STATUTORY INSTRUMENTS

1975 No. 1846

CIVIL AVIATION

The Rules of the Air and Air Traffic Control (Third Amendment) Regulations 1975

Made - - - 13*th November* 1975

Coming into Operation 4*th December* 1975

The Secretary of State in exercise of his powers under Article 62(1) of the Air Navigation Order 1974(**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 (Third Amendment) Regulations 1975 and shall come into operation on 4th December 1975.

2. The Interpretation Act 1889(**c**) shall apply 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 1974(**d**), as amended(**e**), shall be further amended as follows:—

(1) In Rule 23(*b*), after "or in a control zone notified for the purpose of Rule 21 of these Rules," there shall be inserted "or in any airspace to which special rules apply in accordance with Rule 36 of these Rules,".

(2) In Rule 26:

(*a*) in the proviso, after "in conformity with instructions given by an air traffic control unit", there shall be inserted "or in accordance with notified en-route holding patterns";

(*b*) for "25,000 feet" in the heading of Table I there shall be substituted "24,500 feet";

(*c*) for the heading of Table II there shall be substituted "Table II— Flights at levels above 24,500 feet".

(3) At the end of Rule 36, there shall be added the following new paragraph:—

"(20) in relation to Aberdeen Airport the following special rules shall apply:—

Unless it is otherwise 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,

(**a**) S.I. 1974/1114 (1974 II, p. 4057). (**b**) There is no relevant amending Instrument.
(**c**) 1889 c. 63. (**d**) S.I. 1974/1401 (1974 II, p. 5360).
(**e**) S.I. 1974/1767, 1975/544 (1974 III, p. 6288; 1975 I, p. 1794).

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 the relevant airspace at any time during the said hours of watch 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 that aerodrome may give in the particular case; and

(*c*) while the aircraft is flying within the relevant airspace during the said hours of watch,

(i) save as provided in sub-paragraphs (ii) and (iii) below, the aircraft shall 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, unless the commander of the aircraft holds a licence which includes a valid instrument rating or a valid instrument meteorological conditions rating;

(ii) if the commander of the aircraft holds a Commercial Pilot's Licence, a Senior Commercial Pilot's Licence or an Airline Transport Pilot's Licence which does not include a valid instrument rating and he intends to take off or land within the relevant airspace, the aircraft shall be flown in accordance with special VFR clearance given to the aircraft;

(iii) if the commander of the aircraft holds a Private Pilot's Licence which includes a valid instrument meteorological conditions rating and he intends to take off or land within the relevant airspace, the aircraft shall be flown in accordance with special VFR clearance given to the aircraft and remain in a flight visibility of at least 1½ nautical miles:

For the purposes of this paragraph the 'relevant airspace' means the airspace:

(*aa*) from the surface to flight level 70 within the area defined by straight lines joining successively the following points: 57° 21′ 00″N 02° 33′ 58″W; 57° 21′ 00″N 01° 57′ 56″W; 57° 15′ 28″N 01° 54′ 28″W; thence clockwise by the arc of a circle radius 10 nautical miles centred on 57° 12′ 15″N 02°11′ 55″W to 57° 09′ 00″N 02° 29′ 17″W; 57° 15′ 23″N 02° 33′ 25″W; thence clockwise by the arc of a circle radius 10 nautical miles centred on 57° 18′ 39″N 02° 15′ 57″W to 57° 21′ 00″N 02° 33′ 58″W.

(*bb*) from 1,500 feet above mean sea level to flight level 70 within the area defined by straight lines joining successively the following points: 57° 21′ 00″N 02° 33′ 58″W; 57° 21′ 00″N 01° 57′ 56″W; 57° 21′ 51″N 01° 58′ 25″W; thence anti-clockwise by the arc of a circle radius 10 nautical miles centred on 57° 18′ 39″N 02° 15′ 57″W to 57° 21′ 00″N 02° 33′ 58″W:

Provided that except at night special rules (*a*) and (*b*) shall not apply to:

(i) a glider which remains 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, or

(ii) a mechanically driven aircraft without radio equipment which remains 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, if the commander of the aircraft has previously obtained the permission of the air traffic control unit at the aerodrome to enter the relevant airspace".

(4) In Rule 37(1):

(*a*) for "from 4,500 feet to 6,000 feet above mean sea level within that part of the aforesaid area which lies north of a line from 51° 26′ 27″N 00° 44′ 45″E to 51° 22′ 28″N 01° 26′ 51″E and thence to 51° 16′ 00″N 02° 00′ 00″E;"

there shall be substituted—

"from 4,500 feet to 6,000 feet above mean sea level within that part of the aforesaid area which lies north of a line from 51° 28′ 16″N 00° 50′ 33″E to 51° 25′ 12″N 00° 58′ 10″E to 51° 22′ 28″N 01° 26′ 51″E and thence to 51° 16′ 00″N 02° 00′ 00″E;".

(*b*) for sub-paragraph (i) there shall be substituted—

"(i) an area defined by a straight line joining successively the following points, 50° 50′ 15″N 00° 55′ 55″E to 50° 56′ 45″N 00° 45′ 15″E, thence clockwise along the arc of a circle radius 7 nautical miles centred on 50° 57′ 16″N 00° 56′ 22″E (Lydd Airport) to 50° 50′ 15″N 00° 55′ 55″E; and".

Stanley Clinton Davis,
Parliamentary Under Secretary of State,
Department of Trade.

13th November 1975.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations further amend the Rules of the Air and Air Traffic Control Regulations 1974. In addition to some minor amendments, the following changes are made:

(1) The definition of "Special VFR flight" is extended to include flights made with the permission and in accordance with the instructions of an air traffic control unit in an area to which special rules apply in accordance with Rule 36. (Rule 23(*b*)).

(2) Changes are made in the headings to the Tables relating to the Quadrantal Rule and Semi-Circular Rule so as to make it clear that those Rules do not permit 24,500 feet, which is the plane of division between the two Tables, to be used as a cruising level. (Rule 26).

(3) Special Rules applicable in relation to Aberdeen Airport are introduced (Rule 36(20)).

(4) The airspace in which the special rules for low-level cross-channel air traffic apply is reduced due to the closure of Ashford Airport (Rule 37(1)).

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