THE CIVIL AVIATION (AIR NAVIGATION) REGULATIONS, 1996

STATUTORY INSTRUMENTS

NO. 41 OF 1996

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ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1996, No. 41

Civil Aviation (Air Navigation) Regulations, made by the Minister under section 3 of the Civil Aviation Act Cap. 86.

Short title.

1. These Regulations may be cited as the Civil Aviation (Air Navigation) Regulations 1996.

Interpretation.

2. (1) In these Regulations —

"Aerial work" means any purpose (other than public transport) for which an aircraft is flown if hire or reward is given or promised in respect of the flight or the purpose of the flight;

"Aerial work aircraft" means an aircraft (other than a public transport aircraft) flying, or intended by the operator to fly, for the purpose of aerial work;

"Aerial work undertaking" means an undertaking the business of which includes the performance of aerial work;

"Aerobatic manoeuvres" includes loops, spins, rolls, bunts, stall turns, inverted flying and any other similar manoeuvre;

"Aerodrome" means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically, but shall not include any area the use of which for affording facilities for the landing and departure of aircraft has been abandoned and has not been resumed;

"Aerodrome flight information unit" means a person appointed by the Minister or by any other person maintaining an aerodrome to give information by means of radio signals to aircraft flying or intending to fly within the aerodrome traffic zone of that aerodrome and "aerodrome flight information service" shall be construed accordingly;

"Aerodrome operating minima" in relation to the operation of an aircraft at an aerodrome means the cloud ceiling and runway visual range for take-off, and the decision height, or minimum descent height, runway visual range and visual reference for landing, which are the minima for the operation of that aircraft at that aerodrome;

"aerodrome traffic zone" means the airspace —

(a) which is in the vicinity of an aerodrome which is notified for the purposes of Rule 35 of Schedule 13 of these Regulations; and

(b) which, in relation to such an aerodrome,

(i) at which the length of the longest runway is notified as 1850 metres or less, extends from the surface to a height of 2000 feet above the level of the aerodrome within the area bounded by a circle centred on the notified midpoint of the longest runway and having a radius of 2 nautical miles:

Provided that where such an aerodrome traffic zone would extend less than 1½ nautical miles beyond the end of any runway at the aerodrome and this proviso is notified as being applicable, sub- paragraph (ii) hereof shall apply as though the length of the longest runway is notified as greater than 1850 metres;

(ii) at which the length of the longest runway is notified as greater than 1850 metres, extends from the surface to a height of 2000 feet above the level of the aerodrome within the area bounded by a circle centred on the notified mid-point of the longest runway and having a radius of 2½ nautical miles;

except any part of that airspace which is within the aerodrome traffic zone of another aerodrome which is notified for the purpose of these Regulations as being the controlling aerodrome;

"Aeronautical beacon" means an aeronautical ground light which is visible either continuously or intermittently to designate a particular point on the surface of the earth;

"Aeronautical ground light" means any light specifically provided as an aid to air navigation, other than a light displayed on an aircraft;

"Aeronautical radio station" means a radio station on the surface, which transmits or receives signals for the purpose of assisting aircraft;

"Air traffic control unit" means a person appointed by the Minister or by any other person maintaining an aerodrome or place to give instructions or advice or both instructions and advice by means of radio signals to aircraft in the interests of safety but does not include a person so appointed solely to give information to aircraft, and "air traffic control service" shall be construed accordingly;

"Air transport undertaking" means an undertaking the business of which includes the carriage by air of passengers or cargo for hire or reward;

"Approach to landing" means that portion of the flight of the aircraft, when approaching to land, in which it is descending below a height of 1000 feet above the relevant specified decision height or minimum descent height;

"Appropriate aeronautical radio station" means in relation to an aircraft an aeronautical radio station serving the area in which the aircraft is for the time being;

"Appropriate air traffic control unit" means in relation to an aircraft the air traffic control unit serving the area in which the aircraft is for the time being;

"Authorised person" means any person authorised by the Minister, either generally or in relation to a particular case or class of cases, and references to a person authorised by the Minister include references to the holder for the time being of any office designated by the Minister;

