AERIAL LIGHTHOUSES AND DANGEROUS LIGHTS

Licensing of aerodromes

51.—(1) The Governor may licence an aerodrome either for public use or for use by particular persons or classes of persons, and for use either by aircraft of all classes and descriptions or by particular aircraft or classes or descriptions of aircraft.

(2) The Governor may grant a licence in respect of an aerodrome on such conditions as may be specified in the licence, and any conditions so specified shall be complied with by the licensee of the aerodrome as if they were contained in this Order.

(3) A licence granted by the Governor in respect of an aerodrome shall, subject to the provisions of Article 31 of this Order, remain in force for such period, not exceeding the prescribed period, as may be shown therein but may from time to time be renewed by the Governor for such period, not exceeding the prescribed period, as may be shown therein and such renewal may be with or without variation of any conditions or of the description of the aerodrome previously contained in the licence.

(4) Application for the grant or renewal of a licence in respect of an aerodrome shall be made in the prescribed manner and the applicant shall furnish the Governor with such particulars as he may require in connection therewith and shall comply with any requirements of the Governor as to inspection of the aerodrome.

(5) All military aircraft belonging to or employed in the service of Her Majesty and all military aircraft in the service of a visiting force shall, subject to the conditions of the licence, have at all reasonable times the right of access to any licensed aerodrome.

Charges at aerodromes

52.—(1) The Governor may prescribe the charges to be made in respect of any services to or in connection with aircraft at any aerodrome licensed for public use and conditions to be observed in relation to those charges or the performance of those services, and may pursuant to this paragraph prescribe maximum and minimum charges.

(2) If and so far as the Governor has in respect of any aerodrome prescribed charges pursuant to the provisions of paragraph (1) of this Article either generally or specially, the person in control of the aerodrome shall not make or cause or permit to be made in respect of any service performed at that aerodrome any charge for any service in respect of which a charge has been prescribed which is greater or less than the amount so prescribed as the charge in respect thereof, or if the charge so prescribed is a maximum or a minimum charge, greater than that maximum charge or less than that minimum charge, as the case may be.

(3) The Governor may from time to time by Regulations made by him under this Order revoke or modify any charges prescribed pursuant to this Article and any conditions prescribed in relation thereto or to the performance of the services in respect of which such charges have been prescribed.

(4) The person in control of any aerodrome in relation to which charges have been prescribed pursuant to this Article shall exhibit and keep exhibited in a conspicuous place in the aerodrome a statement of the charges so prescribed in such a form that the same can readily be ascertained by any person affected thereby.

Use of Licensed Aerodromes by aircraft of Contracting States

53. The person in control of any aerodrome which is open to public use by British aircraft on payment of charges shall allow the aircraft of all Contracting States alike to use the aerodrome to the same extent and upon the same conditions and shall ensure that any charges made at any such aerodrome are uniformly applicable with respect to the aircraft of all Contracting States alike.

Use of Government aerodromes

54.—(1) A Government aerodrome may be notified as available for use as a place of landing or departure by any such aircraft as may be specified in the notification and, if so notified, may be so used subject to any conditions or limitations which may be specified in the notification with respect to such use but, save in accordance with the above provisions, no aircraft other than an aircraft belonging to or employed in the service of Her Majesty or a military aircraft in the service of a visiting force shall use any Government aerodrome as a place of

landing or departure unless it does so by, and in accordance with the terms of, the special permission of the Controlling Authority thereof or unless it is compelled by accident, stress of weather or other unavoidable cause to make an emergency landing thereon.

(2) Every aircraft making use of a Government aerodrome in accordance with the provisions of paragraph (1) of this Article shall comply with the requirements of the Controlling Authority at that aerodrome respecting such use.

Passenger aerodromes

55.—(1) No aircraft carrying passengers for hire or reward shall use as a place of landing or departure any place in the Colony other than—

(*a*) an aerodrome licensed for use by such an aircraft; or

(*b*) a Government aerodrome which has been notified as available for use by such an aircraft, or which in a particular case such an aircraft is specially permitted to use under the provisions of the last foregoing Article:

Provided that this prohibition shall not apply:—

(i) to a landing due to accident, stress of weather or other unavoidable cause or to the next subsequent departure from the place in which the landing due to any such cause has been made;

(ii) to a landing or departure made by an aircraft which has been hired or chartered by or on behalf of the passengers carried therein if the landing or departure is made in accordance with the requirements of the hirer or charterer of the aircraft and if no passengers other than those by whom or on whose behalf the aircraft was hired or chartered are accepted for carriage for hire or reward at the place of such landing or departure; or

(iii) to a landing or departure made by a glider being flown under arrangements made by a flying club and carrying only members of the club whether for the purpose of instruction or otherwise.

(2) The person in control of any aerodrome other than an aerodrome mentioned in paragraph (1) of this Article shall not permit that aerodrome to be used by an aircraft in contravention of that paragraph.

Limitation of availability of aerodromes in certain circumstances

56.—(1) An aerodrome may be notified as not available for use as a place of landing or departure by aircraft during any period notified and, if an aerodrome has been so notified, no aircraft shall during such period use that aerodrome as a place of landing or departure unless it is compelled by accident, stress of weather or other unavoidable cause to make an emergency landing thereon.

(2) An aerodrome may be notified as available for use as a place of landing or departure only by aircraft of such class, type or description during such period and subject to such conditions or limitations with respect to the use thereof as may be notified and, if an aerodrome has been so notified,—

(*a*) every aircraft of such class, type or description shall in making use of that aerodrome during such period do so in accordance with any such conditions or limitations; and

(*b*) no aircraft other than such an aircraft as aforesaid shall during such period use that aerodrome as a place of landing or departure unless it is compelled by accident, stress of weather or other unavoidable cause to make an emergency landing thereon.

Noise and vibration caused by aircraft on aerodromes

57. The Governor may prescribe the conditions under which noise and vibration may be caused by aircraft (including military aircraft) on Government aerodromes, licensed aerodromes or on aerodromes at which the manufacture, repair or maintenance of aircraft is carried out by persons carrying on business as manufacturers or repairers of aircraft, and subsection (2) of section 41 of the Civil Aviation Act, 1949, as set out in the First Schedule to the Colonial Civil Aviation (Application of Act) Order, 1952(**a**), shall apply to any aerodrome in relation to which the Governor has prescribed conditions as aforesaid.

Aerial lighthouses

58.—(1) No person shall establish or maintain an aerial lighthouse within the Colony except with the approval in writing of the Governor and subject to such conditions as may be prescribed, or as may be specified in such approval.

(2) No person shall alter the character of the light exhibited from an aerial lighthouse established within the Colony except with such approval and subject to such conditions as aforesaid.

(3) In the case of an aerial lighthouse the light from which is or would be visible from any waters within an area of a general lighthouse authority the Governor shall not give his approval for the purpose of this Article except with the consent of that authority.

(4) No person shall wilfully or negligently injure or interfere with any aerial lighthouse established and maintained with the approval of the Governor or any light exhibited from any such lighthouse.

Dangerous lights

59.—(1) If in the Colony any light is exhibited which—

(*a*) being in the neighbourhood of an aerodrome is liable by reason of its glare to endanger aircraft arriving at or departing from the aerodrome; or

(*b*) by reason of its liability, to be mistaken for a light proceeding from an aerial lighthouse or for a light or part of a system of lights prescribed for display at or near an aerodrome or for marking an obstruction to air navigation, is liable to endanger aircraft;

the Governor may cause a notice (hereinafter in this Article referred to as "the notice") to be served upon the person being the owner or occupier of the place where the light is exhibited or having charge of the light, requiring that person, within a reasonable time to be specified in the notice, to take effectual means for extinguishing or screening the light and for preventing for the future the exhibition of any similar light.

(2) The notice may be served either personally or by post, or by affixing it in some conspicuous place near to the light to which it relates.

(**a**) S.I. 1952/868 (1952 I, p. 565).

(3) If any person on whom the notice is served fails, without reasonable cause, to comply with the requirements contained therein, he shall be deemed to have contravened this Order.

(4) If the requirements contained in the notice are not complied with within the time specified therein, any person authorised in writing by the Governor may enter upon the place where the light is and take such steps as may be necessary to secure compliance with those requirements, doing no unnecessary damage, and the Governor may recover any expenses incurred by him under this paragraph as a civil debt from the person on whom the notice was served.

(5) In the case of a light which is visible from any waters within the area of a general lighthouse authority, the powers of the Governor under this Article shall not be exercised except with the consent of that authority.

Customs airports

60.—(1) The Governor may, subject to such conditions as he may think fit, by order designate any aerodrome to be a place of landing or departure of aircraft for the purpose of the enactments relating to customs.

(2) Any aerodrome so designated is in this Order referred to as a "customs airport".

(3) The Governor may by order declare that a customs airport shall no longer be a customs airport.

Duty to comply with customs provisions

61. Every person shall comply with such of the provisions contained in Schedule III to this Order and of the regulations made under Article 62 of this Order as may be applicable to that person in the circumstances of the case.

Application of Customs enactments

62.—(1) The Governor may, by regulation, apply, adapt or modify in relation to aerodromes and to aircraft and persons and property carried therein, any of the enactments of the Colony relating to customs.

(2) Any proceedings in respect of contravention of or failure to comply with any of the provisions of regulations so made shall be deemed to be proceedings for the recovery of a penalty under the enactments of the Colony relating to customs.

PART VI

GENERAL

Civil Air Ensign

63.—(1) Subject as hereinafter provided the Civil Air Ensign established by the Civil Air Ensign Order, 1937, shall not be flown within the Colony on any aircraft or on any ship or boat or on any building or elsewhere.

(2) Notwithstanding anything contained in Article 60 of the Air Navigation Order, 1954(**a**), the Civil Air Ensign may be flown (*a*) on any British aircraft (*b*) at any Government aerodrome under the control of

(**a**) S.I. 1954/829 (1954 I, p. 259).

the Governor or at any licensed aerodrome, (*c*) by the person operating an Air Transport undertaking owning British aircraft on or in proximity to any building occupied by him as his principal office or place of business, and (*d*) by any person to whom permission in writing is granted for the purpose by the Governor as may be authorised by and subject to such conditions as may be specified in such permission, provided that the Civil Air Ensign shall not be hoisted on board any ship or boat belonging to any British subject or person under Her Majesty's protection without warrant from Her Majesty or from the Admiralty.

Power to prevent aircraft flying in contravention of Order or while unfit for flight

64.—(1) If it appears to the Governor or an authorised person that any aircraft is intended or likely to be flown—

(*a*) in such circumstances that the flight would be in contravention of the provisions, or any provision, of Articles 1, 8, 11, 21, 22 or 37 of this Order or of paragraph 5 of Schedule III thereto; or

(*b*) in such circumstances that the flight would be in contravention of any other provision of this Order and be a cause of danger to persons in the aircraft or goods carried for hire or reward therein or to other persons or property on land or water or in the air; or

(*c*) while in a condition unfit for flight whether the flight would otherwise be in contravention of any provision of this Order or not;

the Governor or such authorised person may give such instructions and take such steps by way of detention of the aircraft or otherwise as appear to him necessary in order to prevent the flight.

(2) For the purposes of paragraph (1) of this Article the aircraft may be inspected by an authorised person.

(3) If any person contravenes any instructions given under this Article, he shall be deemed to have contravened this Order, and, if an aircraft flies in contravention of any such instructions, or notwithstanding any steps taken by way of detention or otherwise in order to prevent the flight, it shall be in default.

(4) For the purposes of this Article the expression "authorised person" means a person authorised in writing by the Governor for those purposes, and also means in relation to paragraph 5 of Schedule III to this Order any officer of Customs and any officer of police.

Right of access to aerodromes and other places

65. Any person authorised in writing by the Governor and any officer of police shall have the right of access at all reasonable times by day or night—

(*a*) to any aerodrome other than a Government aerodrome, for the purpose of inspecting the aerodrome;

(*b*) to any aerodrome for the purpose of inspecting any aircraft on the aerodrome or any document which he has power to demand under this Order, and for the purpose of detaining any such aircraft under the provisions of this Order;

(*c*) to any place where an aircraft has landed, for the purpose of inspecting the aircraft or any document which he has power to demand under this Order and for the purpose of detaining the aircraft under the provisions of this Order.

Obstruction of authorised persons

66. No person shall obstruct or impede any person acting in the exercise of his powers or the performance of his duties under this Order.

Fees

67.—(1) Subject to the provisions of paragraph (3) of this Article, the provisions of Schedule IV to this Order shall have effect with respect to the fees to be charged in connection with the certificates, licences and other documents referred to in this Order and otherwise in connection with the purposes of this Order.

(2) Upon an application being made in connection with which any fee is chargeable in accordance with the said provisions the applicant may be required before the application is entertained to pay the whole or to deposit a portion of the fee or fees so chargeable. If, after such payment or deposit has been made, the application is withdrawn by the applicant or otherwise ceases to have effect or is refused by the Governor, the Governor may, subject as hereinafter provided, refund the amount of such payment or deposit. Where the amount paid or deposited is wholly or to any extent attributable to a fee chargeable in respect of an investigation which would have been carried out in connection with the application if it had not been so withdrawn or ceased to have effect or been refused but which has not been carried out by reason only of such withdrawal, cesser or refusal, the Governor may refund the amount so attributable or, in a case where an investigation has been partially completed, so much of that amount as in the opinion of the Governor is reasonable having regard to the stage to which the investigation has progressed at the time of such withdrawal, cesser or refusal:

Provided that, if in any case the amount deposited by the applicant is not sufficient to cover the fee, as ultimately assessed, chargeable in respect of any investigation in so far as the same has been carried out at the time when the application is withdrawn by him or otherwise ceases to have effect or is refused by the Governor the amount representing the balance of such fee shall be payable by the applicant.

In this paragraph and in Schedule IV to this Order the expression " investigation " includes an inspection, examination, calculation or test.

(3) If the Governor is of the opinion that, owing to special circumstances existing in the Colony, any fee prescribed by Schedule IV to this Order is not an appropriate fee to be charged in the Colony, he may by regulation substitute therefor such other fee as may to him appear appropriate and, on and after such date as may be appointed by the regulation, the said Schedule IV shall have effect in the Colony as if for the fee therein prescribed there were substituted such other fee.

Regulations by the Governor

68. The Governor may make regulations for prescribing anything which, under the provisions of this Order, is to be prescribed.

Penalties

69.—(1) If an aircraft contravenes, or is in default under, any provision of this Order or of any regulations made thereunder, the operator of the aircraft and the person in command thereof shall, without prejudice to the liability of any other person under that provision.

(*a*) in the case of a contravention of, or default under, any provision of this Order, be deemed to have contravened that provision; and

(*b*) in the case of a contravention of, or default under, any such regulation, be deemed to have contravened this Order;

unless he proves that the contravention or default—

(i) was due to accident, stress of weather or other unavoidable cause; or

(ii) took place without his knowledge or connivance and was not facilitated by any negligence on his part.

(2) (*a*) Any person who contravenes or who, in accordance with the provisions of paragraph (1) of this Article, is deemed to have contravened any of the following provisions of this Order, that is to say:—

(i) Paragraph (3) of Article 1,
(ii) Paragraph (6) of Article 15,
(iii) Paragraph (9) of Article 23,
(iv) Paragraph (2) (*d*) of Article 25,
(v) Article 28,
(vi) Paragraphs (1) to (6) inclusive of Article 29,
(vii) Article 30,
(viii) Paragraph (2) of Article 31,
(ix) Paragraph (3) (*e*) of Article 34,
(x) Paragraphs (2) or (4) of Article 52, and
(xi) Article 53,

shall be liable on conviction to a fine not exceeding five pounds or, in the case of a second or subsequent conviction for the like offence, to a fine not exceeding ten pounds; but, save as aforesaid and subject to the provisions of sub-paragraphs (*b*) and (*c*) of this paragraph, any person who contravenes any provision of this Order or of any regulations made thereunder, or who, in accordance with the provisions of paragraph (1) of this Article, is deemed to have contravened this Order or any provision thereof, shall be liable on conviction to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

(*b*) A person who fails to comply with any of the following provisions of this Order, that is to say:—

(i) Paragraph (2) of Article 3,
(ii) Paragraph (8) of Article 12,
(iii) Paragraph (8) of Article 15,
(iv) Paragraph (11) of Article 23,
(v) Paragraph (2) (*f*) of Article 25,
(vi) Paragraph (2) (*g*) of Article 26,
(vii) Paragraph (3) (*g*) of Article 34,
(viii) Paragraph (2) of Article 39,
(ix) Paragraph (3) (*c*) of Article 46, and
(x) Paragraph (4) of Article 51,

shall not be liable to any penalty under this paragraph.

(*c*) Nothing in this paragraph shall apply in respect of an offence under Article 50 of this Order.

(3) When an offence punishable in accordance with the provisions of paragraph (2) of this Article has been committed by a body corporate, any person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the

contravention was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity, and to all the circumstances.

(4) Wherever under the provisions of this Order the person to whom a licence or certificate is granted or issued is required forthwith to sign the same, if on production of the licence or certificate to any person entitled to demand production thereof such licence or certificate does not bear the usual signature in ink of the person to whom it has been granted or issued that person shall be liable to a like penalty as for failing to sign the same.

(5) Any proceedings in respect of the contravention of any of the provisions of Schedule III to this Order shall be deemed to be proceedings for the recovery of a penalty under the enactments of the Colony relating to customs and any penalty incurred in any such proceedings shall be without prejudice to any other penalty incurred under the said enactments.

Application of Order

70. The provisions of this Order apply to the colonies and other territories mentioned in Schedule VI to this Order, any one of which is in this Order referred to in the expression " the Colony ".

Extra-territorial effect of Order

71.—(1) Except where the context otherwise requires, the provisions of this Order,—

(*a*) in so far as they apply (whether by express reference or otherwise) to aircraft registered in the Colony, shall apply to such aircraft wherever they may be ;

(*b*) in so far as they apply as aforesaid to other aircraft shall apply to such aircraft when they are within the Colony ;

(*c*) in so far as they prohibit, require or regulate (whether by express reference or otherwise) the doing of anything by persons in, or by any of the personnel of, any aircraft registered in the Colony, shall apply to such persons and personnel, wherever they may be ; and

(*d*) in so far as they prohibit, require or regulate as aforesaid the doing of anything in relation to any aircraft registered in the Colony by other persons shall, where such persons are British subjects, British protected persons or citizens of the Republic of Ireland, apply to them wherever they may be.

(2) For the purposes of this Article, the personnel of an aircraft shall be deemed to include the commander or other person in charge of the aircraft and all other members of the crew of the aircraft.

(3) Nothing in this Article shall be construed as extending to make any person guilty of an offence in any case in which it is provided by subsection (1) of section 3 of the British Nationality Act, 1948(**a**), (which limits the criminal liability of certain persons who are not citizens of the United Kingdom and colonies) that that person shall not be guilty of an offence.

Application of Order to the Crown and visiting forces

72.—(1) Subject to the following provisions of this Article, this Order applies, except where the context otherwise requires, to or in relation to

(**a**) 11 & 12 Geo. 6. c. 56.

aircraft belonging to or exclusively employed in the service of Her Majesty, not being military aircraft, as it applies (whether by express reference or otherwise) to or in relation to aircraft registered in the Colony or capable of being so registered:

Provided that nothing in this paragraph shall prejudice the application to any aircraft belonging to or employed in the service of Her Majesty, whether military or otherwise, of any provision of this Order which applies to or in relation to such an aircraft by virtue of any provision of this Order other than this paragraph.

(2) Subject to paragraph (3) of this Article and save as otherwise provided in this Order, this Order does not apply to or in relation to—

(*a*) any military aircraft in the service of a visiting force, or

(*b*) any member of a visiting force acting in the course of his duty as such.

(3) Where a military aircraft is flown by a civilian pilot, but is not commanded by a person who is serving as a member of any of Her Majesty's naval, military or air forces or of any visiting force, the following provisions of this Order shall apply, that is to say:—

(i) Articles 35 and 36;
(ii) Article 40;
(iii) Article 41;
(iv) Article 48;
(v) Article 56; and
(vi) Article 61.

Application of accident regulations to aircraft belonging to or employed in the service of Her Majesty

73. Any regulations made by the Governor under section 10 of the Civil Aviation Act, 1949, as set out in the First Schedule to the Colonial Civil Aviation (Application of Act) Order, 1952 (which relates to the making of regulations providing for the investigation of accidents), shall apply to aircraft belonging to or exclusively employed in the service of Her Majesty, not being military aircraft.

Application to State aircraft

74. No State aircraft, other than a military aircraft employed in any of Her Majesty's air forces or an aircraft used in the Customs service or the police service in the Colony shall fly over or, unless it is required to land under Rule 10 in Schedule II to this Order, shall land in the Colony except as may be authorised by the Governor and in accordance with the terms of any such authorisation.

Exemption from Order

75. The Governor may by written authority exempt from the provisions of this Order or any regulations made thereunder, or from any of those provisions, any aircraft or persons or classes of aircraft or persons and such exemption may in any particular case be subject to any conditions or limitations which in the circumstances of that case may appear to him to be required.

