1962 No. 1571

CIVIL AVIATION

The Rules of the Air and Air Traffic Control (Fifth Amendment) Regulations 1962

Made - - - - 24*th July* 1962
Coming into Operation 14*th August* 1962

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), and of all other powers enabling him in that behalf, hereby makes the following Regulations :—

1. These Regulations may be cited as the Rules of the Air and Air Traffic Control (Fifth Amendment) Regulations 1962, and shall come into operation on the 14th August 1962.

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.

3. 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), for the definition of " Anti-collision light " there shall be substituted the following definition :—

" " Anti-collision light " means a flashing light or system of flashing lights fitted to the exterior of an aircraft so as to be visible from all directions and from above and below for the purpose of enabling the aircraft to be more readily detected by the pilots of distant aircraft."

(2) In Rule 5, after paragraph (3), there shall be added the following paragraph :—

" (4) Nothing in this Rule shall apply to any captive balloon or kite ".

(3) For the proviso to Rule 11 (2) (*b*) there shall be substituted the following—

" Provided that if an anti-collision light is displayed the lights specified in sub-paragraph (*b*) (i) may all be steady lights, in which case the light specified in sub-paragraph (*b*) (ii) shall not be displayed."

(4) In Rule 37,—

in paragraph (4), after the words " Provided that ", there shall be inserted the words " except at night " : and in the definition of " relevant airspace ", for the figure " 7,500 " there shall be substituted the figure " 5,500 ", and in paragraph (7), after the words " Provided that ", there shall be inserted the words " except at night ".

(a) S.I. 1960/972 (1960 I, p. 599). (b) S.I. 1960/2410 (1960 I, p. 680).
(c) 52 & 53 Vict. c. 63. (d) S.I. 1960/1070 (1960 I, p. 711).
(e) The relevant amending instruments are S.I. 1961/527, 2366 (1961 I, p. 1196; III, p. 4367).

(5) In Rule 44, in Table B—

(*a*) for the word "Straight" in the second column of paragraph (*b*) there shall be substituted the word "Move";

(*b*) paragraphs (*m*), (*n*) and (*o*) shall be omitted.

(6) For Rules 54, 55 and 56, and the headings thereto, there shall be substituted the following:—

"*Provision of Air Traffic Control Services*

54.—(1) At every aerodrome to which this Rule applies 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) The air traffic control service at such an aerodrome shall be provided in accordance with Rule 55 of these Rules.

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(3) This Rule applies to every aerodrome (other than a Government aerodrome) which is provided with means of two-way radio communication with aircraft and is—

(*a*) situated in a control zone; or

(*b*) equipped with means of giving holding aid, let-down aid, or approach aid by radio or radar; or

(*c*) 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 to be provided there;

but this Rule shall not apply to any aerodrome before 15th August 1962.

Licensing of Air Traffic Controllers and Student Air Traffic Controllers

55.—(1) The Minister may grant a licence to any person to act as an air traffic controller, or as a student air traffic controller, upon his being satisfied that the applicant is a fit and proper person to hold the licence and is qualified by reason of his knowledge, experience, competence, skill and physical fitness so to act, and for that purpose the applicant shall furnish such evidence and undergo such examinations and tests (including in particular medical examinations) as the Minister may require of him:

Provided that the Minister shall not grant a licence to act as an air traffic controller to a person under the age of 21 years or a licence to act as a student air traffic controller to a person under the age of 18 years.

(2) Every licence to act as an air traffic controller shall include a rating specifying the type of air traffic control service which the holder of the licence is competent to provide and the aerodromes at which he may provide that type of air traffic control service. If throughout any period of 90 days the holder of the licence has not at any time provided at a particular aerodrome the type of air traffic control service specified in the rating, the rating shall cease to be valid in relation to that aerodrome at the end of that period, and upon a rating ceasing to be valid in relation to an aerodrome the holder of the licence shall forthwith inform the Minister in writing to that effect and shall forward the licence to the Minister to enable it to be endorsed accordingly.

(3) Every licence to act as a student air traffic controller shall be valid only for the purpose of authorising the holder to provide air traffic control service under the supervision of another person who is present at the time and is the holder of a valid air traffic controller's licence which includes a rating specifying the type of air traffic control service which is being provided by the student air traffic controller, and valid at the aerodrome in question.

(4) A licence as an air traffic controller or as a student air traffic controller shall not be valid unless the holder of the licence has signed his name thereon in ink with his ordinary signature.

(5) Subject to the provisions of Article 54 of the Order, a licence as an air traffic controller or as a student air traffic controller shall remain in force for a period of 12 months and may be renewed by the Minister from time to time upon his being satisfied that the applicant is a fit and proper person and is qualified as aforesaid.

Prohibition of Unlicensed Air Traffic Controllers and Student Air Traffic Controllers

56. On or after the 15th August 1962 a person shall not provide any type of air traffic control service at any aerodrome at which air traffic control service is required to be provided by or under Rule 54 of these Rules unless he does so under the direction of the Minister or of Eurocontrol or is the holder of a valid air traffic controller's licence granted under Rule 55 of these Rules authorising him to provide that type of service at that aerodrome, or is the holder of a student air traffic controller's licence and is supervised in accordance with paragraph (3) of that Rule."

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

24th July 1962.

EXPLANATORY NOTE

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

These Regulations make further amendments to the Rules of the Air and Air Traffic Control. The principal changes are as follows:—

(1) Amendments are made to the definition of "anti-collision light" and to the provisions relating to the lights to be shown by aircraft in cases where an anti-collision light is displayed. (Rule 1 (1); Rule 11 (2) (*b*)).

(2) At Southend and Cardiff (Rhoose) Airports, the exemption from the Special Rules for aircraft which remain at least one nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least five nautical miles will no longer apply at night; and at Cardiff (Rhoose) Airport an alteration is made in the "relevant airspace" within which the Special Rules apply.

(3) Some changes are made in the signals to be given by aircraft marshallers (Rule 44, Table B).

(4) Rule 54 is altered so as to apply to licensed aerodromes and to enable the Minister to give directions requiring Air Traffic Control to be provided at aerodromes.

(5) Provision is made in Rule 55 for the licensing of student air traffic controllers.

(6) Minimum ages are laid down in Rule 55 for air traffic controllers and student air traffic controllers.

(7) The validity of a rating included in an air traffic controller's licence will cease in relation to an aerodrome if during a period of 90 days he has not at any time provided at that aerodrome the type of air traffic control service specified in the rating. (Rule 55).

(8) Rule 56, which prohibits the provision after 15th August 1962 of air traffic control service by unlicensed persons at non-Government aerodromes is amended to permit the provision of air traffic control service at such aerodromes by unlicensed persons who do so under the direction of the Minister of Aviation or of Eurocontrol.