"Cargo" includes mail and animals;

"Certificate of airworthiness" includes any validation thereof and any flight manual, performance schedule or other document, whatever its title, incorporated by reference in that certificate relating to the certificate of airworthiness;

"Certificate of maintenance review" and "certificate of release to service" have the meanings respectively assigned to them by Regulations 9 (1) and 11 (1);

"Cloud ceiling" in relation to an aerodrome means the vertical distance from the elevation of the aerodrome to the lowest part of any cloud visible from the aerodrome which is sufficient to obscure more than one-half of the sky so visible;

"Commander" in relation to an aircraft means the member of the flight crew designated as commander of that aircraft by the operator thereof, or, failing such a person, the person who is for the time being the pilot in command of the aircraft;

"Competent authority" means in relation to the Territory, the Minister, and in relation to any other country the authority responsible under the law of that country for promoting the safety of civil aviation;

"Conditional sale agreement" means an agreement for the sale of goods under which the purchase price or part of it is payable by instalments, and the property in the goods is to remain in the seller (notwithstanding that the buyer is to be in possession of the goods) until such conditions as to the payment of instalments or otherwise as may be specified in the agreement are fulfilled;

"Congested area", in relation to a city, town or settlement, means any area which is substantially used for residential, industrial, commercial or recreational purposes;

"Contracting State" means any State which is a party to the Convention on International Civil Aviation signed at Chicago on the 7th December 1944;

"Controlled airspace" means control areas and control zones;

"Control area" means airspace which has been notified as such and which extends upwards from a notified altitude or flight level;

"Control zone" means airspace which has been notified as such and which extends upwards from the surface;

"Co-pilot" in relation to an aircraft means a pilot who in performing his duties as such is subject to the direction of another pilot carried in the aircraft;

"Crew" means every person employed or engaged in an aircraft in flight on the business of the aircraft;

"Danger area" shall mean airspace which has been notified as such within which activities dangerous to the flight of aircraft may take place or exist at such times as may be notified;

"Decision height" in relation to the operation of an aircraft at an aerodrome means the heightin a precision approach at which a missed approach must be initiated if the required visual reference to continue that approach has not been established;

"Flight" and "to fly" have the meanings respectively assigned to them by paragraph (2) of this Regulation;

"Flight crew" in relation to an aircraft means those members of the crew of the aircraft who respectively undertake to act as pilot, flight navigator, flight engineer and flight radio operator of the aircraft;

"Flight level" means one of a series of levels of equal atmospheric pressure, separated by notified intervals and each expressed as the number of hundreds of feet which would be indicated at that level on a pressure altimeter calibrated in accordance with the International Standard Atmosphere and set to 1013.2 millibars;

"Flight recording system" means a system comprising either a flight data recorder or a cockpit voice recorder or both;

"Flight simulator" means apparatus by means of which flight conditions in an aircraft are simulated on the ground;

"Flight visibility" means the visibility forward from the flight deck of an aircraft in flight;

"Instrument flight rules" means instrument flight rules contained in the Rules of the Air and Air Traffic Control;

"Instrument meteorological conditions" means weather precluding flight in compliance with the Visual Flight Rules;

"To land" in relation to aircraft includes alighting on the water;

"Licence" includes any certificate of competency or certificate of validity issued with the licence or required to be held in connection with the licence by the law of the country in which the licence is granted;

"Licence for public use" has the meaning assigned to it by Regulation 75 (3);

"Licensed aerodrome" means an aerodrome licensed under these Regulations;

"Life jacket" includes any device designed to support a person individually in or on the water;

"Log book" in the case of an aircraft log book, engine log book, variable pitch propeller log book or personal flying log book, includes a record kept either in a book, or by any other means approved by the Minister in the particular case;

"Maximum total weight authorised" in relation to an aircraft means the maximum total weight of the aircraft and its contents at which the aircraft may take off anywhere in the world, in the most favourable circumstances in accordance with the certificate of airworthiness in force in respect of the aircraft;

"Military aircraft" includes the naval, military or air force aircraft of any country;