Provisions for East African Territories

76.—(1) The provisions of this Order except—

(*a*) Articles 59, 63, 65, 74, 75 and 77 thereof, and

(*b*) Article 68 in so far as it relates to the purposes of Article 59,

shall have effect in relation to each of the East African Territories as if for references in this Order to the Governor there were substituted references to the High Commission.

(2) The High Commission may by order published in the Official Gazette of the High Commission declare that, subject to such limitations and conditions as may be specified in the order, any of the powers conferred or duties imposed upon the High Commission by virtue of paragraph (1) of this Article may be exercised or shall be performed in relation to any of the East African Territories by the Governor of that territory.

(3) Where by virtue of a declaration made under paragraph (2) of this Article any power may be exercised or any duty is to be performed by the Governor of any of the East African Territories then—

(*a*) the High Commission shall not exercise such power or perform such duty in relation to that territory; and

(*b*) in the exercise of such power or the performance of such duty the Governor may, in relation to that territory, revoke or vary any instrument or thing previously made or done by the High Commission to the same extent as such instrument or thing could, but for the provisions of subparagraph (*a*) of this paragraph, have been revoked or varied by the High Commission.

(4) (*a*) The High Commission may by a further order published in like manner, revoke or vary any order made under paragraph (2) of this Article.

(*b*) Where, by reason that any such order has been so revoked or varied, or has otherwise ceased to have effect, any power or duty ceases to be exercisable or is no longer to be performed by the Governor of any East African territory, any instrument made or other thing done by the Governor in the exercise or performance of such power or duty shall, if in force immediately before such revocation or variation, continue in force, but may be revoked or varied by the High Commission as if it had been made or done by the High Commission.

(5) Paragraph (8) of Article 28 and paragraph (6) of Article 30 of this Order shall have effect in relation to the East African Territories as if references in those paragraphs to the Colony were references to the East African Territories as one territory.

(6) Any references to the Governor in Article 65, 74 and 75 of this Order shall, in relation to each of the East African Territories, be construed as including references to the High Commission.

(7) References in Article 62 and in paragraph (5) of Article 69 of this Order to enactments of the Colony shall be construed as including references to laws made under Part IV of the East Africa (High Commission) Order in Council, 1947(a), for the East African Territories.

Interpretation

77.—(1) In this Order, unless the context otherwise requires—

"Aerial work aircraft" means an aircraft, not being a public transport aircraft, which is being flown for payment required to be

(a) S.R. & O. 1947/2863 (Rev. XI, p. 695: 1947 I, p. 758).

made to the operator of the aircraft, being a payment for the flight or in respect of the purpose for which the flight is carried out, and any reference to an aerial work aircraft of any class shall be construed accordingly ;

" Aerodrome " means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft ;

" Aircraft " includes all balloons (whether captive or free), kites, gliders, airships and flying machines ;

" Airship " means an aircraft using gas lighter than air as a means of support, and having means of propulsion, and means of directional control ;

" Balloon " means an aircraft using gas lighter than air as a means of support, and having no means of propulsion, and in relation thereto the expression " captive " refers to a balloon moored to or towed from the ground or water and the expression " free " refers to a balloon floating freely in the air ;

" British aircraft " means aircraft registered in any part of Her Majesty's dominions ;

" Certificate of airworthiness " includes any flight manual or performance schedule relating to and required to be carried with the certificate under the law of the country in which the certificate is issued ;

" Certificate of maintenance " has the meaning assigned to it by Article 16 of this Order ;

" Class " in relation to aircraft means class in accordance with the table of general classification of aircraft contained in Schedule V to this Order ;

" The Colony " has the meaning assigned to it by Article 70 of this Order and includes the dependencies of the Colony and the adjacent territorial waters ;

" Contracting State " means any State (including the United Kingdom) which is a party to the Convention ;

" Contravention " includes, in relation to any provision of this Order, a failure to comply with that provision, and the expression " contravene " shall be construed accordingly ;

" The Convention " means the Convention on International Civil Aviation signed on behalf of the Government of the United Kingdom at Chicago on the 7th day of December, 1944 ;

" Customs airport " has the meaning assigned to it by Article 60 of this Order ;

" Description " in relation to aircraft refers to (*a*) the purpose for which an aircraft is, or is intended to be, flown and (*b*) any physical characteristics of an aircraft (including its weight and its engines, instruments, equipment and apparatus) which may be material for the purpose with respect to which the expression is used ;

" The East African Territories " means the Colony and Protectorate of Kenya, Tanganyika and the Uganda Protectorate ;

" Flying machine " means an aircraft heavier than air and having means of mechanical propulsion ;

"General lighthouse authority" has the same meaning as in section 634 of the Merchant Shipping Act, 1894(a);

"Glider" means an aircraft heavier than air, not fixed to the ground and having no means of mechanical propulsion, but having means of directional control;

"Goods" includes mails and animals;

"Government Aerodrome" means an aerodrome under the control of the Governor and a naval, military or air force aerodrome belonging to or used in the service of Her Majesty or used for the purposes of a visiting force, and "controlling authority" in relation to a Government aerodrome means,

(*a*) when the aerodrome is under such control as aforesaid, the Governor,

(*b*) when the aerodrome is a naval, military or air force aerodrome, the Admiralty or the Secretary of State or the officer in command thereof, except where the aerodrome is used for the purposes of a visiting force in which case "controlling authority" means the Admiralty or the Secretary of State or any person acting on behalf of the Admiralty or the Secretary of State;

"Governor" means the officer for the time being administering the Government of the Colony, and in relation to Nigeria means the person for the time being performing the functions of the Governor-General of the Federation of Nigeria, and in relation to Zanzibar means the person for the time being performing the functions of British Resident, Zanzibar, and includes, in relation to any purpose of this Order, other than the purposes of Article 68 thereof, any person authorised by the Governor for that purpose, and references to a person authorised by the Governor include references to the holder for the time being of any office designated by the Governor;

"The High Commission" means the East Africa High Commission established by the East Africa (High Commission) Order in Council, 1947;

"Her Majesty's air forces" includes any branch of Her Majesty's naval or military forces performing air service;

"Kite" means a non-mechanically driven aircraft, heavier than air, moored to or towed from the ground or water;

"Land" and "landing" in relation to aircraft include alighting on water;

"Licence" includes any certificate of competency required to be held in connection with the licence by the law of the country in which the licence is granted;

"Licensed aerodrome" means an aerodrome licensed under this Order;

"Military aircraft" includes naval, military and air force aircraft and, except where used in a context referring only to aircraft belonging to or employed in the service of Her Majesty or to aircraft in the service of a visiting force, includes in addition to any such aircraft the naval, military and air force aircraft of any country, and every

(a) 57 & 58 Vict. c. 60.

aircraft commanded by a person who is serving in the naval, military or air forces of any country and is detailed to command that aircraft shall be deemed to be a military aircraft;

"Nautical mile" means a distance of 6,080 feet;

"Notified" means shown in any of the following publications issued in the Colony whether before or after the coming into operation of this Order, that is to say, "Notams (Notices to Airmen)", "Information Circulars", or such other official publication so issued for the purpose of enabling any of the provisions of this Order to be complied with;

"Operating crew" in relation to any aircraft includes pilots, flight navigators, flight engineers and flight radio operators;

"Person in command" in relation to an aircraft means, in a case where a person other than the pilot in charge is in command, that person, and in any other case, the pilot in charge;

"Person in control" in relation to an aerodrome includes any person having a right to control the aerodrome and in the case of a licensed aerodrome the licensee thereof;

"Personnel" in relation to an aircraft includes the operating crew and other persons having any duties to perform in the aircraft;

"Prescribed" means prescribed by regulations made by the Governor under this Order, and the expression "prescribe" shall be construed accordingly;

"Privilege" means a right conferred by a licence entitling the holder of the licence to perform any function to which the licence relates;

"Prototype aircraft" means an aircraft in respect of which an application has been made for a certificate of airworthiness and the design of which has not previously been investigated in connection with any such application;

"Prototype (modified) aircraft" means an aircraft in respect of which an application has been made for a certificate of airworthiness and the design of which, in part, has not previously been investigated in connection with any such application;

"Public transport aircraft" means:—

(*a*) an aircraft carrying passengers or goods for hire or reward;

(*b*) every aircraft comprised in a combination of aircraft where an aircraft is towing other aircraft, if any such aircraft, either towing or being towed, is carrying passengers or goods for hire or reward;

(*c*) in a case where carriage of passengers or goods is effected by an air transport undertaking—

(i) the aircraft carrying the passengers or goods, or

(ii) if the passengers or goods are carried in any aircraft comprised in such a combination as aforesaid, every aircraft, either towing or being towed, comprised therein,

whether such carriage is for hire or reward or not, save in a case where every passenger carried is a person in control or in the employment of the undertaking and any goods carried consist entirely of articles belonging to the undertaking;

and any reference to a public transport aircraft of any class shall be construed accordingly ;

" Radio " is to be interpreted as a general term applied to the use of electromagnetic waves of frequencies between ten kilocycles a second and three million megacycles a second ;

" Radio apparatus " includes all apparatus, including any ancillary equipment, for sending or receiving by means of radio ;

" Rating " means an entry in a licence specifying a privilege or limiting the effect of a privilege ;

" Scheduled journey " means one of a series of journeys which are undertaken between the same two places and which together amount to a systematic service operated in such a manner that the benefits thereof are available to members of the public from time to time seeking to take advantage of it ;

" Series aircraft " means an aircraft in respect of which an application has been made for a certificate of airworthiness and the design of which is similar in every respect to the design of a prototype or prototype (modified) aircraft in respect of which a certificate of airworthiness has previously been issued ;

" State aircraft " means military aircraft and aircraft used in customs and police services ;

" Type " in relation to aircraft or engines means any design which in the opinion of the Governor constitutes a type.

(2) In this Order—

(*a*) references to " Her Majesty's dominions " shall be construed as though British Protectorates and Protected States, and mandated or trust territories administered by the Government of any part of Her Majesty's dominions formed part of Her Majesty's dominions, and

(*b*) any provision (other than this paragraph) referring to Her Majesty's dominions generally or to any part of Her Majesty's dominions other than the United Kingdom, shall be treated as if that provision referred also to India and the Republic of Ireland in such manner as to make that provision have effect in relation to those countries as it has effect in relation to Her Majesty's dominions or, as the case may be, to any part of Her Majesty's dominions other than the United Kingdom.

(3) In this Order references to passengers carried for hire or reward do not include references to any person when being carried within the Colony in an aircraft owned by a member of any of Her Majesty's Forces or Civil Service where no payment is made to the owner in respect of such carriage otherwise than by way of an allowance payable under Regulations applicable to him as such member, but include references to persons carried in aircraft for the purposes of instruction in flying for which payment is made except when the aircraft is a glider belonging to or being flown under arrangements made by a gliding club of which both the person giving and the person receiving instruction are members.

(4) In this Order references to sums expressed in terms of " pounds ", " shillings " or " pence " shall be construed as references to the equivalent sums in the currency of the Colony calculated at such rate of exchange as may be prescribed or as the Governor may by order direct.

(5) (*a*) In its application to any territory which is mentioned in Schedule VI to this Order but is not mentioned in the First Schedule to the Visiting Forces Act (Application to Colonies) Order, 1954(a), this Order shall have effect as if :—

(i) the words " and all military aircraft in the service of a visiting force " were omitted from paragraph (5) of Article 51 ;

(ii) the words " or a military aircraft in the service of a visiting force " were omitted from paragraph (1) of Article 54 ;

(iii) the whole of paragraph (2) was omitted from Article 72 ;

(iv) the words " of a visiting force " were omitted from paragraph (3) of Article 72 ; and

(v) In paragraph (1) of this Article the words " or used for the purposes of a visiting force " were omitted from the definition of " Government aerodrome ", and the words " or to aircraft in the service of a visiting force " were omitted from the definition of " Military aircraft ".

(*b*) In relation to any territory which is mentioned in Schedule VI of this Order and is also mentioned in the First Schedule to the Visiting Forces Act (Application to Colonies) Order, 1954, the expression " visiting force " in this Order means any such body, contingent or detachment of the forces of any country as is a visiting force for the purposes of any of the provisions of the Visiting Forces Act, 1952(b), which extend to that territory by virtue of any Order in Council made under section 15 of that Act.

(6) In this Order, unless the context otherwise requires, references to aerodromes not expressly shown to relate to a licensed aerodrome or a Government aerodrome include references to a licensed aerodrome and a Government aerodrome except in Article 51 of this Order and paragraph 28 of Schedule IV thereto.

(7) The Interpretation Act, 1889(c), shall apply for the purposes of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament, and as if this Order were an Act of Parliament.

(8) (*a*) Any power conferred by this Order to issue, make, serve or grant any instrument shall be construed as including a power exercisable in the like manner and subject to the like conditions, if any, to vary, revoke, cancel or otherwise terminate the instrument.

(*b*) In this paragraph " instrument " includes any regulation, direction, instruction, rule or other requirement, any notice and any certificate, licence, validation or other authority.

Interpretation in relation to the East African Territories

78. Article 77 of this Order shall have effect in relation to the East African Territories—

(*a*) as if for the definition of " Prescribed " in paragraph (1) of the said Article there were substituted the following definition—

" ' Prescribed ' means prescribed by regulations made by the High Commission or by the Governor under this Order, or

(a) S.I. 1954/636 (1954 II, p. 2460). (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 67.
(c) 52 & 53 Vict. c. 63.

made by the Governor by virtue of any powers conferred upon him by any declaration made under paragraph (2) of Article 76 of this Order"; and

(*b*) as if a reference to the High Commission were substituted for the reference to the Governor in the definition of "Type" contained in paragraph (1) of the said Article; and

(*c*) as if a reference to the High Commission were substituted for the reference to the Governor in paragraph (4) of the said Article.

Saving

79. Nothing in this Order shall be construed as conferring any right to land in any place as against the owner of the land or other persons interested therein, or as prejudicing the rights or remedies of any person in respect of any injury to persons or property caused by an aircraft.

Revocation of existing Orders

80.—(1) The following Orders are hereby revoked—

The Colonial Air Navigation Order, 1949(**a**);
The Colonial Air Navigation (Amendment) Order, 1950(**b**);
The Colonial Air Navigation (Amendment) Order, 1951(**c**);
The Colonial Air Navigation (Amendment) Order, 1952(**d**);
The Colonial Air Navigation (Amendment) Order, 1953(**e**);
The Colonial Air Navigation (Amendment) (No. 2) Order, 1953(**f**);
The Colonial Air Navigation (Amendment) Order, 1954(**g**).

(2) Notwithstanding the revocation of the Orders mentioned in paragraph (1) of this Article, any instrument (that is to say any regulation, direction, instruction, rule or other requirement, any notice, and any certificate, licence, validation or other authority) issued, made, served or granted under those Orders, or under any enactment revoked by any of those Orders, if in force at the commencement of this Order, shall (without prejudice to any power to amend such instrument) continue in force until superseded, revoked or otherwise terminated and, so far as it could have been issued, made, served or granted under this Order, shall have effect as if issued, made, served or granted under this Order and this Order shall apply to or in relation to such instrument accordingly:

Provided that any such instrument which is expressed to remain in force for a definite period shall not remain in force after the expiration of that period unless it shall be renewed in accordance with the provisions of this Order or in accordance with any prescribed provisions.

Citation and commencement

81.—(1) This Order may be cited as the Colonial Air Navigation Order, 1955.

(2) This Order shall come into operation on the 1st day of July, 1955.

W. G. Agnew.

(**a**) S.I. 1949/2000 (1949 I, p. 359).
(**b**) S.I. 1950/1188 (1950 I, p. 329).
(**c**) S.I. 1951/1776 (1951 I, p. 215).
(**d**) S.I. 1952/869 (1952 I, p. 112).
(**e**) S.I. 1953/402 (1953 I, p. 87).
(**f**) S.I. 1953/1668 (1953 I, p. 92).
(**g**) S.I. 1954/831 (1954 I, p. 113).

SCHEDULE I

PROVISIONS AS TO THE MANNER IN WHICH THE NATIONALITY AND REGISTRATION MARKS ARE TO BE PAINTED ON OR AFFIXED TO AIRCRAFT REGISTERED IN THE COLONY

1. Subject as provided in paragraph 3 of this Schedule the nationality and registration marks shall be painted on the aircraft or shall be affixed thereto by any other means ensuring a similar degree of permanence, in the following manner:—

(*a*) *Flying Machines and Gliders*

(i) *Wings.*—The marks shall appear once on the upper surface of the wing structure and once on the lower surface of the wing structure. They shall be located on the right half of the upper surface and on the left half of the lower surface of the wing structure unless they extend across the whole of both the upper and lower surfaces of the wing structure. So far as is possible the marks shall be located equidistant from the leading and trailing edges of the wings. The tops of the letters shall be towards the leading edge of the wing.

(ii) *Fuselage (or equivalent structure) or Vertical Tail Surfaces.*—The marks shall also appear either on each side of the fuselage (or equivalent structure) between the wings and the tail surfaces, or on the upper halves of the vertical tail surfaces. When located on a single vertical tail surface they shall appear on both sides. When there is more than one vertical tail surface, the marks shall appear on the outboard sides of the outer surfaces.

(*b*) *Airships and Balloons*

(i) *Airships.*—The marks shall appear on each side of the airship and also on the upper surface on the line of symmetry. They shall be located lengthwise near the maximum cross-section of the airship.

(ii) *Spherical Balloons.*—The marks shall appear in two places diametrically opposite. They shall be located near the maximum horizontal circumference of the balloon.

(iii) *Non-Spherical Balloons.*—The marks shall appear on each side. They shall be located near the maximum cross-section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cables.

(iv) In the case of all airships and balloons the side marks shall be so placed as to be visible both from the sides and from the ground.

2. Subject as provided in paragraphs 3 and 4 of this Schedule, the following provisions concerning the letters constituting the marks shall be complied with:—

(*a*) *Flying Machines and Gliders*

(i) *Wings.*—The letters constituting each group of marks shall be of equal height. The height of the marks shall be at least 20 inches.

(ii) *Fuselage (or equivalent structure) or Vertical Tail Surfaces.*—The marks on the fuselage (or equivalent structure) shall not interfere with the visible outlines of the fuselage (or equivalent structure). The marks on the vertical tail surfaces shall be such as to leave a margin of at least two inches along each side of the vertical tail surface. The letters constituting each group of marks shall be of equal height. The height of the marks shall be at least twelve inches.

(*b*) *Airships and Balloons*

The letters constituting each group of marks shall be of equal height. The height of the marks shall be at least 30 inches.

3. In cases where the constructional features of the aircraft do not admit of compliance with any of the provisions of paragraphs 1 and 2 of this Schedule, the nationality and registration marks shall be affixed to the aircraft in such manner, and the letters constituting the marks shall be of such height, as may be approved by the Governor.

4.—(*a*) The width of each letter (except the letter I) and the length of the hyphen between the nationality mark and registration mark shall be two-thirds of the height of a letter.

(*b*) The letters and hyphen shall be formed by solid lines and shall be of a colour clearly contrasting throughout with the background on which they appear. The thickness of these lines shall be one-sixth of the height of a letter.

(*c*) As nearly as the constructional features of the aircraft permit, each letter shall be separated from the letter which it immediately precedes or follows by a space equal to half the width of a letter. A hyphen shall be regarded as a letter for this purpose.

5. The nationality and registration marks shall be displayed to the best advantage, taking into consideration the constructional features of the aircraft.

