STATUTORY INSTRUMENTS

1978 No. 877

CIVIL AVIATION

The Rules of the Air and Air Traffic Control (Third Amendment) Regulations 1978

Made - - - -	19*th June* 1978
Coming into Operation	1*st July* 1978

The Secretary of State, in exercise of his powers under Article 60(1) of the Air Navigation Order 1976(**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 1978 and shall come into operation on 1st July 1978.

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 1976(**d**), as amended(**e**), shall be further amended as follows:—

(1) In Rule 20:

(*a*) for the heading thereto there shall be substituted "*Notification of Arrival and Departure*";

(*b*) at the end there shall be added the following new paragraph: —

"(3) The commander of an aircraft arriving at or departing from an aerodrome in the United Kingdom shall take all reasonable steps to ensure upon landing or prior to departure, as the case may be, that notice of that event is given to the person in charge of the aerodrome, or to the air traffic control unit or aerodrome flight information unit at the aerodrome.".

(2) After Rule 30 there shall be added the following new Rule: —

"*Movement of Aircraft on Aerodromes*

30A. An aircraft shall not taxi on the manoeuvring area of an aerodrome without the permission of the person in charge of the aerodrome or, where the aerodrome has an air traffic control unit for the time being notified as being on watch, without the permission of that unit.".

(**a**) S.I. 1976/1783.
(**b**) S.I. 1977/1255, 1977/2160, 1978/284.
(**c**) 1889 c. 63.
(**d**) S.I. 1976/1983.
(**e**) S.I. 1977/1548, 1978/140.

(3) For Rules 34 and 35 and the headings thereto there shall be substituted the following new headings and Rules:—

"*Flight within Aerodrome Traffic Zones*

34.—(1) Paragraphs (2) to (6) of this Rule shall apply in relation to the aerodromes described in Column 1 of the following Table to the extent and at such times as are respectively specified in Columns 2 and 3 thereof.

TABLE

	Column 1	Column 2	Column 3
(*a*)	A Government aerodrome	paragraphs (2) to (6) inclusive	at all times
(*b*)	An aerodrome owned or managed by the Authority; a licensed aerodrome; an aerodrome having an air traffic control unit	paragraphs (2)(*a*) and (3)	at such times as may be notified for the purpose of this Rule
	or an aerodrome flight information unit	paragraphs (2)(*b*), (4), (5) and (6)	at all times
(*c*)	Any other aerodrome	paragraphs (4), (5) and (6)	at all times

(2) (*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 to which this paragraph applies, unless he has the permission of the person in charge of the aerodrome, the air traffic control unit at the aerodrome or the aerodrome flight information unit at the aerodrome;

(*b*) An aircraft shall not take-off or land anywhere within such a zone without the permission of the person in charge of the aerodrome, the air traffic control unit at the aerodrome or the aerodrome flight information unit at the aerodrome.

(3) The commander of an aircraft flying in the aerodrome traffic zone of an aerodrome to which this paragraph applies shall—

(*a*) cause a continuous watch to be maintained on the appropriate radio frequency notified for 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*) where the aircraft is fitted with means of radio communication with the ground, communicate his position and height to the air traffic control unit or the aerodrome flight information unit at the aerodrome, as the case may be, on entering the zone and immediately prior to leaving it.

(4) The commander of an aircraft flying in a zone which he knows or ought reasonably to know to be an aerodrome traffic zone or moving on an aerodrome shall, unless, in the case of an aerodrome having an air traffic control unit, that unit otherwise authorises,

(*a*) conform to the pattern of traffic formed by other aircraft, or keep clear of the airspace in which the pattern is formed;

(*b*) make all turns to the left unless ground signals otherwise indicate;

(*c*) take off and land in the direction indicated by the ground signals or, if no such signals are displayed, into the wind, unless good aviation practice demands otherwise.

(5) (*a*) A flying machine or glider shall not land on a runway at an aerodrome if the runway is not clear of other aircraft unless, in the case of an aerodrome having an air traffic control unit, that unit otherwise authorises.

(*b*) Where take-offs and landings are not confined to a runway—

(i) a flying machine or glider when landing shall leave clear on its left any aircraft which has landed or is already landing or about to take off; if such a flying machine or glider is about to turn it shall turn to the left after the commander of the aircraft has satisfied himself that such action will not interfere with other traffic movements; and

(ii) a flying machine about to take off shall take up position and manoeuvre in such a way as to leave clear on its left any aircraft which has already taken off or is about to take off.

(6) A flying machine after landing shall move clear of the landing area as soon as it is possible to do so unless, in the case of an aerodrome having an air traffic control unit, that unit otherwise authorises.

Use of Radio Navigation Aids

35. The commander of an aircraft shall not make use of any radio navigation aid provided in the United Kingdom without complying with such restrictions and procedures as may be notified in relation to that aid.".

(4) In Rule 36(1) in the Table for the entry in Column 2 thereof relating to Birmingham there shall be substituted "(3)(*a*), (*b*) and (*c*)(i).".