"Minimum descent height" in relation to the operation of an aircraft at an aerodrome meansthe height in a non-precision approach below which descent may not be made without the required visual reference;

"Minister" means the Minister for the time being responsible for civil aviation and, except for the purpose of making

Regulations, includes the Director of Civil Aviation of the Organisation of Eastern Caribbean States;

"Nautical mile" means the international nautical mile, that is to say, a distance of 1852 metres;

"Night" means the time between half an hour after sunset and half an hour before sunrise, sunset and sunrise being determined at surface level;

"Non-precision approach" means an instrument approach using non-visual aids for guidance in azimuth or elevation but which is not a precision approach;

"Notified" means shown in any of the following publications for the time being in force and issued in the Territory whether before or after the coming into operation of these Regulations, that is to say, "Notams (Notices to Airmen)", "Aeronautical Information Publications (AIP)", or such other official publications so issued for the purpose of enabling any of the provisions of these Regulations to be complied with;

"Operator" has the meaning assigned to it by paragraph (3) of this Regulation;

"Parascending parachute" means a parachute which is towed by cable in such a manner as to cause it to ascend;

"Passenger" means a person other than a member of the crew;

"Pilot in command" in relation to an aircraft means a person who for the time being is in charge of the piloting of the aircraft without being under the direction of any other pilot in the aircraft;

"Precision approach" means an instrument approach using Instrument Landing System, Microwave Landing System or Precision Approach Radar for guidance in both azimuth and elevation;

"Pressurised aircraft" means an aircraft provided with means of maintaining in any compartment a pressure greater than that of the surrounding atmosphere;

"Public transport" has the meaning assigned to it by paragraph (4) of this Regulation;

"Public transport aircraft" means an aircraft flying, or intended by the operator of the aircraft to fly, for the purpose of public transport;

"record" includes, in addition to a record in writing —

(a) any disc, tape, sound-track or other device in which sounds or signals are embodied so as to be capable (with or without the aid of some other instrument) of being reproduced therefrom;

(b) any film, tape or other device in which visual images are embodied so as to be capable (as aforesaid) of being reproduced therefrom; and

(c) any photograph;

and any reference to a copy of a record includes, in the case of a record falling within paragraph *(a)* only of this definition, a transcript of the sounds or signals embodied therein, in the case of a record falling within paragraph *(b)* only of this definition, a still reproduction of the images embodied therein, and in the case of a record falling within both those paragraphs, such a transcript together with such a still reproduction.;

"Replacement" in relation to any part of an aircraft or its equipment includes the removal and replacement of that part whether or not by the same part, and whether or not any work is done on it, but does not include the removal and replacement of a part which is designed to be removable solely for the purpose of enabling another part to be inspected, repaired, removed or replaced or cargo to be loaded.

"Rules of the Air and Air Traffic Control" means the Rules contained in Schedule 13 of these Regulations and any supplementary rules made by the Minister under Regulation 66 (6);

"Runway visual range" in relation to a runway means the distance in the direction of take-off or landing over which the runway lights or surface markings may be seen from the touchdown zone as calculated by either human observation or instruments in the vicinity of the touchdown zone or where

this is not reasonably practicable in the vicinity of the midpoint of the runway; and the distance, if any, communicated to the commander of an aircraft by or on behalf of the person in charge of the aerodrome as being the runway visual range shall be taken to be the runway visual range for the time being;

"Scheduled journey" means one of a series of journeys which are undertaken between the same two places and which together amount to a systematic service;

"Seaplane" includes a flying boat and any other aircraft designed to manoeuvre on water;

"Special VFR flight" means a flight which is a special VFR flight for the purposes of the Rules of the Air and Air Traffic Control;

"The Territory" means and includes the dependencies thereof and the territorial sea of Antigua and Barbuda;

"Visual Flight Rules" means Visual Flight Rules contained in the Rules of the Air and Air Traffic Control;

"Visual meteorological conditions" means weather permitting flight in accordance with the Visual Flight Rules.

