1964 No. 419

CIVIL AVIATION

The Rules of the Air and Air Traffic Control (Eighth Amendment) Regulations 1964

Made - - - - 17*th March* 1964
Coming into Operation 23*rd March* 1964

The Minister of Aviation, in exercise of the powers conferred on him by Article 56(1) of the Air Navigation Order 1960(a), as amended(b), hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Rules of the Air and Air Traffic Control (Eighth Amendment) Regulations 1964, and shall come into operation on 23rd March 1964.

(2) The Interpretation Act 1889(c) applies for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

2. The Schedule to the Rules of the Air and Air Traffic Control Regulations 1960(d), as amended(e), shall be further amended as follows:—

(1) In Rule 1(1)—

at the end of the definition of "aerodrome traffic zone" there shall be added the following—

"except any part of that airspace which is within the aerodrome traffic zone of another aerodrome which is notified for the purposes of these Rules as being the controlling aerodrome.";

for the definition of "manœuvring area" there shall be substituted the following—

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

in the definition of "runway" for the words "a rectangular" there shall be substituted the word "an".

(2) In Rule 23, for the last four lines, there shall be substituted the following—

"For the purposes of this Rule 'special VFR flight' means a flight made in Instrument Meteorological Conditions or at night or in controlled airspace notified for the purposes of Rule 21 of

(a) S.I. 1960/972 (1960 I, p. 599).
(b) There are no amendments which relate to the subject-matter of these Regulations.
(c) 52 & 53 Vict. c. 63.
(d) S.I. 1960/1070 (1960 I, p. 711).
(e) The relevant amending instruments are S.I. 1961/375, 527, 920, 2366, 1962/1571, 1963/697, 1091 (1961 I, pp. 573, 1196; II, p. 1773; III, p. 4367; 1962 II, p. 1778; 1963 I, p. 852; II, p. 1858).

these Rules, in respect of which the appropriate air traffic control unit has given permission for the flight to be made in accordance with special instructions given by that unit instead of in accordance with the Instrument Flight Rules.".

(3) In the heading to Rule 32 there shall be added at the end the words " and other parts of the aerodrome used by aircraft ".

(4) In Rule 32(1), for the words " the manœuvring area of an aerodrome " there shall be substituted the words " any part of an aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome ".

(5) In Rule 33(1), for the words " the manœuvring area of a land aerodrome " there shall be substituted the words " any part of a land aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome ".

(6) For Rule 35(1) there shall be substituted the following—

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

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

(7) For Rule 36(1) and (2), there shall be substituted the following—

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

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

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

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

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

(8) In Rule 37—

for paragraphs (2) and (3), there shall be substituted the following—

"(2) In relation to Bournemouth (Hurn), Bovingdon, London (Gatwick), Prestwick and Renfrew Airports, the following special rules shall apply:—

Except as may otherwise be authorised by an air traffic control unit at the aerodrome,

(*a*) an aircraft shall not fly within 5 nautical miles of and at less than 2,000 feet above, the notified aerodrome reference point, unless the commander of the aircraft, before so flying, obtains the permission of the air traffic control unit at the aerodrome, and informs the air traffic control unit, on the notified radio frequency appropriate to the circumstances, of the aircraft's position, level and track;

(*b*) while the aircraft is within 5 nautical miles of, and at less than 2,000 feet above, the notified aerodrome reference point, the commander of the aircraft shall cause a continuous watch to be maintained on that frequency and comply with any instructions which the air traffic control unit at the aerodrome may give in the particular case:

Provided that this paragraph shall not apply, in relation to London (Gatwick) Airport, to flight on the northerly side of a line parallel to, and 3 nautical miles to the north of, the paved runway at the Airport, or, in relation to Bovingdon Airport, to flight on the south-east side of a line joining the points 51°43′35″N 00°24′40″W and 51°39′10″N 00°35′45″W.

(3) In relation to Blackpool (Squires Gate) Aerodrome the following special rules shall apply:—

(*a*) An aircraft shall not fly within the aerodrome traffic zone of Blackpool (Squires Gate) Aerodrome unless the commander of the aircraft, before so flying, obtains the permission of the air traffic control unit at the aerodrome; and

(*b*) while the aircraft is flying within the said aerodrome traffic zone the commander of the aircraft shall cause a continuous watch to be maintained on the radio frequeney required by that air traffic control unit, if the aircraft is suitably equipped for that purpose, and comply with any instructions which that air traffic control unit may give in the particular case.";

in paragraph (4)—

for the first twelve lines there shall be substituted the following—

"(4) In relation to Cardiff (Rhoose) Airport, the following special rules shall apply:—

Except as may otherwise be authorised by the air traffic control unit at the aerodrome,

(*a*) an aircraft shall not, during the notified hours of watch of the air traffic control unit at the aerodrome, fly within the relevant airspace unless the commander of the aircraft, before so flying, obtains the permission of the air traffic control unit at the aerodrome, and informs the air traffic

control unit, on the notified radio frequency appropriate to the circumstances, of the aircraft's position, level and track;