Article 48 *Schedule II*

SCHEDULE II

Rules of the Air and Air Traffic Control

SECTION I

Interpretation

1. In these Rules the following expressions shall have the meanings hereby respectively assigned to them, namely:—

"Aerobatic flight" means manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, or an abnormal attitude or an abnormal variation in speed;

"Aerodrome Control" means a service established to provide Air Traffic Control for aerodromes;

"Aerodrome traffic" means aircraft operating on and in the vicinity of an aerodrome and any other traffic operating on the manoeuvring area;

"Aeroplane" means a flying machine supported in flight by fixed wings;

"Air traffic" means all aircraft in flight or operating on the manoeuvring area of an aerodrome;

"Air traffic clearance" means authorisation by Air Traffic Control for an aircraft to proceed under specified conditions;

"Air Traffic Control" means a service established to promote the safe, orderly and expeditious flow of air traffic;

"Air Traffic Control Centre" means a centre established to provide:—

(*a*) Air Traffic Control within a Control Area, or

(*b*) Flight information service within a flight information region, or both such Control and such service;

"Alternate aerodrome" means an aerodrome selected prior to take-off to which a flight may proceed when a landing at the intended destination becomes inadvisable;

"Approach Control" means a service established to provide Air Traffic Control for those parts of an I.F.R. flight, when an aircraft is arriving at, departing from and operating in the vicinity of an aerodrome;

"Approach time" means the time at which an aircraft commences its approach procedure preparatory to landing;

"Approach way" means the determined airspace over an approach area, through which aircraft in flight approach or leave a strip or a channel;

" Appropriate authority " means the national authority of a Contracting State responsible for the safety of air navigation over the territory of that State and, in the case of the Colony, means the Governor ;

" Area Control " means a control service established to provide Air Traffic Control within a Control Area and, when required, to provide flight information service ;

" Cloud Ceiling " in relation to an aerodrome means the distance measured vertically from aerodrome elevation to the lowest part of any cloud visible from the aerodrome which is sufficient to obscure more than one half of the sky visible from the aerodrome ;

" Control Area " means an air space of defined dimensions within which Air Traffic Control is exercised ;

" Control zone " means an air space of defined dimensions extending upwards from the ground or water and designated by the appropriate authority to include one or more aerodromes and within which measures additional to those governing flight in control areas apply for the protection of air traffic against collision ;

" Cruising altitude " means a constant altimeter indication in relation to a fixed and defined datum maintained during a flight or a portion thereof ;

" Expected approach time " means the time at which it is expected that an arriving aircraft will be cleared to commence an approach for a landing ;

" Flight information region " means an airspace of defined dimensions designated by the appropriate authority within which an Air Traffic Control Centre is responsible for providing flight information and initiating measures for search and rescue ;

" Flight information service " means a service established to provide aircraft in flight with information of weather, changes in the serviceability of navigational facilities or aerodromes and, when information is available, of other aircraft known to be operating which might cause danger to the aircraft being informed ;

" Flight plan " means specified information submitted to Air Traffic Control relative to the intended navigation of an aircraft ;

" Helicopter " means a flying machine supported in flight by aerofoils normally mechanically rotated about a substantially vertical axis (or axes) ;

" Instrument Flight Rules " means the Instrument Flight Rules in Section V of these Rules ;

" I.F.R. weather conditions " means weather conditions below the minima laid down for Visual Flight Rules ;

" Landing area " means that part of the manoeuvring area primarily intended for the landing or take-off of aircraft ;

" Magnetic track " means the angle measured clockwise from magnetic north to the path followed by an aircraft over the earth ;

" Manoeuvring Area " means that part of an aerodrome used for the take-off and landing of aircraft and for the movements of aircraft associated with take-offs and landings ;

" Night " means the hours of darkness between sunset and sunrise or such other period between sunset and sunrise as may be prescribed by the appropriate authority: Provided that it shall be deemed to be night when, between the hours of sunset and sunrise, any unlighted aircraft or other unlighted prominent object cannot clearly be seen at a distance of at least 5,000 yards ;

" Reporting point " means a geographical location in relation to which the position of an aircraft is to be reported ;

" Special V.F.R. Flight " means a flight carried out in I.F.R. weather conditions within a Control Zone subject to prior clearance by Air Traffic Control but not subject to Instrument Flight Rules ;

"Visibility" means the ability, as determined by atmospheric conditions and expressed in units of distance, to see and identify prominent unlighted objects by day and prominent lighted objects by night.

'Flight visibility' means the average range of visibility forward from the cockpit of an aircraft in flight.

'Ground visibility' means the visibility at an aerodrome as reported by an accredited observer.

"Visual Flight Rules" means the Visual Flight Rules in Section IV of these Rules;

"V.F.R. weather conditions" means weather conditions equal to or above the minima laid down for Visual Flight Rules.

SECTION II

General

2.—(1) In complying with these Rules the person in command of an aircraft shall have due regard to all dangers of navigation and collision and to any special circumstances which may render a departure from these Rules necessary in order to avoid immediate danger and any such departure shall be deemed to be in conformity with these Rules.

(2) (*a*) The person in command of an aircraft shall as soon as possible notify the appropriate authority of any such departure and, if so required by that authority, shall within ten days from the time of the receipt by him of such requirement submit to that authority a report in writing of the special circumstances which rendered such departure necessary.

(*b*) If any such departure occurs within the Colony, the notification referred to in sub-paragraph (*a*) of this paragraph shall be given by the person in command of the aircraft to the appropriate Air Traffic Control.

(*c*) If such a report as is referred to in sub-paragraph (*a*) of this paragraph is required in the case of any such departure occurring outside the Colony with respect to an aircraft registered in the Colony, the person in command of the aircraft shall, when submitting the same to the appropriate authority, also submit such a report to the Governor.

3. Nothing in these Rules shall exonerate any person within the Colony or in an aircraft registered in the Colony from the consequences of any neglect in the use of lights or signals or of any neglect of any precaution required by ordinary aviation practice or by the special circumstances of the case.

4. Nothing in these Rules shall interfere with the operation within the Colony of any prescribed special rule or rules with respect to the navigation of aircraft in the vicinity of a Government aerodrome or in or over any other place and all operators, pilots and crews of aircraft shall comply with any such rule or rules:

Provided that compliance with any such rule or rules shall not be deemed to be required in so far as compliance therewith would involve the provision of supplementary equipment for lights and signals, other than such lights or signals as are required by these Rules to be displayed or used.

5. In the application of the Flight Rules in Sections III to V of these Rules to an aircraft registered in the Colony—

(*a*) if the aircraft is over the territory of another Contracting State, nothing in those Flight Rules shall be deemed to interfere with the application to the aircraft of any special rules, made by that State relative to flights over its territory, which are not in conflict with the said Flight Rules; and

(*b*) if the aircraft is over the territory of a State which is not a Contracting State, the said Flight Rules shall be deemed to apply to the aircraft only in so far as they do not conflict with any rules made by that State relative to flights over its territory.

6.—(1) Where any signal is directed by these Rules to be used for any purpose, no person in an aircraft or on an aerodrome shall make that signal except for that purpose.

(2) No person in an aircraft or on an aerodrome shall make any signal which may be confused with a signal directed by these Rules.

(3) No person in an aircraft or on an aerodrome shall knowingly make without lawful authority, proof whereof shall lie on him, any naval, military or air force signal.

7. 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.

SECTION III

General Flight Rules

8. Aircraft shall be flown at all times in compliance with the Rules in this Section and in addition shall comply with either Visual Flight Rules or with Instrument Flight Rules.

Pre-flight Action

9.—(1) Prior to commencing a flight, the person in command of an aircraft shall familiarise himself with information necessary for the proper operation of the aircraft en route and on the aerodromes which may be used. In the Colony such information shall include such information as the Governor may cause to be notified for the purpose of enabling any of these Rules to be complied with.

(2) Pre-flight action for flights other than flights in the immediate vicinity of an aerodrome shall include a careful study of current weather reports and forecasts. In the light of this information the person in command of an aircraft shall determine whether the flight can be made with safety, taking into full consideration fuel requirements and an alternative course of action in case the flight cannot be completed as planned. The weather conditions on the proposed flight path shall be examined by the person in command of the aircraft in order that he may determine whether I.F.R. weather conditions prevail along any part of the flight. When any part of the flight is to be made in I.F.R. weather conditions in a control area or a control zone, that part of the flight must either be a special V.F.R. flight or be made in accordance with Instrument Flight Rules: in either case it shall be subject to Air Traffic Control approval and the person in command of the aircraft must obtain air traffic clearance. 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.

Airspace Restrictions

10.—(1) Aircraft shall not be flown over areas, particulars of which have been notified, where flight is restricted, except in accordance with the terms of such permission as may be granted by the appropriate authority.

(2) On the person in command of an aircraft flying in the Colony becoming aware in any manner that the aircraft is flying over a prohibited area in contravention of this Order or is flying in contravention of any regulations made pursuant to sub-paragraph (*c*) of paragraph (1) of Article 36 of this Order (which relates to temporary restrictions on the flying of aircraft within or in the neighbourhood of certain districts) the aircraft shall forthwith give a signal of distress by radio or by one of the visual signals described in Section XI of these Rules and land as soon as possible at the nearest aerodrome in the Colony, not being an aerodrome in a prohibited area or an aerodrome in a

restricted district or an aerodrome from the vicinity of which the aircraft is excluded in accordance with the provisions of paragraph (3) of Rule 42:

Provided that for the purpose of so landing an aircraft shall not, unless compelled by accident, stress of weather, or other unavoidable cause, fly further into a prohibited area or a restricted district or commence to descend while still above such area or district.

(3) In the Colony the following visual signals may be given:—

(*a*) to warn an aircraft that it is in the vicinity of a prohibited area or a restricted district and should change its course:—

(i) by day, a series of projectiles discharged at intervals of 10 seconds each showing on bursting black or white smoke;

(ii) by night, a series of projectiles discharged at intervals of 10 seconds each showing on bursting white lights or stars, or an intermittent white luminous beam directed at an aircraft.

(*b*) to require an aircraft to land at the nearest aerodrome in accordance with the provisions of paragraph (2) of this Rule:—by day and by night, a series of projectiles discharged at intervals of 10 seconds, each showing on bursting green lights or stars.

(4) If, in a case where the signals aforesaid requiring an aircraft to land have been given by, or by the direction of, a commissioned officer of Her Majesty's naval, military or air forces, the aircraft fails to comply with the provisions of paragraph (2) of this Rule, that officer may order fire to be opened on the aircraft and use any other means to compel compliance therewith and an officer so acting and any person acting in his aid and by his direction shall be indemnified and discharged from any indictment, penalty, action or other proceedings for so acting.

(5) In this Rule "prohibited area" means an area declared to be a prohibited area under Article 35 of this Order; and "restricted district" means a district with respect to which temporary restrictions on the flying of aircraft are imposed by regulations made pursuant to Article 36 of this Order.

Dangerous Flying

11. An aircraft shall not be operated in a negligent manner or in a reckless manner so as to endanger life or property.

Operation on and in the vicinity of an aerodrome

12.—(1) The person in command of an aircraft being operated on or in the vicinity of an aerodrome shall:—

(*a*) observe other aerodrome traffic for the purpose of avoiding collision;

(*b*) conform to or avoid the pattern of traffic formed by other aircraft in operation;

(*c*) make all turns to the left, when approaching for a landing and after taking off, unless otherwise instructed by Air Traffic Control or unless the appropriate authority otherwise directs;

(*d*) if Air Traffic Control is in operation:—

(i) maintain a continuous watch on the specified radio frequencies for control communications, or, if this is not possible, keep a watch for such instructions as may be issued by visual means;

(ii) obtain, either by radio or visual signal, such authorisation for his movements as may be necessary for the protection of aerodrome traffic;

(*e*) if Air Traffic Control is not in operation, land and take off, so far as practicable, into the wind.

(2) With respect to an aerodrome in the Colony the additional rules in Section VII of these Rules shall be complied with.

Air Traffic Control Instructions and International Flight and Communication Procedures

13. The person in command of an aircraft shall comply with any instructions received by him from Air Traffic Control and generally shall act in conformity with such flight and communication procedures as are internationally recognised.

Right of Way Rules

14.—(1) *General*

(*a*) An aircraft shall not be operated in such proximity to other aircraft as to cause a danger of collision. In or near cloud, fog, mist or other conditions of bad visibility, an aircraft in the Colony shall be flown with due regard to existing circumstances and to these Rules;

(*b*) flight in formation is prohibited, except by pre-arrangement between the persons in command of the aircraft so flying;

(*c*) an aircraft which is obliged by the following Rules to keep out of the way of another aircraft shall avoid passing over or under the other aircraft, or crossing ahead of it, unless passing well clear of it;

(*d*) the aircraft which has the right-of-way shall normally maintain its course and speed; nevertheless, nothing in these Rules shall relieve the person in command of an aircraft from the responsibility of taking such action as will best aid to avert collision.

(2) *Converging*

(*a*) Subject to the provisions of paragraphs (3) and (4) of this Rule, an aircraft shall give way to another aircraft of a class different from its own in accordance with the following rules:—

(i) flying machines shall give way to airships, gliders and balloons;

(ii) airships shall give way to gliders and balloons;

(iii) gliders shall give way to balloons.

(*b*) When two aircraft of the same class are at approximately the same altitude, the aircraft which has the other on its right shall give way; nevertheless, mechanically-driven aircraft shall give way to aircraft which are seen to be towing other aircraft.

(3) *Approaching Head-on*

When two aircraft are approaching head-on or approximately so and there is danger of collision, each shall alter its course to the right.

(4) *Overtaking*

An aircraft which is being overtaken has the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering its course to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the overtaking aircraft from this obligation until it is entirely past and clear:

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) *Landing*

Subject to the provisions of paragraph (7) of this Rule, an aircraft while landing or approaching to land, has the right of way over other aircraft in flight or on the ground or water:

Provided that in the case of two or more flying machines or two or more gliders approaching an aerodrome for the purpose of landing, the flying machine or the glider at the lower altitude shall have the right-of-way, but it shall not take advantage of this rule to cut in in front of another which is descending in a

straight line for the purpose of landing, or to overtake that flying machine or glider, except that in the case of a flying machine and glider approaching an aerodrome for the purpose of landing, the glider shall always have the right-of-way.

(6) *Taking off*

An aircraft about to take off shall not attempt to do so until the person in command thereof is satisfied that there is no apparent risk of collision with other aircraft.

(7) *Emergency landing*

Notwithstanding the provisions of paragraph (5) of this Rule, an aircraft which is aware that another aircraft is compelled to land shall give way to that aircraft.

Minimum Safe Altitudes

15.—(1) (*a*) No aircraft shall be flown over the congested parts of populous areas or over an assembly of persons in the open air except at such an altitude as will enable the aircraft to alight outside such areas or assembly in the event of the failure of a power unit, but in no case shall the altitude when over any such area or assembly be less than 1,000 feet above the highest obstacle within a radius of 2,000 feet from the aircraft:

Provided that this paragraph shall not prohibit an aircraft from landing or taking off in a manner required by normal aviation practice.

(*b*) The provisions of this paragraph are without prejudice to the provisions of paragraph (2) of this Rule.

(2) Within the Colony no aircraft shall fly over any town at an altitude of less than 1,000 feet above the highest obstacle within a radius of 2,000 feet from the aircraft and no flying machine or glider shall fly over any town or populous area except at such an altitude as will enable it to alight outside such town or area and, in the case of a flying machine, will enable it so to alight notwithstanding the failure of its engine, if it has only one engine, or of one of its engines, if it has more than one engine:

Provided that this paragraph shall not apply

(i) to an aircraft which is departing from, or about to land at, a licensed aerodrome or a Government aerodrome, if the aircraft is flying at an altitude which, having regard to wind, weather, and all the circumstances of the case, is reasonable and is otherwise in conformity with the provisions of this Order and with normal aviation practice in such a case; or

(ii) to a helicopter which is being flown with the special permission in writing of the Governor and in accordance with any conditions or limitations therein specified.

(3) (*a*) Within the Colony no aircraft shall fly over or in the immediate vicinity of any place where a large number of persons is assembled in the open air in connection with any event of public interest, except with the consent in writing of the Governor, and of the organisers, if any, of the event:

Provided that this prohibition shall not apply—

(i) in a case where any such large number of persons is assembled for the purpose of witnessing an event which consists wholly or principally of an aircraft race or contest or exhibition of flying, to an aircraft taking part in such a race, contest or exhibition or engaged in a flight arranged by or made with the written approval of the organisers of the event as part of the entertainment afforded in connection therewith;

(ii) to an aircraft which is being used for police purposes;

(iii) to an aircraft arriving at or departing from a licensed aerodrome, or a Government aerodrome, if flying over or in the immediate vicinity of any such place as aforesaid is necessary for the purpose of effecting such arrival or departure; or

(iv) to an aircraft passing from place to place in the ordinary course of navigation and flying at a reasonable height.

(*b*) The provisions of this paragraph are without prejudice to the provisions of Article 36 of this Order.

(4) Within the Colony no aircraft shall be flown in such a manner or in such circumstances as, by reason of low altitude or proximity to persons or dwellings or to other aircraft, or for any other reason to cause unnecessary danger to any person or property (including animals) on land or water or in the air:

Provided that, in circumstances where paragraph (2) or paragraph (3) of this Rule does not apply, an aircraft which is flying under V.F.R. weather conditions above an altitude of 500 feet above the ground or water and outside a distance of 500 feet from any object on the ground or water, shall not be deemed to be flying in contravention of this Order solely by reason of its low altitude or proximity to persons or dwellings.

Towing and picking up Objects

16.—(1) The person in command of an aircraft shall not permit anything to be towed by such aircraft except in accordance with the requirements of the appropriate authority.

(2) Subject to the provisions of paragraph (5) of this Rule, an aircraft shall not—

(*a*) be used in flight for the purpose of towing another aircraft or any banner, drogue, flag or similar article; or

(*b*) be towed in flight by another aircraft;

unless the aircraft is being so used or towed

(i) in accordance with an express authorisation included in the terms of the certificate of airworthiness or the validation of such a certificate in force in respect of such aircraft and subject to any conditions or limitations contained in such terms; or

(ii) in a case where such a certificate or validation is not required, in accordance with such conditions or limitations as may be specified in a special permission in writing given by the Governor:

Provided that, save in the case of the towing of a glider by a flying machine (to which the rules in Section X of these Rules apply), an aircraft shall not in the Colony be so used or towed at night or during conditions of bad visibility except in so far as may be expressly authorised in those circumstances by special permission in writing of the Governor.

(3) For the purpose of paragraph (2) of this Rule, an aircraft, banner, drogue, flag or similar article shall be deemed to be towed if it is attached to an aircraft in flight by any means external to the aircraft to which it is attached which cause the aircraft, banner, drogue, flag or similar article so attached to follow or accompany in flight the aircraft to which it is attached:

Provided that nothing in this paragraph shall prohibit the reasonable use or display by or from an aircraft in flight of radio aerials, any instrument which is being used for experimental purposes or any signal, apparatus, equipment or article required or permitted to be displayed or used by or from an aircraft in flight in accordance with any provision of this Order or of any regulation made by the Governor thereunder.

(4) Subject to the provisions of paragraph (5) of this Rule, an aircraft shall not be used in flight within the Colony for the purpose of picking up any object from the ground except—

(*a*) (i) 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 such aircraft; and

(ii) with the special permission in writing of the Governor and in accordance with any conditions or limitations therein specified; or

(*b*) in a case where such a certificate or valuation is not required, in accordance with such conditions or limitations as may be specified in a special permission in writing given by the Governor.

(5) Paragraphs (2), (3) and (4) of this Rule shall not apply to an aircraft flown in accordance with the terms of sub-paragraph (*b*) of paragraph (2) of Article 11 of this Order.

Dropping Objects

17.—(1) The person in command of an aircraft shall not permit anything to be dropped from the aircraft in flight which might endanger persons or property on the ground or water.

(2) No object, whether attached to a parachute or not, shall be dropped or projected from an aircraft flying within the Colony unless the object is dropped or projected in accordance with any conditions or limitations which may be prescribed or specified in any special permission in writing given by the Governor.

(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 66, 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.

Parachute Descents

18.—(1) Parachute descents, other than emergency descents, shall not be made unless authorised by the appropriate authority.

(2) A person shall not, except in a case of emergency, descend by means of a parachute from an aircraft flying within the Colony, unless the descent is made in accordance with any conditions or limitations which may be prescribed or specified in any special permission in writing given by the Governor.

Aerobatic Flight

19.—(1) No aircraft shall carry out any aerobatic flight so as to endanger air traffic.

(2) If an appropriate authority has prohibited aerobatic flight over any area, no aircraft shall perform such flight over that area without the prior consent of such authority.

(3) Within the Colony no aircraft shall carry out any aerobatic flight over any town or populous area.

(4) Within the Colony no aircraft shall carry out any aerobatic flight within a control zone save with the consent of the appropriate Air Traffic Control.

Flying Instruction

20. 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

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

(*a*) the aircraft is equipped with duel 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: if the field of vision of such qualified pilot is not adequate both forward and to each side of the aircraft, a competent observer shall be carried and shall occupy 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

22. 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.

Additional Rules for Water Operations

23.—(1) Every aircraft in flight near the surface of the water shall, as far as possible, keep clear of all vessels and avoid impeding the navigation thereof.

(2) In this Rule the word "vessels" includes every description of water craft, other than an aircraft on the water, used or capable of being used as a means of transportation on water.

Additional Rules for Night Operations

24.—(1) *Lights*—In the Colony, in the event of the failure of any light which is required to be displayed in flight, if the light cannot be immediately repaired or replaced the aircraft shall land as soon as it can safely do so, unless authorised by Air Traffic Control to continue its flight.

(2) *Flights within Control Areas or Control Zones*—If so directed by the appropriate authority, all aircraft being operated by night within the territory of a Contracting State and within control areas or control zones shall be flown in accordance with the Instrument Flight Rules in Section V of these Rules or as otherwise authorised by Air Traffic Control.

Authority of Person in Command of an Aircraft

25. The person in command of an aircraft shall be directly responsible for its operation and shall have final authority as to the disposition of the aircraft while he is in command, which shall include the maintaining of discipline of all persons on board.

Notification of Arrival

26.—(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 34 or Rule 39 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 34

or Rule 39 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.

Hazardous Flight Conditions

27. The person in command of an aircraft shall as soon as possible report to the appropriate Air Traffic Control any hazardous flight conditions encountered by him in the course of a flight with such details thereof as may be pertinent to the safety of other aircraft.