(2) An aircraft shall be deemed to be in flight —

(a) in the case of a piloted flying machine, from the moment when, after the embarkation of its crew for the purpose of taking off, it first moves under its own power, until the moment when it next comes to rest after landing;

(b) in the case of a pilotless flying machine or a glider, from the moment when it first moves for the purpose of taking off until the moment when it next comes to rest after landing;

(c) in the case of an airship or free balloon, from the moment when it first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;

and the expressions "a flight" and "to fly" shall be construed accordingly.

(3) References in these Regulations to the operator of an aircraft are, for the purpose of the application of any Regulation in relation to any particular aircraft, references to the person who at the relevant time has the management of that aircraft, and cognate expressions shall be construed accordingly:

Provided that, for the purposes of the application of any provision in Part III of these Regulations, when by virtue of any charter or other agreement for the hire or loan of an aircraft a person other than an air transport undertaking or an aerial work undertaking has the management of that aircraft for a period not exceeding 14 days, the foregoing provisions of this paragraph shall have effect as if that agreement had not been, entered into.

(4) *(a)* An aircraft in flight shall be deemed to fly for the purpose of public transport —

(i) if hire or reward is given or promised for the carriage of passengers or cargo in the aircraft on that flight; or

(ii) if any passengers or cargo are carried gratuitously in the aircraft on that flight by an air transport undertaking, not being persons in the employment of the undertaking (including, in the case of a body corporate, its directors), persons with the authority of the Minister either making any inspection or witnessing any training, practice or test for the purposes of these Regulations or cargo intended to be used by any such passengers as aforesaid, or by the undertaking; or

(iii) for the purposes of Part III of these Regulations, if hire or reward is given or promised for the right to fly the aircraft on that flight (not being a single-seater aircraft of which the maximum total weight authorised does not exceed 910 kg. and in respect of which a certificate of airworthiness of the Special Category is in force) otherwise than under a hire-purchase or conditional sale agreement;

And the expression "public transport of passengers" shall be construed accordingly: Provided that, notwithstanding that an aircraft may be flying for the purpose of public transport by reason of Regulation 2 (4) *(a)* (iii) it shall not be deemed to be flying for the purpose of the public transport of passengers unless hire or reward is given for the carriage of those passengers.

Provided also that a glider shall not be deemed to fly for the purpose of public transport for the purposes of Part III of these Regulations by virtue of paragraph (4) *(a)* (iii) of this Regulation if the hire or reward given or promised for the primary purpose of conferring on a particular person the right to fly the glider on that flight is given or promised by a member of a flying club and the glider is owned or operated by that flying club.

(b) Where under a transaction effected by or on behalf of a member of an association of persons on the one hand and the association of persons or any member thereof on the other hand, a person is carried in, or is given the right to fly, an aircraft in such circumstances that hire or reward would be given or promised if the transaction were effected otherwise than aforesaid, hire or reward shall, for the purposes of these Regulations, be deemed to have been given or promised, notwithstanding any rule of law as to such transactions.

(5) The expressions appearing in the "General Classification of Aircraft" set forth in Part A of Schedule 2 to these Regulations shall have the meanings thereby assigned to them.

PART 1

REGISTRATION AND MARKING OF AIRCRAFT

Aircraft to be registered.

3. (1) An aircraft shall not fly in or over the Territory unless it is registered in:

(a) the Territory; or

(b) a Commonwealth Country; or

(c) a Contracting State; or

(d) some other country in relation to which there is in force an agreement between the Government of the Territory and the Government of that country that makes provision for the flight over the Territory of aircraft registered in that country:

Provided that:

(i) a glider may fly unregistered, and shall be deemed to be registered in the Territory for the purposes of Regulations 13, 14, 19 and 32, on any flight which :

(a) begins and ends in the Territory without passing over any other country, and

(b) is not for the purpose of public transport or aerial work other than aerial work which consists of the giving of instruction in flying or the conducting of flying tests in a glider owned or operated by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members;

(ii) any aircraft may fly unregistered on any flight which;

(a) begins and ends in the Territory without passing over any other country, and

(b) is in accordance with the "B Conditions" set forth in schedule 1 to these Regulations;

(iii) this paragraph shall not apply to any kite or captive balloon.

