1963 No. 697

CIVIL AVIATION

The Rules of the Air and Air Traffic Control (Sixth Amendment) Regulations 1963

Made - - - - -	*29th March* 1963
Coming into Operation	*11th April* 1963

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 (Sixth Amendment) Regulations 1963, and shall come into operation on the 11th April 1963.

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 5, in paragraph (2)—

before sub-paragraph (*a*), there shall be inserted the following paragraph—

"(*aa*) the alternatives in paragraphs (1) (*a*) (ii) and (1) (*c*) (i) of this Rule shall not apply to an aircraft flying—

(i) on a route notified for the purposes of this Rule, or

(ii) on a special VFR flight as defined in Rule 23 of these Rules in accordance with instructions given for the purposes of that Rule by the appropriate air traffic control unit".

(2) In Rule 25, after the word "unless" where it first appears in that Rule there shall be inserted the words "flying on a route notified for the purposes of this Rule, or".

(3) In Rule 26, before the Tables, there shall be inserted the following proviso—

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

(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) S.I. 1961/375, 527, 920, 2366, 1962/1571 (1961 I, pp. 573, 1196; II, p. 1773; III, p. 4367; 1962 II, p. 1778).

(4) In Rule 37—

in paragraph (2), the words "London, Manchester" shall be omitted; 1964/419

in paragraph (4), in the definition of "relevant airspace", for the figure "4,500" there shall be substituted the figure "3,000";

paragraph (8) shall be omitted.

(5) The following new Section shall be added after the end of Section VII:—

"SECTION VII A

Special Rules for Low-Level Cross-Channel Air Traffic

37A.—(1) Notwithstanding the provisions of Rule 22, during the notified hours of watch of the Air Traffic Control Unit at Lydd Airport, the following special rules shall apply to the airspace (in this Rule called "the relevant airspace") between 500 feet and 4,500 feet above mean sea level within the area defined by straight lines joining successively the following points:—

51°30′00″N, 00°53′10″E; 51°30′00″N, 02°00′00″E; 51°07′00″N, 02°00′00″E; 51°00′00″N, 01°28′00″E; 50°40′00″N, 01°28′00″E; 50°36′20″N, 01°18′30″E; 50°57′42″N, 00°43′34″E; 51°08′30″N, 00°52′00″E; 51°18′50″N, 00°53′10″E; 51°26′20″N, 00°45′50″E; and thence by that part of the arc of a circle radius 8 nautical miles centred on Southend Airport (51°34′15″N, 00°42′00″E) to 51°30′00″N, 00°53′10″E;

and from ground level to 500 feet within—

(i) an area comprising two circles each with a radius of 5 nautical miles whose centres are at 50°57′16″N, 00°56′22″E (Lydd Airport) and 51°04′50″N, 01°01′10″E (Lympne) respectively and the area enclosed between those circles and two parallel lines each forming a tangent to both circles; and

(ii) a circle with a radius of 5 nautical miles whose centre is at 51°20′30″N, 01°20′50″E (Manston Airport);

but excluding—

(*a*) such parts of that airspace as may from time to time be notified as controlled airspace, including that notified for the purpose of Rule 21 of these Rules; and

(*b*) the airspace between ground level and 1,000 feet above mean sea level defined by straight lines joining successively the following points:—

51°23′14″N, 01°20′00″E; 51°24′24″N, 01°27′11″E; 51°21′18″N, 01°28′15″E; 51°20′25″N, 01°25′25″E; 51°23′14″N, 01°20′00″E.

(2) The commander of an aircraft who intends to fly within the relevant airspace shall before so flying cause to be communicated to the appropriate air traffic control unit a flight plan containing particulars of the time at which and the level and track on which the aircraft is intended to pass through the relevant airspace, and such particulars of the intended flight as may be necessary for search and rescue purposes.

(3) The commander of an aircraft shall, immediately on entering and leaving the relevant airspace, inform the appropriate air traffic control unit, on the notified radio frequency appropriate to the circumstances, of the time, position and level at which he has entered and left the relevant airspace.

(4) While flying within the relevant airspace, the commander of an aircraft shall—

(*a*) cause a continuous watch to be maintained on the notified radio frequency appropriate to the circumstances; and

(*b*) measure the level of flight by means of an altimeter set according to the system notified for the relevant airspace.

(5) Paragraphs (3) and (4) (*a*) of this Rule shall not apply to aircraft which are not equipped with radio capable of operating on the radio frequency therein referred to. Such aircraft shall not fly within the relevant airspace except in accordance with procedures and on a route notified for that purpose or in conformity with an air traffic control clearance issued for the flight by the appropriate air traffic control unit and when flying within the relevant airspace shall remain in sight of the surface, clear of cloud and in a flight visibility of at least three nautical miles."

1964/419 (6) In Rule 54 (2), for the figure "55", there shall be substituted the figure "56".

(7) In the Schedule to the Rules of the Air and Air Traffic Control for the word "forming" there shall be substituted the word "joining".

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 make further amendments to 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) Aircraft flying on notified routes or on special VFR flights are freed from certain limitations on low flying (Rules 5 and 25).

(2) Aircraft flying in conformity with instructions given by an air traffic control unit or in accordance with notified holding procedures, are freed from the obligation to comply with the quadrantal rule (Rule 26).

(3) The application of special rules to London and Manchester Airports is revoked (Rule 37 (2)).

(4) The base of part of "the relevant airspace" for the purpose of the special rules relating to Cardiff (Rhoose) Airport is lowered from 4,500 feet to 3,000 feet (Rule 37 (4)).

(5) The special rules for Lydd Airport are revoked (Rule 37 (8)) and special rules for low-level Cross-Channel air traffic are introduced (Rule 37A).