SECTION IV

Visual Flight Rules (V.F.R.)

28. An aircraft unable to comply with the rules in this Section must be flown in accordance with Instrument Flight Rules.

Within Control Areas, Control Zones and Flight Information Regions

29. An aircraft flying in a control area, control zone or flight information region shall—

(*a*) remain at least 2,000 feet horizontally and 500 feet vertically from cloud, and in a flight visibility of at least three nautical miles, or

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

(*c*) if in a flight information region below a notified height, be flown clear of all cloud and in sight of the ground or water:

Provided that in control zones, if the ground visibility is less than 3 nautical miles or the cloud ceiling is less than 1,000 feet at an aerodrome, aircraft shall not take off, land, approach to land or fly within the traffic zone of the aerodrome without permission from the appropriate Air Traffic Control.

SECTION V

Instrument Flight Rules (I.F.R.)

30.—(1) An aircraft which is flying within a flight information region, and whose flight does not comply with Visual Flight Rules, must comply with the Instrument Flight Rule in paragraph (1) of Rule 32.

(2) An aircraft which is flying within a control area or a control zone and whose flight does not comply with Visual Flight Rules, must comply with the Instrument Flight Rules in Rules 33, 34, 35, 36 and 37.

31. An aircraft flying in I.F.R. weather conditions shall not fly at an altitude of less than 1,000 feet above the highest obstacle within a distance of five nautical miles of the aircraft unless it is authorised so to do by the appropriate authority or unless it is necessary so to do in order to take off or land at a licensed aerodrome or a Government aerodrome.

Flight within a Flight Information Region

32.—(1) An aircraft in flight above a notified height within a flight information region is to be flown at a cruising altitude appropriate to its magnetic track, the altimeter to be set according to a fixed and defined datum in a notified manner, as given in the table below:—

Magnetic Track	*Cruising Altitude*
0° to 089° inclusive.	Odd thousands of feet.
090° to 179° inclusive.	Odd thousands of feet + 500 feet.
180° to 269° inclusive.	Even thousands of feet.
270° to 359° inclusive.	Even thousands of feet + 500 feet.

(2) The person in command of an aircraft about to fly within a flight information region may at any time submit or cause to be submitted a flight plan to the appropriate Air Traffic Control, if he so desires.

Flight within a Control Area or a Control Zone

33.—(1) The pilot in charge of an aircraft flying within a control area or a control zone shall be qualified for flight under these Rules in accordance with the international standards for personnel licensing and the aircraft shall be equipped with suitable instruments, with radio apparatus so as to maintain two-way communication with the appropriate Air Traffic Control and with radio navigation apparatus appropriate to the route to be flown.

(2) (*a*) In the case of an aircraft registered in the Colony flying within a control area or a control zone the aircraft shall be equipped with the prescribed instruments and with the prescribed radio apparatus, which shall be operated by a person who is the holder of a licence authorising him to operate such apparatus and, when the aircraft is a flying machine, no person shall act as pilot in charge thereof unless there is included in the pilot's licence which he holds an instrument rating.

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

Flight Plan

34.—(1) Before an aircraft takes off from a point within or enters a control area or a control zone, the person in command of the aircraft shall deliver or cause to be delivered a flight plan to the appropriate Air Traffic Control.

(2) (*a*) The flight plan shall be in such form as may be notified.

(*b*) The flight plan shall contain such particulars as may be notified with such omissions as may be approved by the appropriate Air Traffic Control and with such additional information as may be required by that Air Traffic Control.

(3) A person in command of an aircraft flying in a control zone or a control area shall fly in accordance with his flight plan as amended by air traffic clearances unless

(*a*) he is able to fly in uninterrupted V.F.R. weather conditions for so long as he remains in the control zone or the control area, and

(*b*) he has informed the appropriate Air Traffic Control of his intention to continue the flight in compliance with Visual Flight Rules and has directed that Control to cancel his flight plan.

(4) A person in command of an aircraft flying in a control zone or a control area who has not directed the appropriate Traffic Control to cancel his flight plan shall inform that Air Traffic Control as soon as the aircraft lands, or as soon as the aircraft leaves the control zone or control area, and it has done so.

Air Traffic Clearance

35. Prior to operating an aircraft in a control area or a control zone, the person in command thereof shall obtain an air traffic clearance based on the flight plan from the appropriate Air Traffic Control. Aircraft shall be flown in accordance with air traffic clearances and, where applicable, shall follow the notified instrument approach procedure for the aerodromes to be used. No deviations shall be made from the requirements of an air traffic clearance unless an emer-

gency situation arises which necessitates immediate action, in which case, as soon as possible after such action is taken, the person in command of the aircraft shall inform the appropriate Air Traffic Control of the deviation and, if necessary, obtain an amended air traffic clearance.

Radio Communications

36. The person in command of an aircraft flying in a control zone or control area shall

(a) keep or cause to be kept a continuous listening watch on the radio frequency applicable to the circumstances of the flight used by the appropriate Air Traffic Control, and shall endeavour or cause endeavours to be made to establish two-way communication with that Air Traffic Control;

(*b*) report or cause to be reported the time and altitude at which the aircraft passes over each reporting point notified as such for the purposes of this Rule or designated by that Air Tarffic Control as such; and

(*c*) report or cause to be reported the location and altitude of the aircraft at such intervals as may be notified for the purpose of this Rule or as may be specified by that Air Traffic Control.

Communication Failure

37. In the event of inability to establish or maintain two-way radio communication as required by Rule 36, the person in command of an aircraft shall observe one of the following procedures:—

(*a*) continue to destination if it is possible to do so by flying only in conditions equal to or better than those specified in paragraph (*a*) of Rule 29; or

(*b*) proceed according to the notified procedure.

SECTION VI

Additional General Flight Rules

Right hand side traffic

38. (*a*) An aircraft, which is flying within the Colony in sight of the ground and following a line of landmarks (such as a road, railway, canal or coast line), shall keep such line of landmarks at least 300 yards on its left, and shall not fly keeping on its right such line of landmarks except at a sufficient distance therefrom to avoid other aircraft which may be following the line in accordance with this Rule.

(*b*) A person in command of an aircraft flying within the Colony and following a track indicated by a directional radio guide shall, as far as practicable, navigate the aircraft so as to keep the centre line of such guide on his left.

Flight in notified airspace

39.—(1) Before commencing a flight within an air space notified for the purpose of this Rule, a person in command of an aircraft shall obtain an air traffic clearance from the appropriate Air Traffic Control.

(2) In order to obtain an air traffic clearance the person in command shall submit a flight plan to that Air Traffic Control in the form notified in accordance with Rule 34 containing such particulars as may be required by that Air Traffic Control.

(3) The person in command shall comply with the conditions specified in the air traffic clearance.

Aircraft able to communicate by radio within Flight Information Regions

40. Irrespective of whether an aircraft is flying within a control area or a control zone, if it is flying within a flight information region and is unable to comply with Rule 29, the aircraft shall, if it is able to communicate by radio with the appropriate Area Control and if so required by that Control,

(*a*) report to that Control its position and such other particulars relating to its navigation as may be required of it;

(*b*) follow the advice of the Control as far as may be practicable to do so, and report whether it is able to comply or not; and

(*c*) maintain two-way communication with that Control.

Aircraft registered in the Colony compulsorily equipped with radio apparatus

41. An aircraft registered in the Colony which is undertaking a flight for which the carriage of radio apparatus is compulsory under this Order shall maintain two-way radio communication with such radio stations as may be appropriate to the route along which it is flying and shall make such reports as to its position, height, course and speed and other matters pertaining to the safety of air navigation (such as weather or icing conditions) as the circumstances may require.

SECTION VII

Aerodrome Flight Rules

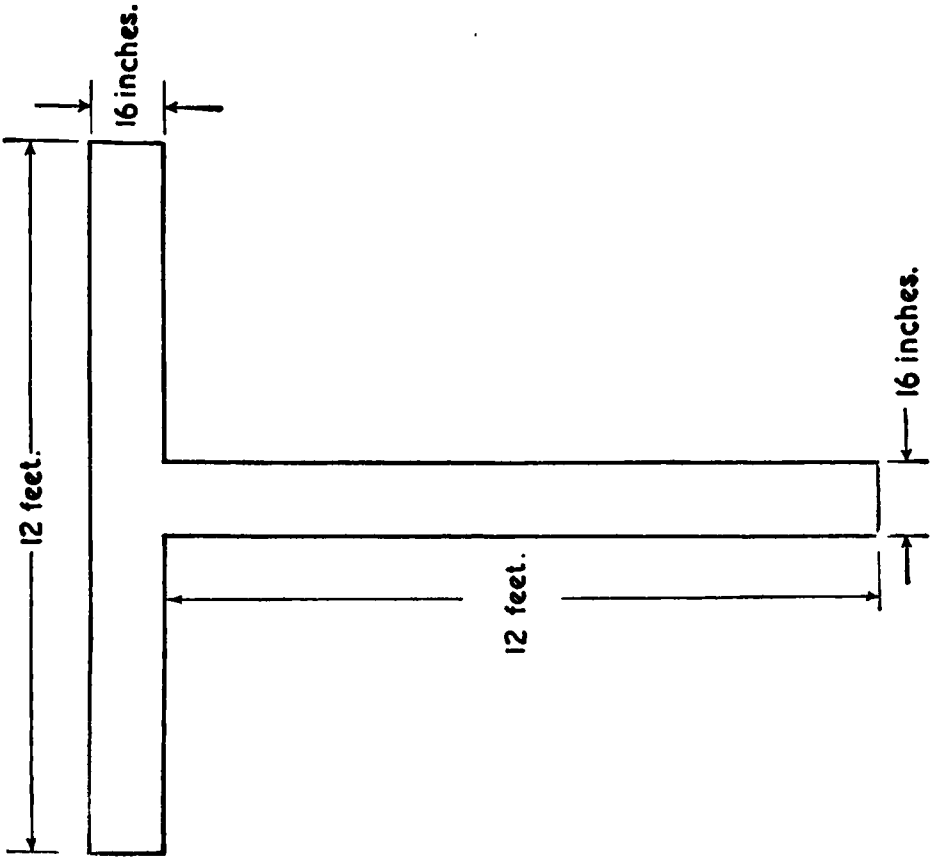
Interpretation

42.—(1) In this Section and in Sections VIII, IX and X of these Rules, the following expressions shall have the meanings hereby respectively assigned to them, namely—

(*a*) " Signal area " means a selected part of an aerodrome set aside for display to aircraft in the air of the ground signals referred to in Section VIII of these Rules;

(*b*) " Landing strip " means a rectangular portion of the landing area, specially prepared for the take-off and landing of aircraft in a particular direction;

(*c*) " Landing T " means a device in the form of a horizontal T, as in the diagram below, to indicate visually to aircraft the direction designated for the time being for landing or take-off. The colour of the T shall normally be white, but this may be varied if the background is of such character that alteration of the colour would give improved visibility from the air;



(*d*) "Runway" means a hard surfaced straight path, within a landing strip, normally used for the take-off and landing of aircraft;

(*e*) "Taxiway" means a specially prepared or marked path on the manoeuvring area of a land aerodrome, which is intended for the use of aircraft in motion, other than when taking off or landing.

(2) The Rules in this Section are applicable to aeroplanes which are operating in the vicinity of an aerodrome situated in the Colony and shall also apply, as far as practicable, to other classes of aircraft, when they fly in the vicinity or make use of any such aerodrome which is used by aeroplanes:

Provided that paragraph (3) of Rule 45 and paragraph (3) of Rule 47 shall be applicable only to helicopters.

(3) Where in the interests of safety it appears necessary for him to do so, the Governor may make special rules applicable within the air space up to 2,000 ft. above the level of a particular aerodrome and within 3,000 yards of the aerodrome boundaries, or within such other altitude above or distance from a particular aerodrome as may be notified, and may exclude from such airspace certain classes of aircraft or any aircraft which cannot conform to such special rules.

(4) The Governor may temporarily suspend the application of any or all of the Rules in this Section and where any such suspension is for the time being in force shall cause to be displayed the signal described in sub-paragraph (*a*) of paragraph (3) of Rule 52.

General

43.—(1) The person in command of an aircraft shall, immediately on arrival at or prior to departure from an aerodrome having an Aerodrome Control, ensure that the Aerodrome Control is notified of the flight which he has just made, or which he is about to make.

(2) The person in command of an aircraft about to undertake a flight by night is responsible that such advance notice of the flight as may be required by the circumstances of the case is given to the Aerodrome Control in order that the Rules for night landing in Section IX of these Rules may be complied with at the aerodromes to be used by the aircraft.

(3) Where there is an Aerodrome Control, except with the consent of such Control, two or more aeroplanes shall not land or take-off in formation.

(4) The Aerodrome Control may prohibit the departure of an aircraft on a flight which in its opinion could not be made without contravention of these Rules.

(5) The Air Traffic Control may, as regards arrivals and departures, give priority to aeroplanes operating in accordance with an air traffic clearance over aeroplanes not so operating.

Traffic Zone Rules

44.—(1) Except with consent of the Air Traffic Control, an aeroplane flying less than 2,000 feet above an aerodrome level and within 3,000 yards of the aerodrome boundaries, or flying within such other altitude above or distance from a particular aerodrome as may be notified, shall comply with the following rules:—

(*a*) it shall fly at least 500 feet below and clear of cloud, or as far below cloud as is consistent with sub-paragraph (*b*) (ii) of this paragraph;

(*b*) except for the purpose of taking off or landing at the aerodrome,

(i) it shall keep the manoeuvring area on its left or follow the procedure authorised by Air Traffic Control;

(ii) it shall not fly at a height of less than 500 feet above the level of the manoeuvring area; and

(iii) it shall not fly over the manoeuvring area.

(2) If an aeroplane having taken off from or being about to land at an aerodrome makes a circuit or partial circuit the turning shall be made clear of the manoeuvring area and shall be left-handed, or shall be in conformity with the procedure authorised by Air Traffic Control.

Landing Rules

45.—(1) An aeroplane shall land at an aerodrome—

(*a*) by day, in the direction indicated by the landing T or, if no landing T is displayed, as nearly into wind as practicable ; and

(*b*) by night, in the direction indicated by the landing lights described in Section IX of these Rules.

(2) When the dumb-bell signal described in paragraph (4) of Rule 51 is displayed at a land aerodrome, an aeroplane shall land upon a runway. An aeroplane shall not land upon a runway until such runway is clear of other aircraft, unless granted permission to do so by the Aerodrome Control.

(3) When the " H " signal described in paragraph (5) of Rule 51 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.

(4) Where in exceptional circumstances by day it is necessary for the safety of an aeroplane that its landing should be made in a direction other than that indicated by the landing T, an aeroplane shall not land in such other direction at a land aerodrome having an Aerodrome Control until it has obtained the consent of the Aerodrome Control.

(5) At a land aerodrome where landings are not confined to a runway an aeroplane when landing shall leave clear on its left an aeroplane which has already landed or is already landing or about to take off, and, if after landing it requires to turn, it shall turn to the left after making sure that such action will not conflict with other traffic movements. By night, an aeroplane landing with the aid of an aerodrome lighting system as described in Method B in paragraph (2) of Rule 56 shall normally so land as to keep the line of landing lights on its left.

(6) An aeroplane which is unable to communicate by radio with the Air Traffic Control shall, before landing at an aerodrome having an Aerodrome Control, make a circuit or partial circuit of the aerodrome for the purpose of observing the traffic and reading such ground markings and signals as may, in accordance with the rules in Section VIII of these Rules be displayed thereat, unless it has the consent of the Aerodrome Control to do otherwise.

Landing Signals

46.—(1) *Instruction not to land*

(*a*) At any aerodrome the firing of a red pyrotechnical light or the display of a red flare from the ground or a continuous red luminous beam, directed at an aeroplane in flight whether by day or night and notwithstanding any previous permission, shall constitute an instruction to such aeroplane that its landing is temporarily prohibited:

Provided that the red pyrotechnical light or red flare shall normally be used in preference to the red luminous beam when, in emergency, it is necessary by day to prohibit the landing of an aeroplane which is about to land and which is at a height of less than 300 feet above the level of the landing area ;

(*b*) at any aerodrome an intermittent red luminous beam, directed at an aeroplane in flight, shall contitute an instruction to such aeroplane that, owing to the aerodrome being unfit or for any other reason, it should make a landing elsewhere.

(2) *Instruction to return and land*

At any aerodrome an intermittent green luminous beam directed at an aeroplane in flight shall constitute an instruction to such aeroplane that it shall return to the aerodrome and await the signal for permission to land.

(3) *Permission to land*

(*a*) By night, at an aerodrome notified as having at night an Aerodrome Control, an aeroplane wishing to land without being compelled to do so shall, before landing, ask permission by a signal made either by radiotelegraphy or radiotelephony or by a green visual signal made by means of

a lamp or projector, but not by means of its navigation lights. Exceptionally, in the event of an aeroplane being unable to make any of these signals it shall fire a green pyrotechnical light;

(*b*) by day, an aeroplane wishing to land at a land aerodrome having an Aerodrome Control in a direction other than that indicated by the landing T shall, unless otherwise agreed beforehand with the Aerodrome Control, before landing ask permission by a signal made by one of the methods described in sub-paragraph (*a*) above;

(*c*) the reply shall be given from the ground to the aeroplane either by radiotelephony or radiotelegraphy or by visual signal:

Provided that, when permission has been asked by visual signal, the reply shall always be given by visual signal;

(*d*) when the reply is given by visual signal, such signal shall be by a continuous luminous beam directed at the aeroplane, and the colour of such beam shall be green to give permission to land and shall be red to prohibit landing;

(*e*) an aeroplane which has received permission to land by visual signal shall by night acknowledge such signal by displaying until it lands a steady white light directed downwards.

(4) When from an aeroplane wishing to land without being compelled to do so there are seen by night either of the visual signals described in paragraph (1) of Rule 68 indicating that another aircraft is compelled to land, the aeroplane shall not attempt to land, notwithstanding that it may already have received permission to do so, until it has received a fresh permission.

Take-off Rules

47.—(1) An aeroplane when taking off from an aerodrome shall normally do so in the direction indicated for landings. At an aerodrome where by day a black ball signal is displayed on a mast the direction in which take-off is to be made shall be agreed with the Aerodrome Control.

(2) When the dumb-bell signal described in paragraph (4) of Rule 51 is displayed at a land aerodrome, take-off shall be made from a runway, unless otherwise agreed with the Aerodrome Control.

(3) When the "H" signal described in paragraph (5) of Rule 51 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.

(4) At an aerodrome where landings and take-offs are not confined to a runway, an aeroplane about to take off shall leave clear on its left any aeroplane which is already taking off, or which has just taken off.

(5) At an aerodrome notified as having an Aerodrome Control control may be exercised by means of the movement signals described in Rule 49 and no aeroplane shall take off until it has received permission to do so. When control is being exercised in this manner, the signal described in sub-paragraph (*b*) of paragraph (2) of Rule 52 shall be displayed at or near the station of the Aerodrome Control.

Taxying Rules

48.—(1) The provisions of paragraphs (2), (3) and (4) of this Rule shall apply to aeroplanes and vehicles which are moving on the manoeuvring area of a land aerodrome.

(2) (*a*) Aeroplanes which are landing or taking off shall be given free way by other aeroplanes and by vehicles.

(*b*) An aeroplane, after landing, shall move clear of the landing strip in use as soon as it is possible to do so.

(*c*) A vehicle which is towing an aeroplane shall be given free way by other vehicles and by aeroplanes which are not landing or taking off.

(*d*) An aeroplane shall be given free way by a vehicle which is not towing an aeroplane.

(*e*) An aeroplane or vehicle which is obliged by the provisions of this paragraph to give free way to another shall, if necessary in the circumstances in order to do so, reduce its speed or stop.

(3) If danger of collision exists between an aeroplane or vehicle and another aeroplane or vehicle such of the following procedures as may be appropriate in the circumstances shall be applied:—

(*a*) When the two are approaching head-on or nearly head-on, each shall alter its course to the right;

(*b*) Subject to the provisions of paragraph (2) of this Rule, when the two are on converging course, 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*) When an aeroplane or a vehicle is over-taking another aeroplane or vehicle, the one which is over-taking 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 over-taking from its obligations until it is finally passed and clear of the other.

(4) A vehicle moving along a runway or taxying shall as far as practicable keep to the right side of the runway or taxyway.

(5) No vehicle shall have access to the manoeuvring area of a land aerodrome except as may be permitted by the responsible aviation authority at the aerodrome.

(6) When an aeroplane is being towed, the person in charge of the towing vehicle shall be responsible for compliance with the provisions of this Rule.

(7) At a land aerodrome notified as having an Aerodrome Control the movements of aeroplanes and vehicles on the manoeuvring area shall be subject to control by means of the movement signals described in Rule 49 and no aeroplane or vehicle shall proceed on to the manoeuvring area, and, in a case where a runway is in use, on to that runway, until it has received permission to do so by a signal. When control is being exercised in this manner, the signal described in sub-paragraph (*b*) of paragraph (2) of Rule 52 shall be displayed at or near the station of the Aerodrome Control.