(2) If an aircraft flies over the Territory in contravention of paragraph (1) of this Regulation in such manner or circumstances that if the aircraft had been registered in the Territory an offence against these Regulations would have been committed, the like offence shall be deemed to have been committed in respect of that aircraft.

Registration of aircraft in the Territory.

4. (1) The Minister shall be the authority for the registration of aircraft in the Territory. He may cause a register to be kept and may record therein the particulars specified in paragraph (7) of this Regulation in either a legible or a non-legible form, as long as the recording is capable of being reproduced in a legible form.

(2) An aircraft shall not be registered or continue to be registered in the Territory if it appears to the Minister that:

(a) the aircraft is registered outside the Territory and that such registration does notcease by operation of law upon the aircraft being registered in the Territory; or

(b) an unqualified person holds any legal or beneficial interest by way of ownership in the aircraft or any share therein; or

(c) the aircraft could more suitable be registered in some other part of the Commonwealth; or

(d) it would be inexpedient in the public interest for the aircraft to be or to continue to be registered in the Territory.

(3) The following persons and no others shall be qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in the Territory or a share therein:

(a) the Government of the Territory;

(b) citizens of the Territory;

(c) bodies incorporated in some part of the Commonwealth or a Contracting State and having their principal place of business in any part of the Commonwealth or Contracting State.

(4) If an unqualified person residing or having a place of business in the Territory holds a legal or beneficial interest by way of ownership in an aircraft, or a share therein, the Minister, upon being satisfied that the aircraft may otherwise be properly so registered, may register the aircraft in the Territory. The person aforesaid shall not cause or permit the aircraft, while it is registered in pursuance of this paragraph, to be used for the purpose of public transport or aerial work.

(5) If an aircraft is chartered by demise to a person qualified as aforesaid the Minister may, whether or not an unqualified person is entitled as owner to a legal or beneficial interest therein, register the aircraft in the Territory in the name of the charterer upon being satisfied that the aircraft may otherwise be properly so registered, and subject to the provisions of this Regulation the aircraft may remain so registered during the continuation of the charter.

(6) Application for the registration of an aircraft in the Territory shall be made in writing to the Minister, and shall include or be accompanied by such particulars and evidence relating to the aircraft and the ownership and chartering thereof as he may require to enable him to determine whether the aircraft may properly be registered in the Territory and to issue the certificate referred to in paragraph (8) of this Regulation. In particular, the application shall include the proper description of the aircraft according to column 4 of the "General Classification of Aircraft" set forth in Part A of Schedule 1 to these Regulations.

(7) Upon receiving an application for the registration of an aircraft in the Territory and being satisfied that the aircraft may properly be so registered, the Minister shall register the aircraft, wherever it may be, and shall include in the register the following particulars:

(a) the number of the certificate;

(b) the nationality mark of the aircraft, and the registration mark assigned to it by the Minister;

(c) the name of the constructor of the aircraft and its designation;

(d) the serial number of the aircraft;

(e) (i) the name and address of every person who is entitled as owner to a legal interest in the aircraft or a share therein, or, in the case of an aircraft which is the subject of a charter by demise the name and address of the charterer by demise; and

(ii) in the case of an aircraft registered in pursuance of paragraph (4) or (5) of this Regulation , an indication that it is so registered.

(8) The Minister shall furnish to the person in whose name the aircraft is registered (hereinafter in this Regulation referred to as "the registered owner") a certificate of registration, which shall include the foregoing particulars and the date on which the certifi cate was issued:

Provided that the Minister shall not be required to furnish a certificate of registration if the registered owner is the holder of an aircraft dealer's certificate granted under these Regulations who has made to the Minister and has not withdrawn a statement of his intention that the aircraft is to fly only in accordance with the conditions set forth in Part C of Schedule 2 to these Regulations, and in that case the aircraft shall fly only in accordance with those conditions.

(9) The Minister may grant to any person qualified as aforesaid, an aircraft dealer's certificate if he is satisfied that he has a place of business in the Territory for buying and selling aircraft.