(*b*) while the aircraft is within the relevant airspace the commander of the aircraft shall cause a continuous watch to be maintained on that frequency and comply with any instructions which the air traffic control unit at the aerodrome may give in the particular case." ;

for paragraph (6) there shall be substituted the following—

" (6) In relation to Liverpool Airport the following special rules shall apply:—

Except as may otherwise be authorised by the air traffic control unit at the aerodrome,

(*a*) an aircraft shall not fly within 5 nautical miles of the notified aerodrome reference point and at less than 1,000 feet above mean sea level unless the commander of the aircraft before so flying, obtains the permission of the air traffic control unit at the aerodrome and informs the air traffic control unit, on the notified radio frequency appropriate to the circumstances, of the aircraft's position, level and track; and

(*b*) while the aircraft is within 5 nautical miles of the notified aerodrome reference point and at less than 1,000 feet above mean sea level the commander of the aircraft shall cause a continuous watch to be maintained on that frequency and comply with any instructions which the air traffic control unit at the aerodrome may give in the particular case." ;

in paragraph (7)—

for the first fourteen lines there shall be substituted the following—

" (7) In relation to Southend Airport the following special rules shall apply:—

Except as may otherwise be authorised by the air traffic control unit at the aerodrome—

(*a*) an aircraft shall not, during the notified hours of watch of the air traffic control unit at the aerodrome, fly within 8 nautical miles of the notified aerodrome reference point and at less than 6,500 feet above mean sea level, unless the commander of the aircraft, before so flying, obtains the permission of the air traffic control unit at the aerodrome and informs the air traffic control unit, on the notified radio frequency appropriate to the circumstances, of the aircraft's position, level and track; and

(*b*) while the aircraft is within 8 nautical miles of the notified aerodrome reference point, and at less than 6,500 feet above mean sea level, the commander of the aircraft shall cause a continuous watch to be maintained on that frequency and comply with any instructions which the air air traffic control unit at the aerodrome may give in the particular case:".

(9) In Rule 37A—

at the end of paragraph (4) there shall be added the following—

" and

(*c*) comply with any instructions which the appropriate air traffic control unit may give in the particular case.".

(10) In the heading to Rule 50, there shall be added at the end the words " and other parts of the aerodrome used by aircraft ", and in Rule 50(*b*) for the words " manoeuvring area " there shall be substituted the words " aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome and ".

(11) For Rule 54 there shall be substituted the following—

" 54.—(1) At every aerodrome (other than a Government aerodrome) which is provided with means of two-way radio communication with aircraft and is either situated in a control zone or is an aerodrome in respect of which the Minister has given a direction to the proprietor or person in charge of the aerodrome requiring air traffic control service to be provided there, the person in charge of the aerodrome shall cause air traffic control service to be provided at all times when the aerodrome is open for the take-off and landing of aircraft.

(2) At every aerodrome (other than a Government aerodrome) which is provided with means of two-way radio communication with aircraft and with equipment for providing holding aid, let-down aid or approach aid by radio or radar the person in charge of the aerodrome shall inform the Minister in advance of any period during which any of the said equipment will be in operation for the purpose of providing holding aid, let-down aid or approach aid and, without prejudice to paragraph (1) of this Rule, cause air traffic control service to be provided at all times when the said equipment is notified as being in operation for any of those purposes.".

17th March 1964.

R. R. Goodison,
An Under Secretary
of the Ministry of Aviation.

EXPLANATORY NOTE

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

These Regulations amend the Rules of the Air and Air Traffic Control. In addition to some minor and drafting amendments, the following changes are made in the Rules mentioned below—

(1) Commanders of aircraft flying within the aerodrome traffic zone of an aerodrome where no air traffic control unit is on watch, except when landing, taking-off or observing the signals, are required to obtain the permission of the person in charge of the aerodrome, and provision is made for avoiding overlap of aerodrome traffic zones (Rule 1(1), 35 and 36).

(2) The definition of "manoeuvring area" is altered so as to include the whole area provided for the movement of aircraft on the surface, while excluding areas set aside for embarkation and disembarkation, loading and unloading, and maintenance and parking of aircraft (Rule 1(1)).

(3) The definition of "special VFR flight" in Rule 23(*b*) is altered to include a flight made, in controlled airspace notified for the purpose of Rule 21, in accordance with the instructions of an air traffic control unit instead of in accordance with the Instrument Flight Rules (Rule 23).

(4) Provisions relating to the control of persons and vehicles, the right of way on the ground and guidance lights (which formerly applied only to the manoeuvring area) are extended to any part of an aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome (Rules 32(1), 33(1), and 50(*b*)).

(5) The provisions relating to special rules zones are altered. Distances from the aerodrome will now be measured from an aerodrome reference point, and the commander of an aircraft flying within such a zone is required to comply with air traffic control instructions. The Bovingdon Special Rules Zone is reduced in area (Rule 37).

(6) At non-Government aerodromes with two-way radio and with equipment for providing holding aid, let-down aid or approach aid by radio or radar, the person in charge is required to inform the Minister of Aviation of the periods during which the equipment will be in operation for the purpose of providing such aid and to cause air traffic control service to be provided throughout those periods, instead of at all times when the aerodrome is open for landing and take off, as heretofore (Rule 54).