(5) For Rule 37 there shall be substituted the following new Rule: —

"*Special Rules for Cross-Channel Air Traffic*

37.—(1) For the purposes of this Rule 'The Cross-Channel Special Rules Area' and 'The Cross-Channel VFR Corridor' comprise the airspaces respectively notified as such.

(2) The commander of an aircraft who intends to fly within the Cross-Channel Special Rules Area 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 intending to pass through the said area, and such particulars of the intended flight as may be necessary for search and rescue purposes.

(3) The commander of an aircraft shall, before the aircraft enters the Cross-Channel Special Rules Area, inform the air traffic control unit serving that part of the said area which the aircraft is about to enter on the notified radio frequency appropriate to the circumstances, of the time, position and level at which the aircraft will enter that area, and when the aircraft leaves the said area, shall inform the air traffic control unit serving the area which the aircraft is leaving, on the said frequency, of the time, position and level at which the aircraft is leaving the said area.

(4) Whilst flying within the Cross-Channel Special Rules Area, 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 said area; and

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

(5) An aircraft flying within the Cross-Channel VFR Corridor shall remain clear of cloud, in sight of the surface and in a flight visibility of not less than three nautical miles.

(6) Paragraphs (3) and (4)(*a*) of this Rule shall not apply to aircraft (other than gliders) which are not equipped with radio capable of operating on the radio frequency therein referred to. Such aircraft shall not fly over any part of the English Channel within the Cross-Channel Special Rules Area except within the Cross-Channel VFR Corridor and in conformity with an air traffic control clearance issued for the flight by the appropriate air traffic control unit.

(7) These special rules shall not apply to any glider which remains at least one nautical mile horizontally and one thousand feet vertically away from cloud, in a flight visibility of at least five nautical miles and outside those parts of the Cross-Channel Special Rules Area between the surface and four thousand five hundred feet above mean sea level which fall within the areas notified for the purposes of this paragraph of this Rule.".

(6) For Rule 49 there shall be substituted the following new Rule: —

"49.—(1) At every aerodrome (other than a Government aerodrome or an aerodrome owned or managed by the Authority) which is an aerodrome in respect of which the Authority has given a direction to the proprietor or person in charge of the aerodrome requiring air traffic control service, aerodrome flight information service or means of two-way radio communication to be provided there, the person in charge of the aerodrome shall cause such a service or such means to be provided at all times when the Authority so directs.

(2) At every aerodrome (other than a Government aerodrome or an aerodrome owned or managed by the Authority) which is provided 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 Authority 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 an 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.".

(7) After Rule 49 there shall be added the following new heading and Rule: —

"*Use of Radio Call Signs at Aerodromes*

50. The person in charge of an aerodrome provided with means of two-way radio communication shall not cause or permit any call sign to be used for a purpose other than a purpose for which that call sign has been notified.".

E. H. Whitaker,

An Assistant Secretary,
Department of Trade.

19th June 1978.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Rules of the Air and Air Traffic Control Regulations 1976, as amended. In addition to minor and drafting amendments the following changes are made:

(1) The commander of an aircraft arriving at or departing from any aerodrome in the United Kingdom must now take all reasonable steps to ensure that notice of the arrival or departure is given to the person in charge of the aerodrome, the air traffic control unit or the aerodrome flight information unit. Hitherto under Rule 35(3) (now revoked) this requirement applied only at an aerodrome having an air traffic control unit. (Regulation 3(1)).

(2) An aircraft may not now move on the manoeuvring area of an aerodrome without the permission of the person in charge of the aerodrome and, where the aerodrome has an air traffic control unit, without the permission of that unit. (Regulation 3(2)).

(3) The requirement to obtain the permission of the person in charge of an aerodrome before flying within the aerodrome traffic zone now applies only to Government aerodromes, Civil Aviation Authority aerodromes, aerodromes licensed under the Air Navigation Order 1976 and any other aerodrome having an air traffic control unit or an aerodrome flight information unit. (Regulation 3(3)).

(4) The commander of an aircraft equipped with radio flying within the aerodrome traffic zone of a Government aerodrome, Civil Aviation Authority aerodrome, aerodrome licensed under the Air Navigation Order 1976 or any other aerodrome having an air traffic control unit or an aerodrome flight information unit must now communicate his position and height to the air traffic control unit or aerodrome flight information unit at the aerodrome on entering the zone and prior to leaving it. (Regulation 3(3)).

(5) The commander of an aircraft may not now make use of any radio navigation aid provided in the United Kingdom without complying with such restrictions and procedures as may be notified in relation to that aid. (Regulation 3(3)).

(6) The geographical delineation of the areas within which the special rules for low-level Cross-Channel air traffic apply will now be notified in the United Kingdom Air Pilot. (Regulation 3(5)).

(7) The Civil Aviation Authority may now give a direction to the person in charge of an aerodrome to provide at the aerodrome air traffic control service, aerodrome flight information service or means of two-way radio communication. Hitherto the Authority could direct that an aerodrome be provided with air traffic control service. (Regulation 3(6)).

(8) The person in charge of an aerodrome provided with means of two-way radio communication may not now cause or permit any call sign to be used for a purpose other than a purpose for which that call sign has been notified. (Regulation 3(7)).

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