(10) Subject to paragraph (4) and (5) of this Regulation, if at any time after an aircraft has been registered in the Territory an unqualified person becomes entitled to a legal or beneficial interest by way of ownership in the aircraft or a share therein, the registration of the aircraft shall thereupon become void and the certificate of registration shall forthwith be returned by the registered owner to the Minister.

(11) Any person who is the registered owner of an aircraft registered in the Territory shall forthwith inform the Minister in writing of:

(a) any change in the particulars which were furnished to the Minister upon application being made for the registration of the aircraft;

(b) the destruction of the aircraft, or its permanent withdrawal from use;

(c) in the case of an aircraft registered in pursuance of paragraph (5) of this Regulation, the termination of the demise charter.

(12) Any person who becomes the owner of an aircraft registered in the Territory shall within 28 days inform the Minister in writing to that effect.

(13) The Minister may, whenever it appears to him necessary or appropriate to do so for giving effect to this Part of these Regulations or for bringing up to date or otherwise correcting the particulars entered on the register, amend the register or, if he thinks fit, may cancel the registration of the aircraft, and shall cancel that registration within two months of being satisfied that there has been a change in the ownership of the aircraft.

(14) The Minister may, by Regulations, adapt or modify the foregoing provisions of this Regulation as he deems necessary or expedient for the purpose of providing for the temporary transfer of aircraft to or from the register of the Territory either generally or in relation to a particular case or class of cases.

(15) In this Regulation references to an interest in an aircraft do not include references to an interest in an aircraft to which a person is entitled only by virtue of his membership of a flying club and the reference in paragraph 4.(ii) or paragraph (iii) of this Regulation to the registeredowner of an aircraft includes in the case of a deceased person, his legal personal representative, and in the case of a body corporate which has been dissolved, its successor.

(16) Nothing in this Regulation shall require the Minister to cancel the registration of an aircraft if in his opinion it would be inexpedient in the public interest to do so.

Nationality and registration marks.

5. (1) An aircraft (other than an aircraft permitted by or under these Regulations to fly without being registered) shall not fly unless it bears painted thereon or affixed thereto, in the manner required by the law of the country in which it is registered, the nationality and registration marks required by that law.

(2) The marks to be borne by aircraft registered in the Territory shall comply with Part B of Schedule 2 to these Regulations.

(3) An aircraft shall not bear any marks which purport to indicate:

(a) that the aircraft is registered in a country in which it is not in fact registered; or

(b) that the aircraft is a State aircraft of a particular country if it is not in fact such an aircraft, unless the appropriate authority of that country has sanctioned the bearing of such marks.

PART II

AIR OPERATORS' CERTIFICATES

Issue of air operator's certificates.

6.(1) An aircraft registered in the Territory shall not fly on any flight for the purpose of public transport, otherwise than under and in accordance with the terms of an air operator's certificate granted to the operator of the aircraft under paragraph (2) of this Regulation , certifying that the holder of the certificate is competent to secure that aircraft operated by him on such flights as that in question are operated safely.

(2) The Minister may grant any person applying therefor an air operator's certificate if he is satisfied that that person is competent, having regard in particular to his previous conduct and experience, his equipment, organisation, staffing, maintenance and other arrangements, to secure the safe operation of aircraft of the types specified in the certificate on flights of the description and for the purposes so specified. The certificate may be granted subject to such conditions as the Minister thinks fit and shall, subject to the provi sions of Regulation 63, remain in force for the period specified in the certificate.

PART III

AIRWORTHINESS AND EQUIPMENT OF AIRCRAFT

Certificate of airworthiness to be in force.

7. (1) An aircraft shall not fly unless there is in force in respect thereof a certificate of airworthiness duly issued or rendered valid under the law of the country in which the aircraft is registered, and any conditions subject to which the certificate was issued or rendered valid are complied with:

Provided that the foregoing prohibition shall not apply to flights, beginning and ending in theTerritory without passing over any other country, of :

(a) a glider, if it is not being used for the public transport of passengers or aerial work other than aerial work which consists of giving of instruction in flying or the conducting of flying tests in a glider owned or operated by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members;

(b) a balloon, if it is not being used for the public transport of passengers;

(c) a kite;

(d) an aircraft flying in accordance with the "A Conditions" or the "B Conditions" set forth in Schedule 1 to these Regulations;

(e) an aircraft flying in accordance with the conditions of a permit to fly issued by the Minister in respect of that aircraft.