(8) Nothing in this Rule shall relieve a person in command of an aeroplane or the person in charge of a vehicle from the responsibility for taking such action as will best aid to avert collision.

Movement Signals

49. Traffic may be controlled by day or by night by the use of radiotelephony or radiotelegraphy between an aeroplane and the Control or by the use of the following signals:—

(*a*) to authorise a movement on the manoeuvring area, other than taking off, the Control shall direct at the aeroplane or vehicle an intermittent green luminous beam;

(*b*) to authorise an aeroplane on the ground to take off, the Control shall direct at the aeroplane a continuous green luminous beam;

(*c*) subject to the proviso to paragraph (1) of Rule 46, to prohibit temporarily landing, taking off or any movement on the manoeuvring area, the Control shall direct at the aeroplane or vehicle a continuous red luminous beam;

(*d*) to instruct an aeroplane in the air that, owing to the aerodrome being unfit or for any other reason, a landing should be made elsewhere, or to instruct an aeroplane or vehicle on the ground which has moved on to the landing strip in use preparatory to departure or for any other reason to move clear of the landing strip immediately, the Control shall direct at the aeroplane or vehicle an intermittent red luminous beam;

(*e*) to authorise an aeroplane to land, the Control shall direct at the aeroplane a continuous green luminous beam;

(*f*) to instruct an aeroplane in flight that it should return to the aerodrome and await the signal for permission to land, the Control shall direct at the aeroplane an intermittent green luminous beam;

(*g*) to instruct an aeroplane or vehicle on the ground, which has moved on to the manoeuvring area, that it should return to the place from which it started, the Control shall direct at the aeroplane an intermittent white luminous beam and this signal shall, when necessary, be preceded by a continuous red luminous beam.

SECTION VIII

Rules for Ground Marks and Signals by Day at Aerodromes in the Colony

50. The Rules in this Section and in Sections IX and X of these Rules shall be complied with at any licensed aerodrome and at any Government aerodrome which has been notified as available for use by civil aircraft, except in so far as exemption therefrom may be notified in respect of any such aerodrome. These Rules should be read in conjunction with Rule 64.

Aerodrome Rules

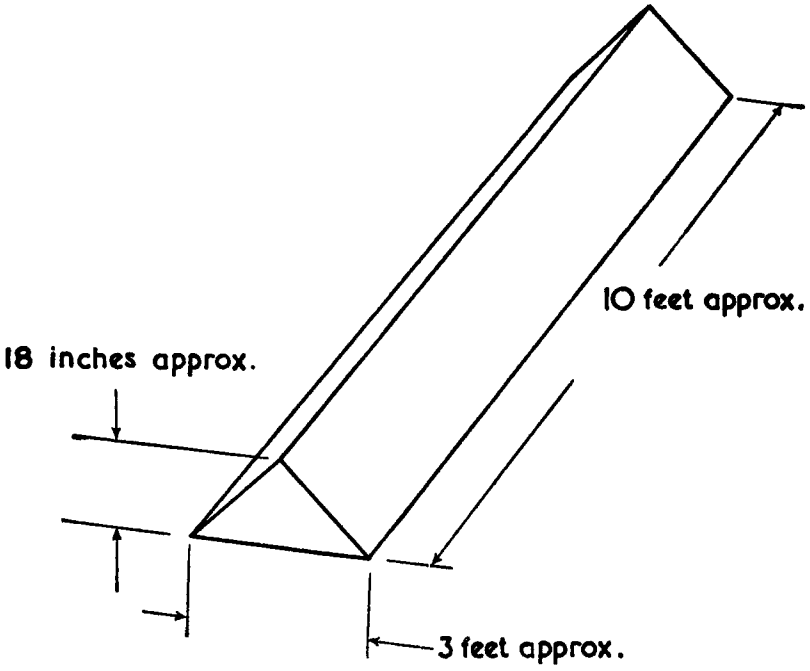
51. Whenever aircraft are making use or may be expected to make use of a land aerodrome in the Colony the following requirements shall be complied with by day:—

(1) The direction of the surface wind shall be clearly indicated by a wind sleeve. Any other method of wind indication may be used in addition.

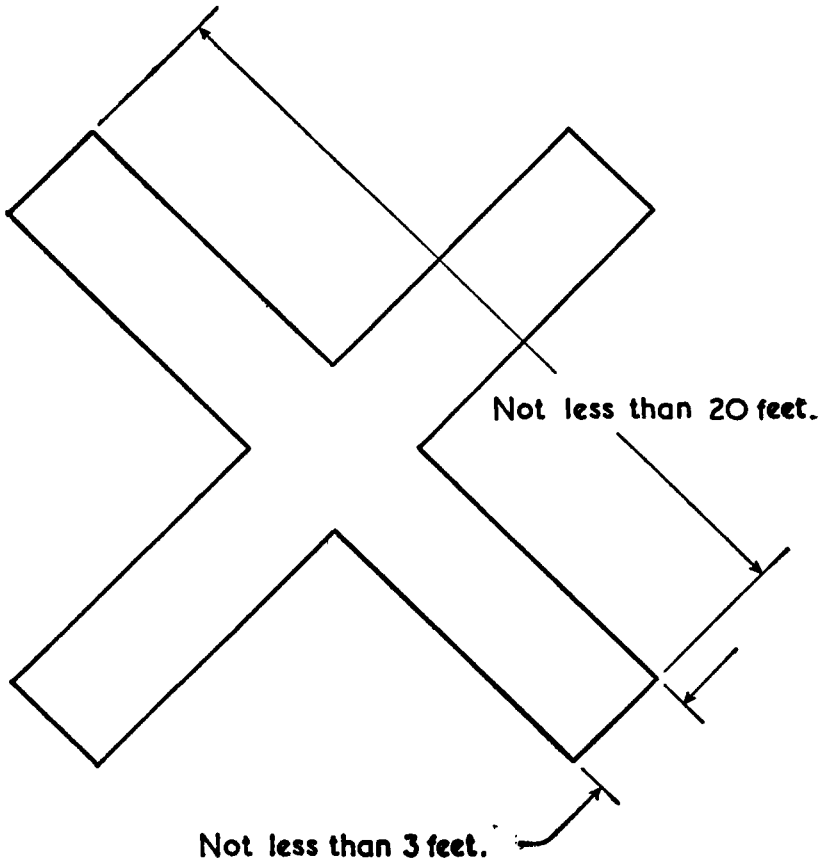
(2) (*a*) The manoeuvring area shall be kept free from obstruction as far as possible and any obstructions on the manoeuvring area shall be indicated by clearly visible aerodrome markings.

(*b*) Any area set apart as a parking area shall be situated so as to be clear of the landing strip in use and so as not to interfere with the normal movements of aircraft manoeuvring on the ground.

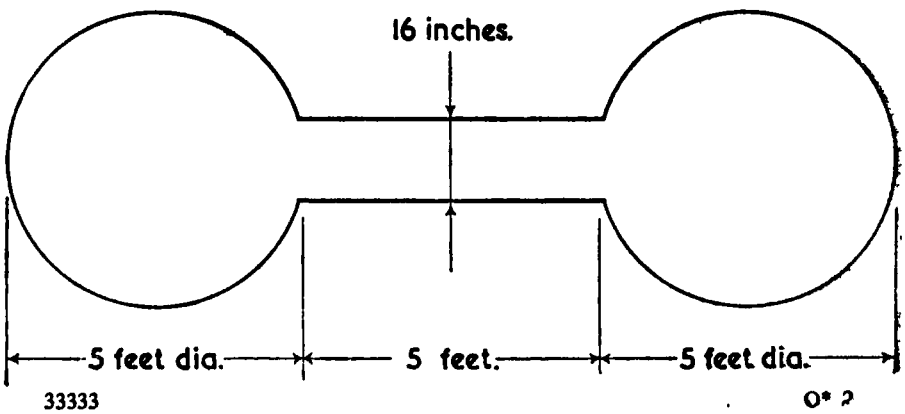
(3) At an aerodrome where aircraft manoeuvres are not confined to runways and taxiways the boundaries of the landing area shall be made clearly visible both to aircraft in the air and to aircraft manoeuvring on the manoeuvring area by means of markers as illustrated by the type below, and, in case part of the manoeuvring area should become unfit for use, such part shall be delimited by clearly visible markings or flags, and shall in addition be indicated by one or more clearly visible crosses.



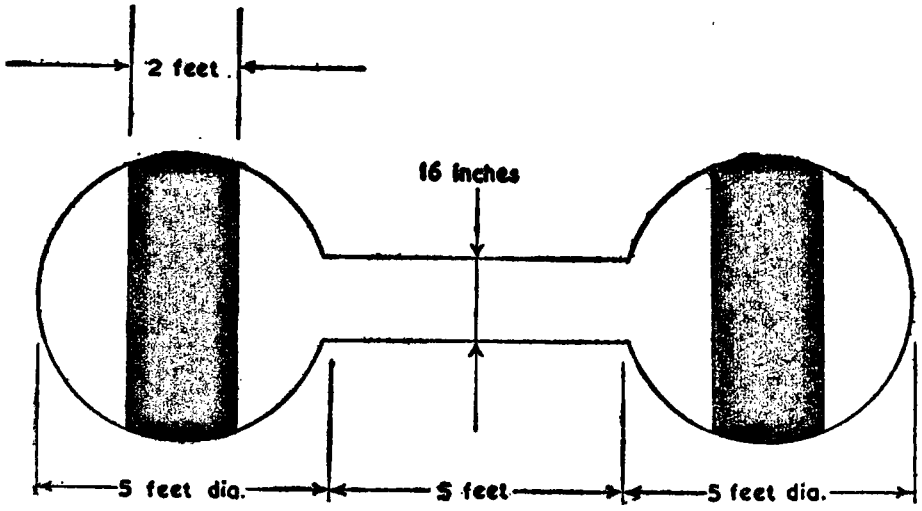
At an aerodrome which has one or more runways clearly visible white crosses shall be displayed at each extremity of a runway which becomes unfit for use, as illustrated below:—



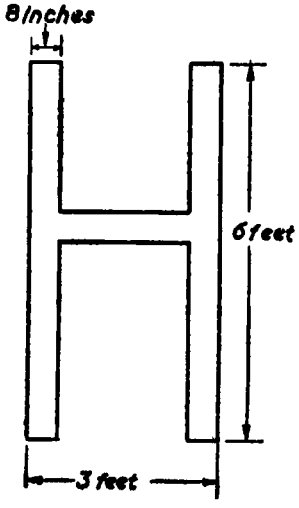
(4) (*a*) When aeroplanes are required to land on or take off from a runway a white dumb-bell signal, as illustrated below, shall be displayed horizontally in the signal area:—



(*b*) When aeroplanes are required to land on or take off from a runway and the dumb-bell signal described in (*a*) of this paragraph is displayed, but when the manoeuvring area, nevertheless, is not confined to runways and taxiways, two black strips may be placed at right angles to the shaft of the said dumb-bell signal one across each of the circular discs as illustrated below:—

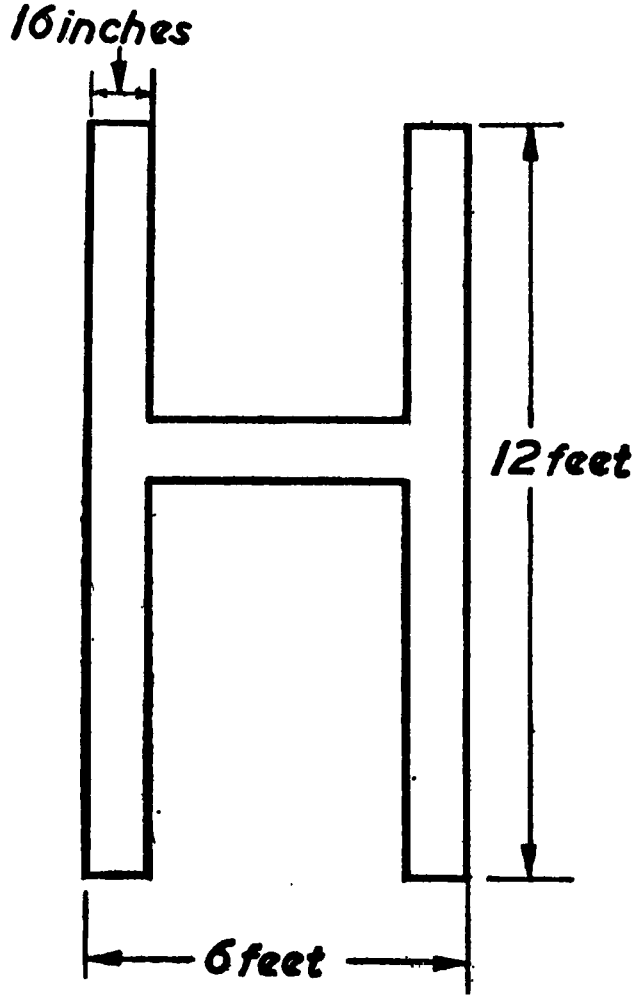


(5) When helicopters are required to land or take off within an area set aside for their operation at a land aerodrome which is open for use by aeroplanes and helicopters there shall be displayed in the signal area a letter "H" as illustrated below:—



(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.



(7) When any of the above conditions cannot be complied with the signal to prohibit all landings referred to in (*a*) of paragraph (4) of Rule 52 shall be displayed.

Rules relating to land aerodromes having an Aerodrome Control

52. The Governor may establish an Aerodrome Control at any land aerodrome where in his opinion this course is necessary in the interests of safey and may apply to such aerodrome any or all of the following requirements as to signals by day, which shall be complied with to such extent as they are so applied:—

(1) (*a*) A landing T as described in paragraph (1) of Rule 42 shall be displayed in the signal area. When a runway is to be used for landing, a second landing T shall be placed on and at the approach extremity of the runway.

(*b*) Every landing T shall be placed so as to indicate the direction in which aeroplanes must land, save in the exceptional circumstances, referred to in (*d*) of this paragraph, and normally the direction in which aeroplanes must take off, save in the exceptional circumstances referred to in (*c*) and (*d*) of this paragraph, and so as to afford the most favourable conditions available at the time for these manoeuvres.

The shaft of the T shall be set parallel to the direction in which aircraft are to land, and the end of the shaft at which the cross arm is set shall indicate the direction in which such landing is to be made; when a runway is to be used for landings and take-offs the shaft of the T shall be set parallel to the runway.

(*c*) Exceptionaly, where the natural conditions do not permit landings and departures to be made in the same direction, the landing T shall indicate the direction for landing and, by day, a black ball, 2 feet in diameter on a mast shall be displayed so as to be clearly visible to aircraft on the manoeuvring area to indicate that the directions of landing and taking off may not coincide. A disc, 2 feet in diameter, of the same colour as the T shall be displayed alongside the cross piece of the T and in line with the shaft of the T to indicate to aircraft in the air that the direction of the take-off and landing do not coincide.

(*d*) Exceptionally, in circumstances liable to be prolonged when a single direction of landing and departure is not suitable for all types of aircraft using the aerodrome, the signal described in (*b*) of paragraph (4) of this Rule shall be displayed to indicate to aircraft in the air the necessity for the observance of precautions in landing, the black ball and disc signals referred to in (*c*) of this paragraph shall be displayed and a landing or take-off in a direction other than that indicated by the T shall be authorised by means of the signals prescribed in Section VII of these Rules or by pre-arrangement with the Aerodrome Control.

(2) (*a*) To indicate to aircraft on the manoeuvring area prior to departure the direction in which aircraft are to take off one or more sets of two figures, denoting the magnetic direction of the take-off in units of ten degrees to the nearest ten degrees, may be displayed vertically at or near the position of the Aerodrome Control so as to be clearly visible to such aircraft.

(*b*) To indicate to aircraft on the manoeuvring area that aerodrome traffic is subject to control by means of the movement signals described in Rule 49 a flag, or vertical board, having 12 equal squares four arranged horizontally and three arranged vertically coloured red and yellow alternately, shall be displayed at or near the station of the Aerodrome Control.

(3) (*a*) When in accordance with paragraph (4) of Rule 42 the Governor temporarily suspends wholly or partially the application of the Aerodrome Flight Rules in Section VII of these Rules there shall, to indicate such suspension, be placed horizontally in the signal area a red square panel at least 10 feet square.

(*b*) If during any such suspension as aforesaid it is also provided that an aeroplane flying within the traffic zone is to keep the manoeuvring area on its right and that the circuit or partial circuit is to be right-handed, the signal area shall along two of its sides be bordered by a rectangular panel at least 3 feet wide, and at the extremity of one of the rectangular panels there shall be placed an equilateral triangle in such a manner as to indicate a right hand circuit. The rectangular panels and the triangle aforesaid shall be coloured with red and yellow bands.

If, however, without any such suspension the Air Traffic Control requires that the manoeuvring area shall be kept on the right and that circuits or partial circuits shall be right-handed, the above signal shall be displayed without the red square panel.

(4) (*a*) When special circumstances necessitate a prohibition to land liable to be prolonged there shall be placed horizontally in the signal area a red square panel at least 10 feet square, the diagonals of which shall be marked by yellow strips at least 20 inches wide, arranged in the form of an X.

(*b*) When owing to the bad state of the manoeuvring area or for any other reason the observance of special precautions in approaching to land and in landing is required, there shall be placed horizontally in the signal area a red square panel at least 10 feet square, one of the diagonals of which shall be marked with a yellow strip at least 20 inches wide.

(5) (*a*) When landings by means of a radio guide are taking place or are about to take place the fact may be indicated by hoisting on a mast in the signal area a yellow triangular equilateral pyramid each side of which measures at least 6 feet.

(*b*) Square yellow panels at least 10 feet square, or such other signal as may be notified, may be placed horizontally at intervals along the boundary of a control zone or traffic zone for the guidance of aircraft which are operating under Visual Flight Rules. The display of such a signal shall indicate to the pilot of an aircraft that Instrument Flight Rules are in force within the control zone.

(*c*) At an aerodrome situated within a control zone, when conditions of cloud or visibility are such that flights to and from such aerodrome cannot be made under Visual Flight Rules, save with the consent of the Air Traffic Control, a flashing amber light may be displayed at or near the station of the Aerodrome Control.

(6) There shall be displayed vertically, so as to be clearly visible to aircraft on the manoeuvring area which have landed or are about to depart, in a position at or near the place at which the person in command of an aircraft is required by Rule 43 to report to Aerodrome Control, the letter C in black against a yellow background.

SECTION IX

Rules of Night Lighting at Aerodromes and other places in the Colony

53.—(1) (*a*) Whenever aeroplanes are making use of or may be expected to make use of any aerodrome referred to in Rule 50 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 place other than an aerodrome referred to in Rule 50 by night the Rules in this Section, excepting Rule 61, 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 place other than an aerodrome referred to in Rule 50 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.

(2) In this Section the following expressions shall have the meanings hereby respectively assigned to them, namely:—

(*a*) "Angle of approach light" means a light at or near ground level at an aerodrome to indicate to an aeroplane in the approach way, which is approaching for the purpose of landing, its position in the vertical plane relative to a predetermined safe path of descent for landing, and so arranged as to show an orange-yellow light when the aeroplane is above the said path, a green light when it is within the said path, and a red light when it is below the said path;

(*b*) "Runway threshold lights" means a line of lights placed across the end of a runway or landing strip to indicate the usable limit thereof, the line being at right angles to the axis of the runway or landing strip, the lights to be equally spaced and not less than four in number and to show green in the direction of approach.

Dangerous Lights

54. No light shall be exhibited by any person at an aerodrome which may endanger the safety of aircraft, whether by reason of glare or by causing confusion with or preventing clear visual reception of the lights or signals required by these Rules to be displayed.

Lighting of Obstructions

55. Fixed red lights shall be displayed—

(*a*) on all obstructions within the manoeuvring area;

(*b*) on all obstructions within the approach way;

(*c*) on all other obstructions in the vicinity of the aerodrome which, in the opinion of the Governor, constitute a danger to aircraft in flight.

Flashing red lights may, however, be displayed to mark particularly dangerous or extensive obstructions.

Lighting for Landings and Take-offs

56.—(1) The landing strip or strips (where take-offs and landings are made on parallel runways) which afford the most favourable conditions for the landing or take-off of an aeroplane at the time of using the aerodrome, having regard to the strength and direction of the wind and all other relevant circumstances, shall be illuminated by fixed lights in the manner described in this Rule as may be appropriate and no other part of the manoeuvring area shall be so illuminated at the same time, except for such lights as may be necessary for guiding aeroplanes manoeuvring on the ground.

(2) *Non-runway Aerodromes.*—At an aerodrome where a runway is not being used for landing or take-off, the landing strip in use shall be illuminated by one of the following methods:—

Method A

(i) By floodlight, and an illuminated landing T;

(ii) in addition, by white boundary lights spaced 300 feet apart along the boundary of the aerodrome.

Method B

(*a*) By fixed lights in the form of a T, in which case—

(i) the shaft of the T shall be composed of at least six lights and shall be not less than 1,500 feet in length, one light on either side to form the cross arm;

(ii) the light at the foot of the T shall indicate the point where aircraft should touch down and the cross arm where the run should be completed;

(iii) the distance between the lights forming the shaft of the T shall be not more than 300 feet;

(iv) the colour of the lights shall be white;

(v) landings shall be made parallel to the shaft of the T and, except in case of emergency, on the right hand side of it. In the event, however, of an area on one side of the T becoming obstructed, the light forming the cross arm of the T on that side shall be removed and landing shall be effected on the opposite side.

(*b*) In addition, by white boundary lights spaced 300 feet apart along the boundary of the aerodrome.

Method C

By two lines of fixed lights, in which case—

(i) each line shall consist of not less than 6 lights and shall extend the full available length of the landing strip and parallel to its axis;

(ii) the distance between the lines shall be not more than 400 feet and not less than 150 feet and within each line the distance between adjacent lights shall be not more than 330 feet;

(iii) in addition, the lights in one line shall be arranged in pairs with those in the opposite line, each pair being at right angles to the axis of the landing strip;

(iv) the colour of the lights shall be—

(*a*) white throughout the full length of the lines, or alternatively,

(*b*) in the direction of take-off and landing, white for the first two-thirds and yellow for the remaining one-third of the length of the lines.

(3) *Runway Aerodromes.*—At aerodromes where runways are provided, the edges of a runway in use shall be lighted as follows:—

(i) By fixed lights, not less than six in number, extending the length of the runway, except that in the case of runways exceeding 150 feet in width the lights may be inset in lines parallel to the edges;

(ii) the distance between adjacent lights along each edge shall be not more than 330 feet;

(iii) the lights on one side shall be arranged in pairs with those on the opposite side, each pair being at right angles to the axis of the runway. In addition, the approach end of the runway may be indicated by runway threshold lights or angle of approach lights.

(4) *Supplementary Lights.*—A floodlight, if available, may on request from an aeroplane be used to supplement either of the lighting Methods B and C specified in paragraph (2) or the method specified in paragraph (3) of this Rule.

Lighting of Ground Marks and Signals

57.—(1) The landing T shall be illuminated with fixed white lights and shall be so orientated as to indicate the direction of landing.

(2) Where method C of Rule 56 (2) or the method described in Rule 56 (3) is in use the landing T shall be illuminated with fixed white lights and shall be placed at the left hand side and at the approach extremity of the lines of lights.

Vehicles and aircraft under tow

58. Vehicles engaged in towing aircraft, and aircraft under tow, shall display lights in such a manner as may from time to time be notified by the Governor.

Approach Lighting

59. To mark the approach way there shall be operated a system of lighting approved by the Governor, or else there shall be exhibited an angle of approach light placed not less than 100 yards in the landing direction from the approach extremity of the landing strip in use and at the left side of it, when viewed in the direction of landing. A second angle of approach light may be placed opposite the first on the right hand side of the landing strip.

Boundary Lights and Taxiway Lights

60. Taxiways in use shall be illuminated by means of fixed lights spaced along their edges, blue on one side and yellow on the other or blue on both sides. At an aerodrome where the manoeuvring area is not confined to runways and taxiways, either paths for guiding an aircraft manoeuvring on the ground to or from the landing strip in use shall be marked by lights similar to those prescribed for taxiways, or white lights shall be used to mark the boundary of the manoeuvring area:

Provided that, when there are obstructions on such boundary, the lights serving to mark such obstructions may take the place of boundary lights.

Identification Beacon

61. An identification beacon, flashing in green light two letters in morse code, shall be provided and located in an approved position on the aerodrome.

SECTION X

Glider Flight Rules

General

62.—(1) Gliders on and in the vicinity of any aerodrome referred to in Rule 52 shall, in addition to complying with paragraphs (2) and (4) of Rule 16 and as far as practicable with the Aerodrome Flight Rules in Section VII of these Rules, comply with the Rules contained in this Section.

(2) For the purpose of these Rules, when a glider is being towed in the air or on the ground by an aeroplane or on the ground by a vehicle, the combination shall be regarded as a single aircraft and the person in command of the aeroplane or vehicle towing shall be the person in charge of the tow and responsible for compliance with these Rules. When there is more than one areoplane or vehicle engaged in towing, the person in charge of one of such aeroplanes or vehicles shall, by arrangement with the person or persons in charge of the other aeroplane or vehicle, or the other aeroplanes or vehicles so engaged, be designated as the person in charge of the tow and shall be responsible for compliance with these Rules and the person or persons in charge of the other towing aeroplane or vehicle, or aeroplanes or vehicles, shall conform to the movements and instructions of the person in charge of the tow.

(3) A glider shall not be manoeuvred, towed into flight or land, save in emergency, at an aerodrome used by other classes of aircraft without the permission of Air Traffic Control, or, in the absence of Air Traffic Control, of the person in charge of the aerodrome, and without complying with such conditions as may be considered necessary for safety in giving such permission.

(4) Unless specially authorised in writing by the Governor, the length of tow measured from the rearmost part of the towing aircraft to the most forward part of the glider or of the rearmost glider if more than one, which it is towing, shall not exceed 1,000 feet.

Towing Rules

63.—(1) When one or more gliders is or are about to be towed into flight by an aeroplane, there shall be appointed by arrangement between the persons in command of the aircraft concerned a suitable person to take charge of the operation as a whole, who shall decide suitable signals and station other persons in suitable positions so that he and the persons in command of all the aircraft concerned shall be in effective communication with each other during the preparations for and the initial stages of the take-off.

(2) The rope by which a glider is being towed in or into flight shall normally be released at the point of attachment to the glider by the person in command of the glider, but provision shall also be made for the release of the rope in emergency by the person in charge of the towing aircraft at the point of attachment of the rope to the towing aircraft.

(3) Except in emergency, the person in command of a glider which is being towed by an aeroplane shall not release the tow rope without the knowledge and consent of the person in charge of the tow.

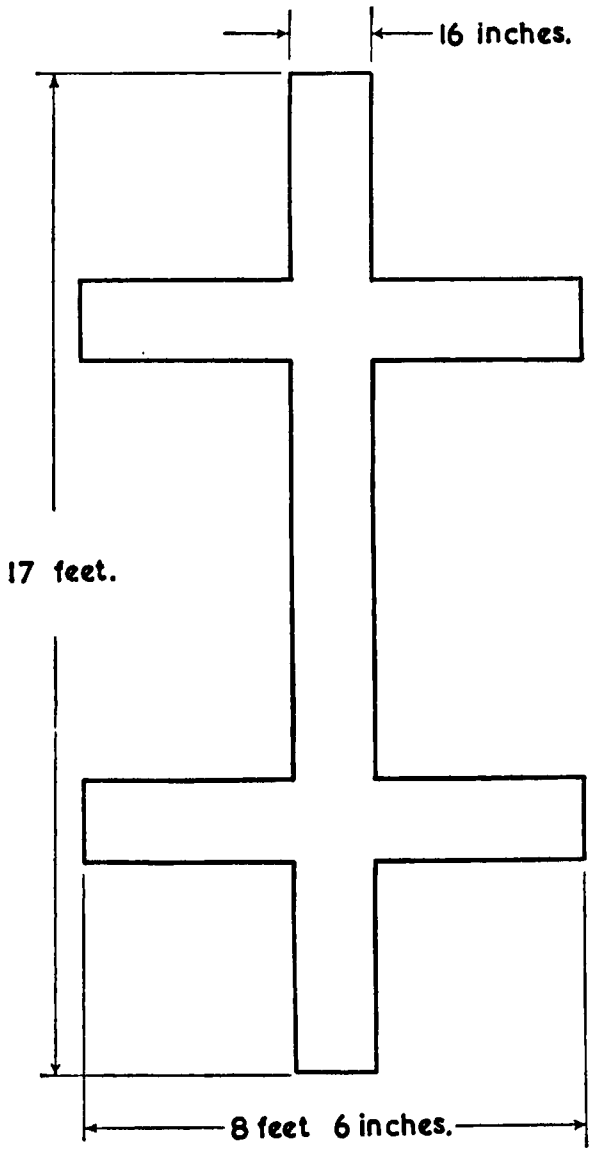
(4) Except in emergency or with the consent of the Aerodrome Control, a glider which is being towed by an aeroplane in the vicinity of an aerodrome having an Aerodrome Control, shall not be released for the purpose of landing on that aerodrome, unless it is in such a position and at such a height as will enable it to land on that aerodrome, in the place appointed for the purpose, by manoeuvring in conformity with the Aerodrome Flight Rules in Section VII of these Rules.

Rules for Land Aerodromes

64.—(1) At a land aerodrome which is open to use by aeroplanes and where glider flights are in progress—

(*a*) By day, there shall be displayed on a mast in the signal area two red balls, one above the other, and separated by a distance equal to their diameter ; and

(*b*) there shall be displayed horizontally by day in the signal area and by night in the position specified in paragraph (1) of Rule 65 a white double cross, as illustrated below:—



(2) At runway aerodromes where glider operations are to take place, aircraft taking off with gliders in tow and aircraft landing shall use the appropriate runway for landing and take-off. Glider landings may be made upon the runway

or the adjoining grass areas, subject to instructions from the local Air Traffic Control. Glider manoeuvring on the landing area may be made upon the runway, or adjacent grass area, subject to instructions from the local Air Traffic Control.

Night operation

65.—(1) (*a*) At an aerodrome where a runway is not being used for landing or take-off, the landing or take-off strips in use shall be illuminated by means of lights as in Method B in Rule 56. Landings by gliders shall normally be made on the left-hand side of the T. Take-off and landings by aeroplanes and take-off by aeroplanes with gliders in tow shall normally be made on the right-hand side of the T. In addition, the ground signal referred to in paragraph (1) (*b*) of Rule 64 shall be illuminated and displayed on the left-hand side and at the approach end of the zone reserved for glider landings.

(*b*) Where glider landings are made upon a runway, the edges of any runway in use shall be illuminated as described in paragraph (3) of Rule 56. In addition, the ground signal referred to in paragraph (1) (*b*) of Rule 64 shall be illuminated and displayed on the left-hand side and at the approach end of the runway, Where glider landings are made upon the grass areas adjoining the runway, the glider landing strip in use shall be illuminated by means of lights as in Method B in Rule 56 and the signal referred to in paragraph (1) (*b*) of Rule 64 shall be illuminated and displayed on the left-hand side and at the approach end of the zone for glider landings.

(2) When a glider is being towed by an aeroplane by night in the vicinity of an aerodrome the visual signal to ask permission for the glider to land may be sent either by the aeroplane or by the glider and shall be composed of the last three letters (or figures) of the registration mark of the aeroplane followed by the letter G or of the letter G only, to indicate that the permission sought relates to a glider which is being towed. The reply shall be given by visual signal to the glider and shall consist of a repetition of the said letters (or figures) or of the letter G only.

Dropping of Tow Ropes

66.—(1) Save with the consent in writing of the Governor and subject to any conditions or limitations which may be specified therein, an area outside the boundary of an aerodrome shall not be used for the dropping of tow ropes, and the provisions of this Rule shall govern the dropping of tow ropes at aerodromes.

(2) An aeroplane which has been towing a glider or gliders shall drop the tow ropes which it has used either

(*a*) in accordance with arrangements made with Air Traffic Control or, in the absence of Air Traffic Control, with the person in charge of the aerodrome; or

(*b*) in the area designated by the signal described in paragraph (3) or paragraph (4) of this Rule, as the case may be;

and shall do so when flying in the direction in which landings and take-offs are to be made and at a height above ground level not less than two-thirds of the length of the tow rope.

(3) By day, to indicate the centre of the area in which an aeroplane may drop a tow rope there shall be displayed horizontally a yellow cross. The area thus indicated shall be a rectangle having sides of at least 600 feet and 300 feet respectively and so orientated that the longer side lies parallel to the direction in which landings and take-offs are to be made and shall be so placed on the aerodrome as to be clear of all obstructions and of the landing strip in use by a distance of not less than 500 feet measured outwards from the boundaries of the rectangle and so as to lie on the right-hand side of the aerodrome, when viewed by an observer facing in the direction of landing.

(4) By night, in place of the cross described in paragraph (3) of this Rule, the centre of the area in which an aeroplane may drop a tow rope shall be marked by three red or white lights arranged in the form of a triangle.

Section XI

International Visual and Sound Signals of Distress and Urgency and International Visual Signals for Air Traffic Control

Distress Signals

67.—(1) None of the provisions of this Rule shall be deemed to prevent the use by an aircraft in distress of any means at its disposal to attract attention, make known its position and obtain help.

(2) When an aircraft is threatened by grave and imminent danger and requests immediate assistance, the following signals shall be used or displayed, either together or separately, before the sending of a message:—

(*a*) By visual signalling

(i) The signal S.O.S. (• • • — — — • • •) with signalling apparatus;

(ii) a succession of pyrotechnical lights fired at short intervals each showing a single red light;

(iii) the two-flag signal corresponding to the letters NC. of the International Code of Signals;

(iv) the distant signal, consisting of a square flag having either above or below it, a ball or anything resembling a ball.

(*b*) By sound signalling

(i) The signal S.O.S. (• • • — — — • • •) with any sound apparatus;

(ii) a continuous sounding with any sound apparatus.

Urgency Signals

68.—(1) When an aircraft wishes to give notice of difficulties which compel it to land without requiring immediate assistance the following visual signals shall be used, either together or separately, before the sending of a message:—

By day: A succession of white pyrotechnical lights.

By night: A succession of white pyrotechnical lights, or a repeated switching on and off of the lights displayed by aircraft in such a manner as to be clearly distinguishable from the flashing lights described in Rule 71.

(2) When an aircraft has a very urgent message to transmit concerning the safety of the aircraft or of any person on board or within range of assistance or the safety of another aircraft, or of any ship or vehicle, the following visual signals shall be used, either together or separately, before the sending of the message:—

A succession of green pyrotechnical lights; and

A succesion of green flashes made with signalling apparatus.

International Visual Signals for Air Traffic Control

69. An aircraft registered in the Colony when being operated on or in the vicinity of an aerodrome within the territory of another Contracting State shall comply, as may be necessary, with the visual signals described or mentioned in this Rule, when any such signals are displayed at such aerodrome, that is to say:—

(1) *Directional Light Signals and Pyrotechnical Signals*

The landing and movement signals described in Rules 46 and 49.

(2) *Ground Signals:* The following signals, referred to in Section VIII of these Rules, that is to say:—

(a) *Prohibition of landing*

The red square panel with two yellow diagonals referred to in sub-paragraph (*a*) of paragraph (4) of Rule 52.

(b) *Need for special precautions while approaching to land or landing*

The red square panel with one yellow diagonal referred to in sub-paragraph (*b*) of paragraph (4) of Rule 52.

(c) *Instruction to use runway only*

The white dumb-bell signal referred to in sub-paragraph (*a*) of paragraph (4) of Rule 51.

(d) *Unserviceableness of the Manoeuvring Area*

The white crosses referred to in paragraph (3) of Rule 51.

(e) *Direction for landing or take-off*

The landing T and, where necessary, the cautionary disc, associated therewith, referred to in paragraph (1) of Rule 52.

(f) *Direction of take-off to be verified with Aerodrome Control*

The black ball signal referred to in sub-paragraphs (*c*) and (*d*) of paragraph (1) of Rule 52.

(g) *Direction for take-off*

The set or sets of two figures referred to in sub-paragraph (*a*) of paragraph (2) of Rule 52.

(h) *Aerodrome Control in operation*

The flag or vertical board with red and yellow squares referred to in sub-paragraph (*b*) of paragraph (2) of Rule 52.

(i) *Aerodrome Control Reporting Office*

The letter C referred to in paragraph (6) of Rule 52.

(j) *VFR operations restricted*

The flashing amber light referred to in sub-paragraph (*c*) of paragraph (5) of Rule 52.

In place of the landing T referred to in sub-paragraph (*e*) of this paragraph there may be displayed a Tetrahedron, to indicate the direction in which aircraft must land or take-off in which case aircraft must land or take-off in the direction towards which the Tetrahedron points unless otherwise directed by Aerodrome Control.

SECTION XII

Lights and other signs to be shown by Aircraft

General

70.—(1) No lights other than those required or permitted to be shown by this Section shall be shown by any aircraft flying over, or taking-off or landing in, the Colony, or by an aircraft registered in the Colony flying over the high seas.

Provided that nothing in this Section shall

(*a*) prevent the use or display of the signals specified in Rule 46 and Section XI,

(*b*) require the internal lighting of the aircraft to be screened,

(*c*) prevent the use of any lamp required by this Order or by any Regulation made under this Order to be carried in the aircraft,

(*d*) prevent the use of lamps approved by the Air Registration Board and fitted to the exterior of the aircraft for the purpose of enabling the operating crew to inspect the exterior during flight,

(*e*) apply to captive balloons, kites or moored airships.

(2) A flying machine parked or moving at night on the manoeuvring area of a land aerodrome in the Colony at which aircraft may land or take-off at night shall show the lights which it would be required to show if it were flying, unless it is parked in an area set apart as a parking area.

(3) For the purposes of this Section the horizontal plane of a light shown by an aircraft means the plane which would be the horizontal plane passing through the source of that light, if the aircraft were in level flight.

(4) Where by reason of the physical construction of an aircraft it is necessary to fit more than one lamp in order to show a light required by this Section, such lamps shall be fitted and constructed so that so far as is reasonably practicable not more than one is visible from any one point.

(5) Where in this Section a light is required to show through a specified angle or specified angles in the horizontal plane, the lamp or lamps giving such light shall be constructed so that the light is visible throughout that angle or those angles but so far as is reasonably practicable through no greater angle or angles.

Flying Machines

71.—(1) A flying machine registered in the Colony, while flying at night over the Colony or over the high seas, shall show the following lights:—

(*a*) an unobstructed green light of at least five candles showing to the starboard side through an angle of 110° from dead ahead in its horizontal plane,

(*b*) an unobstructed red light of at least five candles showing to the port side through an angle of 110° from dead ahead in its horizontal plane, and

(*c*) an unobstructed white light of at least five candles showing astern through angles of 70° from dead astern to each side in its horizontal plane.

(2) The three lights required by paragraph (1) of this Rule shall either all be steady lights or shall all be flashing lights flashing together, save that on and after the 1st day of June 1956 they shall all be flashing lights if the flying machine has a maximum total weight exceeding 12,500 lb. authorised in its certificate of airworthiness.

(3) If the three lights required by paragraph (1) of this Rule are flashing lights, the flying machine shall also show an unobstructed white light of at least twenty candles, showing in all directions so far as is reasonably practicable and flashing alternately with the three lights required by paragraph (1) of this Rule.

(4) If the lamp giving either the green or the red light required by paragraph (1) of this Rule is fitted more than six feet from the wing tip, a lamp may be fitted at the extremity of the wing tip to indicate its position, giving a steady light of the same colour showing through the same angle so far as is reasonably practicable.

(5) Where by this Rule a light is required to show through a specified angle or specified angles in the horizontal plane, the lamp or lamps giving such light shall be constructed so that the light is visible throughout angles of 90° above and below the horizontal plane but so far as is reasonably practicable through no greater angles.

Gliders

72. A glider registered in the Colony while flying at night over the Colony or over the high seas shall show either an unobstructed steady red light of at least five candles showing in all directions so far as is reasonably practicable, or the lights required by Rule 71.

Free Balloons

73. A free balloon registered in the Colony while flying at night over the Colony or over the high seas shall show an unobstructed steady red light of at least five candles showing in all directions so far as is reasonably practicable, the lamp giving such light being suspended not less than fifteen feet and not more than thirty feet below the basket.

Airships

74.—(1) Except as provided in paragraph (2) of this Rule, an airship registered in the Colony while flying at night over the Colony or over the high seas shall show the following steady lights:—

(*a*) an unobstructed white light of at least five candles showing ahead and to the sides through angles of 110° from dead ahead to each side in its horizontal plane,

(*b*) an unobstructed green light of at least five candles showing to the starboard side through an angle of 110° from dead ahead in its horizontal plane,

(*c*) an unobstructed red light of at least five candles showing to the port side through an angle of 110° from dead ahead in its horizontal plane, and

(*d*) an unobstructed white light of at least five candles showing astern through angles of 70° from dead astern to each side in its horizontal plane.

(2) An airship registered in the Colony while flying at night over the Colony or over the high seas shall show, if it is not under command, or has voluntarily stopped its engines, or is being towed, the following steady lights:—

(*a*) the white lights required by sub-paragraphs (*a*) and (*d*) of paragraph (1) of this Rule;

(*b*) two unobstructed red lights each of at least five candles showing in all directions as far as is reasonably practicable, the lamps giving such lights being suspended below the control car so that one is at least twelve feet above the other and at least twenty-five feet below the control car; and

(*c*) if making way but not otherwise, the green and red lights required by sub-paragraphs (*b*) and (*c*) of paragraph (1) of this Rule.

(3) When by the foregoing paragraphs of this Rule a light is required to show through a specified angle or specified angles in the horizontal plane, the lamp or lamps giving such light shall be constructed so that the light is visible throughout angles of 90° above and below the horizontal plane but so far as is reasonably practicable through no greater angles.

(4) An airship registered in the Colony while flying by day over the Colony shall display, if it is not under command, or has voluntarily stopped its engines, or is being towed, two black balls suspended below the control car so that one is at least twelve feet above the other and at least twenty-five feet below the control car.

(5) For the purposes of this Rule:—

(*a*) an airship shall be deemed not to be under command when it is unable to execute a manoeuvre which it may be required to execute by these Rules;

(*b*) an airship shall be deemed to be making way when it is not moored and is in motion relative to the air.

Aircraft registered in the Colony flying over other territory

75. An aircraft registered in the Colony shall when it is in or flying over a territory other than the Colony show the lights and signs which it would be required to show if it were in or over the Colony unless the local law otherwise provides.

Aircraft registered outside the Colony

76. When an aircraft registered elsewhere than in the Colony is in or flying over the Colony and would, if it were registered in the Colony, be required by this Section to display lights or signs, it shall display either such lights or signs or the lights or signs specified in the relevant International Standards published by the International Civil Aviation Organisation for the time being in force.

Article 61 *Schedule III*

SCHEDULE III

CUSTOMS

Interpretation

1. For the purposes of this Schedule, unless the context otherwise requires—

"Officer" means officer of Customs;

"Proper officer" means the appropriate officer at an aerodrome and includes a person acting for that officer and also any officer superior in matters of Customs;

"Commander" means the person having or taking the charge or command of an aircraft;

"Crew" includes any person having any duty to perform in an aircraft;

"Abroad" means outside the Colony;

"Approved" means approved by the Governor;

"Examination station" means a part of, or a place or space at, a Customs airport approved as an examination station.

Arrival in and departure from the Colony

2.—(*a*) The Commander of an aircraft entering the Colony from abroad shall not, without the special permission in writing of the Governor, cause or permit it to land for the first time after its arrival therein at any place other than a Customs airport.

(*b*) The Commander of an aircraft engaged in a flight from the Colony to a place abroad shall not, without the special permission in writing of the Governor, cause or permit it to land at any place in the Colony other than a Customs airport specified in the application for clearance required by paragraph 5 of this Schedule.

(*c*) The requirements of this paragraph shall not apply if the Commander is required to cause the aircraft to land under Rule 10 in Schedule II to this Order, or if he is compelled so to do by accident, stress of weather or other unavoidable cause.

Arrival from abroad

3.—(1) Upon the arrival from abroad of an aircraft at a Customs airport, the Commander shall—

(*a*) immediately take the aircraft to the examination station at that airport, or cause it to be so taken;

(*b*) forthwith deliver to the proper officer:—

(i) the documents constituting the clearance outwards of the aircraft from the airport which it last left and, if so required by the officer, the journey log book belonging to the aircraft,

(ii) a report in duplicate of the aircraft in an approved form,

(iii) a manifest in duplicate in an approved form of the goods on board the aircraft,

(iv) a passenger manifest in an approved form containing the names of all passengers carried in the aircraft and their places of embarkation and destination, and

(v) a list in duplicate in an approved form of the stores on board the aircraft;

(*c*) cause all passengers carried in the aircraft to leave the aircraft with their baggage for examination, and produce to the proper officer and unlade all goods and stores in the aircraft, except such passengers, goods or stores as are to be carried on to another Customs airport or to a destination abroad and are permitted by such officer to be so carried on without compliance with the requirements aforesaid:

Provided that, if an aircraft has landed at a Customs airport and the Commander through circumstances over which he has no control is prevented from taking it or causing it to be taken to the examination station, he shall

(i) deliver forthwith to the proper officer the documents required by sub-head (*b*) of this sub-paragraph ; and

(ii) remove all goods and stores laden in the aircraft to the examination station in the presence of an officer.

(2) Every passenger in an aircraft shall comply with any directions given to him by the Commander for the purposes of sub-paragraph (1) (*c*) of this paragraph.

(3) In this paragraph the expression "arrival from abroad" includes arrival at a Customs airport to which passengers, goods or stores from abroad have been permitted by an officer to be carried on in accordance with sub-paragraph (1) (*c*) thereof.

Importation of goods

4.—(1) No person who shall import or bring, or be concerned in importing or bringing, any goods into the Colony in any aircraft shall without the special permission in writing of the Governor—

(*a*) bring the goods into the Colony at any place therein other than a Customs airport, or

(*b*) unlade the goods or suffer the same to be unladen from the aircraft in which they were imported except during approved hours and at an examination station (save in accordance with the proviso to sub-paragraph (1) of paragraph 3 of this Schedule) or before the report mentioned in sub-paragraph (1) (*b*) (ii) of the said paragraph 3 has been delivered and the consent of the proper officer to such unlading has been obtained, or

(*c*) remove the goods from an examination station without the authority of the proper officer, except in accordance with any special permission granted by the Governor and in compliance with any conditions attached to any such permission.

(2) The importer, or the agent of the importer, of any goods of which delivery has not been permitted by the proper officer shall deposit the same in an approved transit shed at the Customs airport at which they were imported, and, for the purposes of the enactments relating to Customs, any goods so deposited shall, until the same shall have been duly entered in accordance with those enactments, be deemed to be goods still on board the importing aircraft.

(3) No person shall, without the permission of the proper officer, remove any goods from any transit shed.

Departure for abroad

5.—(1) No person shall, without the special permission in writing of the Governor, depart on a flight for a place abroad from any place in the Colony other than a Customs airport.

(2) Before any aircraft shall depart for a place abroad from a Customs airport the Commander shall take the aircraft to the examination station at that airport, or cause it to be so taken, and shall deliver to the proper officer the journey log book belonging to the aircraft, and the following documents—

(*a*) a notice of intended departure and application for clearance in duplicate in an approved form,

(*b*) a manifest in duplicate in an approved form of the goods on board the aircraft,

(*c*) a passenger manifest in an approved form containing the names of all passengers carried in the aircraft and their places of embarkation and destination, and

(*d*) a list in duplicate in an approved form of the stores laden and of stores remaining on board the aircraft,

and the said documents, when signed by the said officer, shall, for the purposes of the enactments relating to Customs, be the clearance and authority for the aircraft to proceed from that airport,

(3) The Commander of an aircraft departing for a place abroad shall not permit any goods, stores or passengers to be laden or taken on board the aircraft except at an examination station, or before he has delivered to the proper officer a notice of intended departure and application for clearance in accordance with sub-paragraph (2) (*a*) of this paragraph.

(4) If an aircraft in the course of a flight to a place abroad lands at a Customs airport, the Commander shall, before the aircraft leaves that airport, deliver to the proper officer—

(*a*) the clearance and authority for the aircraft to proceed from the Customs airport which it last left,

(*b*) the journey log book belonging to the aircraft,

(*c*) a manifest in duplicate in an approved form declaring what goods have been laden on board the aircraft at the airport at which it has so landed,

(*d*) a passenger manifest in an approved form containing the names of all passengers carried in the aircraft and their places of embarkation and destination, and

(*e*) a list in duplicate in an approved form of the stores laden on board the aircraft at the airport at which it has so landed,

and the said manifests and list of stores when signed by the said officer, together with the said clearance and authority when countersigned by him, shall, for the purposes of the enactments relating to Customs, be the clearance and authority for the aircraft to proceed from the airport at which it has so landed.

Exportation of goods

6. No person shall, without the permission of the proper officer, unlade from any aircraft any goods laden therein which have been cleared for exportation.

Forced Landings, etc.

7.—(1) If an aircraft flying to or from a place abroad is required or compelled to land for any reason specified in paragraph 2 of this Schedule at any place in the Colony other than a Customs airport,

(*a*) the Commander—

(i) shall immediately report the landing to an officer, or to an officer of police, and on demand produce to him the journey log book belonging to the aircraft,

(ii) shall not, without the consent of an officer, permit any goods or stores to be unladen from, or any of the crew or passengers to depart from the vicinity of, the aircraft, and

(iii) shall comply with any directions given by an officer with respect to any goods or stores carried in the aircraft; and

(*b*) no passengers in, or member of the crew of, the aircraft shall, without the consent of an officer or an officer of police, leave the immediate vicinity of the aircraft.

(2) Nothing in this paragraph shall prohibit the departure of crew or passengers from the vicinity of an aircraft or the removal of goods or stores therefrom where such departure or removal is necessary for reasons of health, safety or the preservation of life.

Inspection, records, etc.

8.—(1) The person in control of every aerodrome shall permit an officer at any time to enter upon and inspect the aerodrome and all buildings and goods thereon.

(2) The person in control of a licensed aerodrome and, if so required by the Governor, the person in control of any other aerodrome shall keep a record in an approved form of all aircraft arriving at or departing from the aerodrome and shall keep such record available and shall on demand produce it to an officer, together with all other documents kept at the aerodrome which relate to the movement of aircraft, and shall permit an officer to make copies thereof and to take extracts therefrom.

(3) The Commander of an aircraft shall permit an officer at any time to board the aircraft and to inspect the aircraft and any goods laden therein and all documents relating to the aircraft or to goods or persons carried therein, and an officer shall have the right of access at any time to any place to which access is required for the purpose of such inspection.

Documents

9. The Commander of an aircraft shall enter in every document required by this Schedule to be delivered full and true particulars in accordance with the requirements specified in that document.

Authorised agents

10. Subject to such conditions or requirements as the Governor may impose, any of the duties imposed on the Commander of an aircraft by sub-paragraphs (1) (*b*) and (*c*) of paragraph 3 and the proviso to that sub-paragraph, by sub-paragraphs (2) and (4) of paragraph 5, and by paragraph 9 of this Schedule may be carried out on his behalf by an authorised agent being a responsible person who represents, and is authorised in that behalf by, the owner or operator of the aircraft; and any of the duties imposed on the person in control of an aerodrome by paragraph 8 of this Schedule may be carried out on his behalf by an authorised agent, being a responsible person authorised in writing in that behalf by him.

11. In so far as it may be necessary to meet the circumstances of any special case or class of case, the Governor may modify the application of anything in this Schedule, subject to such conditions as he may direct.

Article 67 *Schedule IV*

SCHEDULE IV

FEES

Certificate of Registration

1. The fee chargeable in respect of the issue of a certificate of registration of an aircraft shall be £1 1s. 0d.:

Provided that, where the aircraft has been previously registered in the Colony and the Governor is satisfied—

(*a*) that the certificate of registration last issued in respect of the aircraft became void by reason of the sale of the aircraft by the registered owner; and

(*b*) that the registered owner of the aircraft immediately before the sale was the constructor thereof or a dealer in aircraft; and

(*c*) that the aircraft has not been flown since a certificate of registration was last issued in respect thereof, except for the purpose of—

(i) an experiment or test carried out in the ordinary course of construction or in order to obtain a certificate of airworthiness; or

(ii) a demonstration to a prospective purchaser; or

(iii) delivering the aircraft to a purchaser;

the fee chargeable in respect of the issue of the certificate shall be five shillings.

Special permission for an aircraft to fly without a Certificate of Airworthiness

2. The fees chargeable in respect of a special permission, to be given by the Governor pursuant to the proviso to sub-paragraph (*b*) of paragraph (2) of Article 11 of this Order, for an aircraft to fly without a certificate of airworthiness being in force in respect thereof shall be as follows:—

For any investigation required by the Governor in connection with the application for such a special permission a fee of an amount equivalent to the cost of the work of making such investigation:

Provided that the fee chargeable shall not in any case exceed £50:

For the special permission a fee of 5s.

Certificate of Airworthiness

3. Where an application is made for the issue of a certificate of airworthiness in respect of a prototype aircraft there shall be chargeable in respect of the investigation of the aircraft (including its components, accessories, instruments, equipment and apparatus (including radio apparatus) and the manner of the installation of the same), required in connection with the application, a fee which in the case of a glider where the maximum total weight authorised for the glider, to be shown in the certificate of airworthiness, does not exceed 2,000 lb. shall be £5 5s. 0d. and in any other case shall be a fee of an amount equivalent to the cost of the work of making the investigation, not exceeding a sum equivalent to a charge of 3s. per lb. of the maximum total weight authorised for the aircraft, to be shown in the certificate of airworthiness, for any year, or part of a year, of the period required for carrying out the investigation.

4. Where an application is made for the issue of a certificate of airworthiness in respect of a series aircraft, being an aircraft in respect of which a certificate of airworthiness has not previously been issued, the fee chargeable in respect of the issue of the certificate which is the subject of the application (including any investigation required in connection therewith) shall be £2 2s. 0d. in the case of a glider where the maximum total weight authorised for the glider, to be shown in the certificate of airworthiness, does not exceed 2,000 lb. and in any other case shall be as follows:—

	£	s.	d.
(*a*) When the maximum total weight authorised for the aircraft, to be shown in the certificate of airworthiness, does not exceed 5,000 lb.	5	0	0
(*b*) When the maximum total weight authorised for the aircraft, to be shown in the certificate of airworthiness, exceeds 5,000 lb. but does not exceed 7,500 lb.	10	0	0
(*c*) When the maximum total weight authorised for the aircraft, to be shown in the certificate of airworthiness, exceeds 7,500 lb. but does not exceed 10,000 lb.	15	0	0
(*d*) When the maximum total weight authorised for the aircraft, to be shown in the certificate of airworthiness, exceeds 10,000 lb.:—			
In respect of the first 10,000 lb.	15	0	0
In respect of each additional 1,000 lb. or part thereof ...	3	0	0

5. Where an application is made for the issue of a certificate of airworthiness in respect of a prototype (modified) aircraft there shall be chargeable in respect of the investigation of the aircraft (including its components, accessories, instruments, equipment and apparatus (including radio apparatus) and the manner of the installation of the same), required in connection with the application, a fee which in the case of a glider where the maximum total weight authorised for the glider, to be shown in the certificate of airworthiness, does not exceed 2,000 lb. shall be £5 5s. 0d. and in any other case shall be a fee of an amount equivalent to the cost of the work of making the investigation:

Provided that the fee chargeable shall not in any case, other than the case of such a glider as aforesaid, be less than the fee which would be chargeable under the last foregoing paragraph in respect of the issue of a certificate

of airworthiness in respect of a series aircraft of a maximum total weight equivalent to the maximum total weight authorised for the aircraft, to be shown in the certificate of airworthiness, or more than a sum equivalent to a charge of 3s. per lb. of such maximum total weight, for any year, or part of a year, of the period required for carrying out the investigation.

6. The fee chargeable in respect of the renewal of a certificate of airworthiness (including any investigation required in connection with the application therefor) shall be £3 3s. 0d. in the case of a glider where the maximum total weight authorised for the glider, as shown in the certificate of airworthiness, does not exceed 2,000 lb. and in any other case shall be in accordance with the following sub-paragraphs:—

	£	s.	d.
(*a*) When the maximum total weight authorised for the aircraft as shown in the certificate of airworthiness does not exceed 2,000 lb.	5	0	0
(*b*) Subject as provided below when the maximum total weight authorised for the aircraft as shown in the certificate of airworthiness exceeds 2,000 lb.:—			
In respect of the first 2,000 lb.	5	0	0
In respect of each additional 500 lb. or part thereof	3	0	0

Provided that in respect of an aircraft which is classified in its certificate of airworthiness only as a private aircraft in the normal, semi-acrobatic or aerobatic category and the maximum total weight authorised for which, as shown in the certificate of airworthiness, exceeds 2,000 lb. but does not exceed 3,500 lb. the fee chargeable shall be £5 0s. 0d. If, however, such an aircraft is subsequently classified in its certificate of airworthiness either in substitution or in addition as other than a private aircraft as aforesaid, a further fee shall, on such classification, be chargeable amounting to £3 0s. 0d. in respect of each 500 lb. or part thereof by which the said weight of the aircraft exceeds 2,000 lb.

7. The fee chargeable in respect of the issue of a validation of a certificate of airworthiness shall be the same as the fee which would be chargable under paragraph 5 of this Schedule with respect to the issue of a certificate of airworthiness in the case of the aircraft in connection with which such validation is issued:

Provided that for the purpose of determining the amount of the fee in accordance with the proviso to that paragraph the maximum total weight authorised for the aircraft shall be deemed to be the maximum total weight as authorised by the validation.

The fee chargeable in respect of the renewal of such a validation (including any investigation required in connection with the application therefor) shall be the same as the fee which would be chargeable under the last foregoing paragraph in respect of the renewal of a certificate of airworthiness.

8. The fees chargeable in respect of the approval of an engine pursuant to paragraph (1) of Article 12 of this Order (including any investigation required for the purpose of such approval being given) shall be in accordance with the following scale:—

	£	s.	d.
(*a*) when the power output of the engine as determined by the Governor after the application of such test thereof as may be prescribed does not exceed:—			
(i) 200 B.H.P. or 500 lb. thrust	2	0	0
(ii) 500 B.H.P. or 1,250 lb. thrust	4	0	0
(iii) 1,000 B.H.P. or 2,500 lb. thrust	6	0	0
(iv) 2,000 B.H.P. or 5,000 lb. thrust	8	0	0
(*b*) When the power output as so determined exceeds 2,000 B.H.P. or 5,000 lb. thrust	12	0	0

9. The fees chargeable to a person or firm for the making of inspection of his or their organisaton or organisations pursuant to paragraph (2) of Article 12 or sub-paragraph (*b*) of paragraph (3) of Article 14 of this Order shall in the case of a person or firm having one organisation be £10 per annum and shall in the case of a person or firm having more than one organisation be £10 per annum in respect of the inspection of each organisation.

Approval of a Modification of an Aircraft

10. The fee chargeable in respect of the approval, pursuant to paragraph (4) of Article 14 or sub-paragraph (*b*) of paragraph (2) of Article 34 of this Order, of any modification of an aircraft (including its engines, components, accessories, instruments, equipment and apparatus (including radio apparatus) and the manner of the installation of the same) in respect of which a certificate of airworthiness has been issued shall be of an amount equivalent to the cost of the work of making the investigation required for that purpose:

Provided that the fee chargeable shall not in any case exceed £500.

Licences for Aircraft Maintenance Engineers.

11. The fees chargeable in respect of licences for aircraft maintenance engineers shall be as follows:—

	£	s.	d.
In respect of the grant of a licence	2	0	0
In respect of every extension of a rating included in a licence ...	1	0	0
In respect of the renewal of a licence:—			
If the applicant is not required to pass an examination ...	1	0	0
If the applicant is required to pass an examination ...	2	0	0

Provided that the fees specified above shall cover only one examination in respect of ratings to be included in a licence and, if a separate examination is required in respect of an additional rating, the fee chargeable for such separate examination shall be £1 0s. 0d.

Licences for Operating Crew

12. Subject to the provisions of this paragraph and paragraphs 14, 15 and 17 of this Schedule, the fees chargeable in respect of the grant of licences for members of an operating crew of an aircraft shall be in accordance with the following table:—

Description of Licence	For official medical examination (if required)			For technical examination (if required)			For official flying test (if required)			For Licence	
	£	s.	d.	£	s.	d.	£	s.	d.	s.	d.
Private pilot (flying machines) with aircraft rating including Group A or Group B or both Group A and Group B	1	1	0		10	0	1	1	0	5	0
Private pilot (flying machines) with aircraft rating including Group C	1	1	0	2	2	0	1	1	0	5	0
Commercial pilot (flying machines)	3	3	0	3	0	0	20	0	0	5	0
Senior commercial pilot (flying machines)	3	3	0	5	0	0	30	0	0	5	0
Airline transport pilot (flying machines)	3	3	0	5	0	0	30	0	0	5	0
Private pilot (balloons) ...	1	1	0		10	0	1	1	0	5	0
Commercial pilot (balloons)...	3	3	0	3	0	0	5	0	0	5	0
Airship pilot (1st, 2nd or 3rd class)	3	3	0	3	0	0	5	0	0	5	0

Description of Licence	For official medical examination (if required)	For technical examination (if required)	For official flying test (if required)	For Licence
	£ s. d.	£ s. d.	£ s. d.	s. d.
Commercial pilot (soaring gliders)	3 3 0	10 0	1 1 0	5 0
Commercial pilot (trailing gliders)	3 3 0	10 0	6 6 0	5 0
Flight navigator	1 1 0	5 5 0	—	5 0
Flight engineer	1 1 0	2 0 0	—	5 0
General flight radiotelephony operator	1 1 0	1 0 0	—	5 0
General flight radiotelephony operator (Temporary) ...	1 1 0	1 0 0	—	5 0
Flight radiotelephony operator restricted	1 1 0	1 0 0	—	5 0
First class flight radio-telegraphy operator ...	1 1 0	2 0 0	—	5 0
First class flight radio-telegraphy operator (Temporary)	1 1 0	2 0 0	—	5 0

Provided that—

(i) where an applicant for the grant of any licence described in the foregoing table has previously been medically examined in connection with the grant of any other licence under this Order for the issue of which there is prescribed a standard of medical fitness not inferior to that prescribed for the issue of the licence for which the application is made, the fee chargeable for official medical examination of the applicant (if required) shall be 15s. 0d.;

(ii) in the case of an application for the grant of a pilot's licence (flying machines) of any class except a private pilot's licence (flying machines) where the type is included in Group A or Group B or for the grant of a flight engineer's licence, covering more than one type of aircraft, the fee specified above for technical examination shall cover only one examination in respect of that part of the technical examination prescribed under paragraph (2) of Article 23 of this Order which relates to technical knowledge of aircraft and the fees chargeable for technical examination for each additional type shall be as follows:—

	£ s. d.
In respect of a private pilot's licence (flying machines) where the type is included in Group C	2 2 0
In respect of a pilot's licence (flying machines) of any other class	2 2 0
In respect of a flight engineer's licence	1 0 0

In this paragraph and in paragraphs 13 and 18 of this Schedule references to Group A, Group B and Group C in relation to the aircraft rating in a private pilot's licence (flying machines) are to the following groups or types of aeroplanes:—

Group A.—All single-engined types of aeroplanes of which the maximum total weight authorised does not exceed 12,500 lb.

Group B.—All types of aeroplanes having two or more engines of which the maximum total weight authorised does not exceed 12,500 lb.

Group C.—Particular types of aeroplanes of which the maximum total weight authorised exceeds 12,500 lb.

13. Subject to the provisions of paragraphs 14, 15 and 17 of this Schedule, the fees chargeable in respect of the renewal of licences for members of an operating crew of an aircraft shall be in accordance with the following table:—

Description of Licence	For official medical examination (if required)	For technical examination (if required)	For official flying test (if required)	For Licence
	s. d.	£ s. d.	£ s. d.	s. d.
Private pilot (flying machines) with aircraft rating including Group A or Group B or both Group A and Group B	15 0	10 0	1 1 0	5 0
Private pilot (flying machines) with aircraft rating including Group C	15 0	2 2 0	1 1 0	5 0
Commercial pilot (flying machines)	15 0	3 0 0	20 0 0	5 0
Senior commercial pilot (flying machines)	15 0	5 0 0	30 0 0	5 0
Airline transport pilot (flying machines)	15 0	5 0 0	30 0 0	5 0
Private pilot (balloons) ...	15 0	10 0	1 1 0	5 0
Commercial pilot (balloons)...	15 0	3 0 0	5 0 0	5 0
Airship pilot (first, second or third class)	15 0	3 0 0	5 0 0	5 0
Commercial pilot (soaring gliders)	15 0	10 0	1 1 0	5 0
Commercial pilot (trailing gliders)	15 0	10 0	6 6 0	5 0
Flight navigator	15 0	5 5 0	—	5 0
Flight engineer	15 0	1 0 0	—	5 0
General flight radiotelephony operator	15 0	1 0 0	—	5 0
General flight radiotelephony operator (Temporary) ...	15 0	1 0 0	—	5 0
Flight radiotelephony operator restricted	15 0	1 0 0	—	5 0
First class flight radio-telegraphy operator ...	15 0	2 0 0	—	5 0
First class flight radio-telegraphy operator (Temporary)	15 0	2 0 0	—	5 0

Provided that in a case where an applicant for the renewal of a licence is required to satisfy the Governor as to his qualifications in accordance with all or any of the requirements applicable with respect to the grant of a licence of the class to which the application relates and that licence is one with respect to the grant of which proviso (ii) to paragraph 12 of this Schedule would be applicable, that proviso shall be deemed to be applicable with respect to the renewal thereof.

14. Where in the case of an application for the grant or renewal of any licence referred to in paragraphs 12 and 13 of this Schedule more than one official medical examination, technical examination or official flying test is required by reason of the previous failure of the applicant to pass such examination or test, the fees chargeable for any such further examination or test shall be:—

(*a*) for an official medical examination—15s. 0d.

(*b*) for a technical examination or official flying test, the same as the fees chargeable under the said paragraphs, subject to the provisions of paragraphs 15 and 17 of this Schedule.

15. Where an applicant for the grant or renewal of any licence or for a rating or the extension of a rating referred to in paragraphs 12, 13, 16 or 18 of this Schedule is not required to pass any particular part of the appropriate technical examination or official flying test by reason of his having passed that part on some previous application or for any other reason, the fee chargeable for the technical examination or official flying test, as the case may be, may be reduced by such amount as the Governor may think proper in the circumstances of the case.

16.—(*a*) In respect of every application for the insertion in a pilot's licence of an instrument rating the following fee shall, subject to paragraph 17 of this Schedule, be chargeable:—

	£	s.	d.
For technical examination (if required)	3	0	0
For official flying test (if required)	10	0	0
For special (audiometry) medical examination (if required) ...		10	6

(*b*) In any case where a pilot holding an instrument rating is required to pass a further official flying test in order that he may continue to exercise the privileges of the instrument rating the fee chargeable for such further test shall be £5 0s. 0d.

(*c*) In a case where the conditions referred to in paragraph 15 of this Schedule are fulfilled the fees chargeable under this paragraph may be reduced as provided by paragraph 15.

17. Where in the case of an application for the grant or renewal of a commercial pilot's licence or for the insertion in a pilot's licence of an instrument rating an official aircraft is not used for the official flying test (if required), the fee chargeable for the official flying test may be reduced by such amount as the Governor may think proper in the circumstances of the case.

18.—(*a*) Where an application is made for the extension of the aircraft rating in a private pilot's licence (flying machines) to cover additional classes or types of flying machines the following fees shall be chargeable:

	£	s.	d.
In respect of a rating including Group A or Group B or both Group A and Group B—			
For technical examination (if required)		10	0
For official flying test (if required)	1	1	0
In respect of a rating including Group C—			
For technical examination (if required)	2	2	0
For official flying test (if required)	1	1	0

(*b*) in respect of every application for the extension of the aircraft rating in a commercial, senior commercial, or airline transport pilot's licence (flying machines) to include an additional type or additional types of flying machines there shall be chargeable a fee of £2 2s. 0d. in respect of one additional type and, if the application is for an extension to include more than one additional type, a fee of £2 2s. 0d. in respect of each additional type.

(*c*) In respect of every application for the extension of the aircraft rating in a flight engineer's licence to include an additional type or additional types of flying machines there shall be chargeable a fee of £1 0s. 0d. in respect of one additional type and, if the application is for an extension to include more than one additional type, a fee of £1 0s. 0d. in respect of each additional type.

(*d*) Where an application is made for the extension of the radio apparatus rating in a flight radiotelegraphy operator's licence to cover additional types of radio apparatus there shall be chargeable for the technical examination (if required) a fee of £1 0s. 0d.

(*e*) In a case where the conditions referred to in paragraph 15 of this Schedule are fulfilled the fees chargeable under this paragraph may be reduced as provided by paragraph 15.

19.—(*a*) Where an application is made for a towing rating entitling the applicant to fly flying machines towing public transport or aerial work gliders the following fees shall be chargeable:—

	£	s.	d.
For technical examination (if required)	3	0	0
For official flying test (if required)	5	0	0
For the rating		5	0

(*b*) The like fees for technical examination or official flying test shall be chargeable in a case where on the renewal of a licence the holder thereof is required to satisfy the Governor that the rating may continue in operation.

Medical Examination

20. The fee chargeable for an official medical examination of the holder of a licence pursuant to paragraph (8) of Article 23 of this Order shall be 15s. 0d.

Validation of Licence

21. The fee chargeable in respect of the issue of a validation of a licence or the renewal of such a validation shall be 5s.

Student Pilot's Licence

22. The fee chargeable in respect of the issue or renewal of a student pilot's licence shall be 5s. and in a case where an official medical examination of the applicant is required the fee chargeable for such examination shall be £1 1s. 0d. in the case of an application for the issue and 15s. 0d. in the case of an application for the renewal of such licence.

Journey Log Book

23. The fee chargeable in respect of the issue of a journey log book by the Governor shall be as follows:—

	s.	d.
For a complete book (cover and refill)	6	6
For a cover only	3	6
For a refill only	3	0

Copies and Documents in Replacement

24. A fee of 5s. shall be chargeable in respect of the issue of a copy or a document in replacement of a certificate, licence or other document when the original has been lost or destroyed 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.

Approval of types of instruments and equipment prescribed to be carried in an aircraft

25. In a case where application is made for the approval, pursuant to paragraph (3) of Article 33 of this Order, of any type of instrument or equipment prescribed to be carried in an aircraft, or of any modification of a type after such approval has been given, and investigation thereof is required before such

approval can be given, there shall be chargeable in respect of the approval a fee of an amount equivalent to the cost of the work of making the required investigation:

Provided that the fee chargeable shall not in any case exceed £500.

Approval of types and manufacture of radio apparatus to be carried in an aircraft

26. The fee chargeable in respect of the approval pursuant to the proviso to sub-paragraph (*a*) (ii) of paragraph (2) of Article 34 of this Order, of a type and manufacture of radio apparatus to be carried in an aircraft, or of any modification of a type or manufacture after such approval has been given, shall be of an amount equivalent to the cost of the work of making the investigation required for that purpose:

Provided that the fee chargeable shall not in any case exceed £250.

Licences for Aircraft Radio Maintenance Engineers

	£	s.	d.
27.—(*a*) The fee chargeable in respect of the grant of a licence to an aircraft radio maintenance engineer shall be	3	0	0
(*b*) The fees chargeable in respect of the renewal of any such licence shall be as follows:—			
If the applicant is not required by the Governor to pass an examination	1	0	0
If the applicant is required by the Governor to pass an examination	2	0	0
(*c*) Where any such licence has been granted in respect of one or more types of radio apparatus and application is made for the extension of the radio apparatus rating included in the licence to cover additional types of radio apparatus, the fee chargeable in respect of the extension shall, subject to the provisions of sub-paragraph (*d*) of this paragraph, be	1	0	0

(*d*) No fee shall be chargeable under sub-paragraph (*c*) of this paragraph if the application therein referred to is made together with an application for the renewal of the licence and the applicant is required by the Governor to pass an examination for the purpose of the renewal.

Licences for Aerodromes

28. Subject to the provisions of this paragraph, the following fees shall be chargeable in respect of licences for aerodromes, that is to say—

	For Licence	For official inspection of aerodrome (if required)
	£ s. d.	£ s. d.
In respect of the grant of a licence ...	1 5 0	2 2 0
In respect of the renewal of a licence ...	1 1 0	2 2 0
In respect of the variation of a licence ...	—	2 2 0

Provided that where any such licence is granted or renewed for a period which will expire within twelve months from the date on which the grant or renewal becomes operative and an application is made for the renewal of the licence, or for the grant of a further licence to the same person for the same aerodrome, for any subsequent period falling within those twelve months, then—

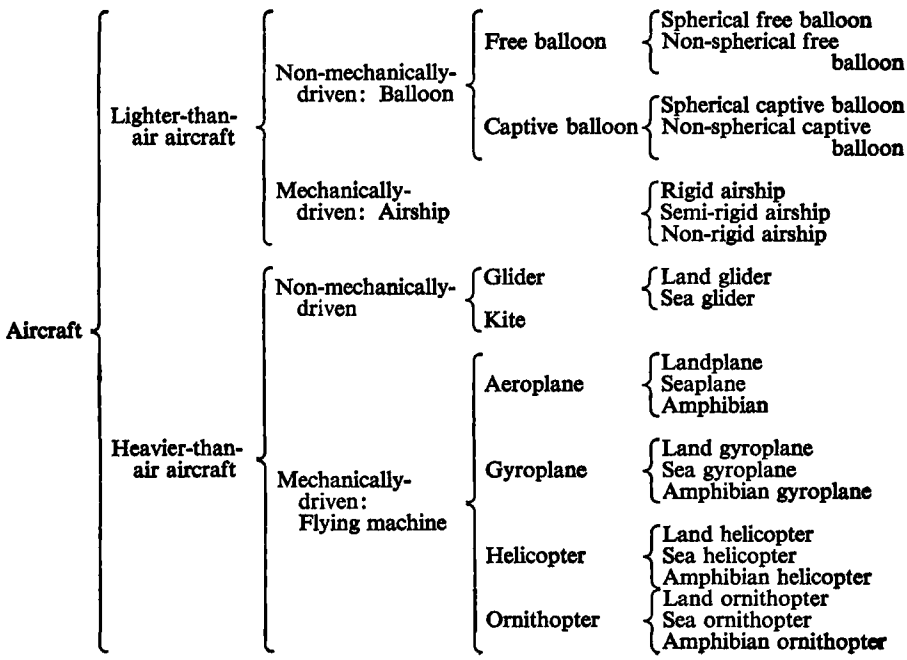
(*a*) if the application is for the renewal of the licence without variation or for the grant of a further licence on the same terms as the previous licence, no fee shall be chargeable in respect of the renewal or grant; and

(*b*) if the application is for the renewal of the licence with variations or for the grant of a further licence on terms different from those of the previous licence, the application shall be treated for the purpose of this paragraph as if it were an application for the variation of a licence.

Article 77 (1) *Schedule V*

SCHEDULE V

Table of General Classification of Aircraft



SCHEDULE VI

Territories to which this Order applies

Aden (Colony and Protectorate).
Bahamas.
Barbados.
Basutoland.
Bechuanaland Protectorate.
Bermuda.
British Guiana.
British Honduras.
British Solomon Islands Protectorate.
Cyprus.
Falkland Islands and Dependencies.
Fiji.
Gambia (Colony and Protectorate).
Gibraltar.
Gilbert and Ellice Islands Colony.
Gold Coast—
(*a*) Colony.
(*b*) Ashanti.
(*c*) Northern Territories.
(*d*) Togoland under United Kingdom trusteeship.
Hong Kong.
Jamaica (including Turks and Caicos Islands and the Caymen Islands).
Kenya (Colony and Protectorate).
Leeward Islands—
Antigua.
Montserrat.
St. Christopher and Nevis and Anguilla.
Virgin Islands.
Malta.
Mauritius.
Nigeria—
(*a*) Colony.
(*b*) Protectorate.
(*c*) Cameroons under United Kingdom trusteeship.
North Borneo.
St. Helena and Ascension.
Sarawak.
Seychelles.
Sierra Leone (Colony and Protectorate).
Singapore.
Somaliland Protectorate.
Swaziland.
Tanganyika.

Trinidad and Tobago.
Uganda Protectorate.
Windward Islands—
Dominica.
Grenada.
St. Lucia.
St. Vincent.
Zanzibar Protectorate.

(The Table below is not part of the Order, but is printed for general information.)

A TABLE SHOWING THE COMPARABLE PROVISIONS IN THE COLONIAL AIR NAVIGATION ORDER, 1949

NOTE.—*Where the provision in this Order differs from that in the Colonial Air Navigation Order, 1949, as amended, the Article or Rule number is shown in italics and underlined.*

Article	Corresponding Article in the Colonial Air Navigation Order, 1949, as amended	Article	Corresponding Article in the Colonial Air Navigation Order, 1949, as amended	Schedule	Corresponding Schedule in the Colonial Air Navigation Order, 1949, as amended	Schedule	Corresponding Schedule in the Colonial Air Navigation Order, 1949, as amended
1	1	*32*	29	I	I	II	II
2	2	*33*	30	II	II	Rule	Rule
3	3	*34*	31	Rule	Rule	30	26
4	4 (1), (2), (3) and (4)	*35*	32	*1*	1	*31*	—
		36	33	2	2	32	27
5	4 (5)	37	34	3	3	33	28
6	5	38	35	4	4	*34*	29
7	6	39	36	5	5	*35*	30
8	7	40	37	6	6	*36*	31
9	8	41	38	7	6A	*37*	32
10	9	42	39	8	7	*38*	33
11	10	43	40	9	8	*39*	34
12	11	44	41	10	9	*40*	35
13	12	45	42	11	10	41	36
14	13	46	43	12	11	42	37
15	14	*47*	44	13	12	43	38
16	15	*48*	45	14	13	44	39
17	16	49	46	*15*	14	45	40
18	17	50	47	*16*	15	46	41
19	17A	51	48	17	16	47	42
20	17B	*52*	49 (1) and (2)	18	17	*48*	43
21	18			19	18	*49*	44
22	19	*53*	49 (3)	20	18A	50	45
23	20	*54*	50	21	18B	51	46
24	21	55	51	22	18C	52	47
25	22	56	51A	*23*	19	53	48
26	23	*57*	52	*24*	20	54	49
27	24	*58*	53	*25*	21	55	50
28	25	59	54	26	22	56	51
29	26	60	55	27	22A	57	52
30	27	61	56	28	23	58	53
31	28	*62*	57	*29*	24	59	54

Article	Corresponding Article in the Colonial Air Navigation Order, 1949, as amended	Article	Corresponding Article in the Colonial Air Navigation Order, 1949, as amended	Schedule	Corresponding Schedule in the Colonial Air Navigation Order, 1949, as amended	Schedule	Corresponding Schedule in the Colonial Air Navigation Order, 1949, as amended
63	58	*73*	69	II	II	IV	IV
64	60	*74*	70	Rule	Rule	Para.	Para.
65	61	*75*	71	60	55	*6*	5
66	62	*76*	71A	61	56	*7*	6
67	63	*77*	72	62	57	8	7
68	64	*78*	72A	63	58	9	8
69	65	79	73	64	59	10	9
70	66	*80*	74	65	60	11	10
71	67	*81*	75	66	61	*12*	11
72	68			67	62	*13*	12
				68	63	*14*	13
				69	64	15	14
				70	65	*16*	15
				71	66, 67	*17*	16
				72	68	18	17
				73	69	19	18
				74	70	20	19
				75	—	21	20
				76	—	22	21
				III	III	23	23
				IV	IV	24	24
				Para.	Para.	25	25
				1	1	26	26
				2	1A	27	27
				3	2	28	28
				4	3	V	V
				5	4	VI	VI

EXPLANATORY NOTE

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

This Order revokes, and re-enacts with certain amendments, the provisions of the Colonial Air Navigation Order, 1949, and its amending Orders. For convenience of reference, a Table of Comparison showing for each Article of this Order the corresponding Article of the Order of 1949, as amended, is printed immediately before this Explanatory Note.

The principal changes are as follows:—

(*a*) for aircraft which carry or are intended to carry passengers and goods for hire or reward there are new requirements for certifying the maintenance of the aircraft and new provisions for keeping records of flying hours and records of defects (Articles 16 and 17);

(*b*) for public transport aircraft there are new requirements for the training practice and periodical tests of every member of the personnel and for records of such practice and tests (Article 18 (4));

(*c*) holders of licences issued by any Contracting State may, subject to any limitations of the terms of the licence or of the law of the issuing State, form part of the operational crews of aircraft flown in the Colony, other than public transport and aerial work aircraft (Article 21);

(*d*) flight engineers and flight navigators licences (cadet class) are abolished (Article 23);

(*e*) power is reserved to the Governor, in relation to the carriage and use of instruments and equipment, to require them and the manner of their installation or stowage to be approved in writing, and to require passengers to be instructed in the use of equipment (Article 33);

(*f*) the concessional circumstances under which young persons between fourteen and sixteen years of age were permitted to be in sole control of gliders have been withdrawn (Article 47);

(*g*) provision has been made for the extra-territorial application of the Order to persons as well as to aircraft (Article 71);

(*h*) in colonial territories to which provisions of the Visiting Forces Act, 1952, are extended, the Order will not apply to military aircraft in the service of a visiting force (unless flown and commanded by a civilian) or to members of such a force acting in the course of their duty (Article 72), except in the circumstances mentioned in Articles 51 and 54;

(*i*) amendments are made to certain of the rules in Schedule II (Rules of the Air and Air Traffic Control): in section IV (Visual Flight Rules), permission from Air Traffic Control will be required for landing, taking off at aerodromes in control zones in the event of low cloud ceiling as well as of restricted ground visibility (Rule 29); in section V (Instrument Flight Rules), a minimum altitude of 1,000 ft. is imposed for aircraft flying in I.F.R. weather conditions (Rule 31), and a new requirement for aircraft to inform Air Traffic Control on landing or leaving controlled airspace (Rule 34); the requirements in this section relating to radio communication and reporting of position are re-stated (Rule 36); in section VI (Additional General Rules), airspaces may be notified, in which air traffic clearance from Air Traffic Control will be obligatory for all flights (Rule 39); in Section XII (Lights and other signs to be shown by aircraft), flashing navigation lights will be obligatory after 1st June, 1956, for aircraft whose maximum permissible total weight exceeds 12,500 lb. (Rule 71); aircraft registered outside the Colony when flying over the Colony may display either the lights specified in the section or those specified in the International Standards published by the International Civil Aviation Organisation (Rule 76).

The rules relating to the mooring and manoeuvring of seaplanes on the water and of the lights to be shown by them are now contained in The Collision Regulation (Ships and Seaplanes on the Water) and Signals of Distress (Ships) Order, 1953 (*S.I. 1953/1557* (1953 1, p. 1157)).