(2) In the case of an aircraft registered in the Territory the certificate of airworthiness referred to in paragraph (1) of this Regulation shall be a certificate issued or rendered valid in accordance with the provisions of Regulation 8.

Issue,renewal, etc., of certificates of airworthiness.

8. (1) The Minister shall issue in respect of any aircraft a certificate of airworthiness if he satisfied that the aircraft is fit to fly having regard to:

(a) the design, construction, workmanship and materials of the aircraft (including in particular any engines fitted therein), and of any equipment carried in the aircraft which he considers necessary for the airworthiness of the aircraft; and

(b) the results of flying trials, and such other tests of the aircraft as he may require:

Provided that, if the Minister has issued a certificate of airworthiness in respect of an aircraft which, in his opinion, is a prototype aircraft or a modification of a prototype aircraft, he may dispense with flying trials in the case of any other aircraft if he is satisfied that it conforms to such prototype or modification.

(2) Every certificate of airworthiness shall specify such categories as are, in the opinion of the Minister, appropriate to the aircraft in accordance with Schedule 3 to these Regulations and the certificate shall be issued subject to the condition that the aircraft shall be flown only for the purposes indicated in the said Schedule in relation to those categories.

(3) The Minister may issue the certificate of airworthiness subject to such other conditions relating to the airworthiness of the aircraft as he thinks fit.

(4) The certificate of airworthiness may designate the performance group to which the aircraft belongs for the purposes of the requirements referred to in Regulation 29 (1).

(5) The Minister may, subject to such conditions as he thinks fit, issue a certificate of validation rendering valid for the purposes of these Regulations a certificate of airworthiness issued in respect of any aircraft under the law of any country other than the Territory.

(6) Subject to the provisions of this Regulation and of Regulation 63, a certificate ofairworthiness or validation issued under this Regulation shall remain in force for such period as may be specified therein, and may be renewed from time to time by the Minister for such further period as he thinks fit.

(7) A certificate of airworthiness or a certificate of validation issued in respect of an aircraft shall cease to be in force :

(a) if the aircraft, or such of its equipment as is necessary for the airworthiness of the aircraft is overhauled, repaired or modified, or if any part of the aircraft or of such equipment is removed or is replaced, otherwise than in a manner and with material of a type approved by the Minister either generally or in relation to a class of aircraft or to the particular aircraft; or

(b) until the completion of any inspection of the aircraft or of any such equipment as aforesaid, being an inspection made for the purpose of ascertaining whether the aircraft remains airworthy and

(i) classified as mandatory by the Minister; or

(ii) required by a maintenance schedule approved by the Minister in relation to that aircraft; or

(c) until the completion to the satisfaction of the Minister of any modification of the aircraft or of any such equipment as aforesaid, being a modification required by the Minister for the purpose of ensuring that the aircraft remains airworthy.

(8) Without prejudice to any other provision of these Regulations the Minister may, for the purposes of this Regulation, accept reports

furnished to him by a person whom he may approve, either absolutely or subject to such conditions as he thinks fit, as qualified to furnish such reports.

Certificate of maintenance review.

9. (1) An aircraft registered in the Territory in respect of which a certificate of airworthiness in either the transport or in the aerial work category is in force shall not fly unless:

(a) the aircraft (including in particular its engines), together with its equipment and radio station, is maintained in accordance with a maintenance schedule approved by the Minister in relation to that aircraft;

(b) there is in force a certificate (in these Regulations referred to as a "certificate of maintenance review") issued in respect of the aircraft in accordance with the provisions of this Regulation and such certificate shall certify the date on which the maintenance review was carried out and the date thereafter when the next review is due.

(2) The approved maintenance schedule referred to in paragraph (1) of this Regulation shall specify the occasions on which a review must be carried out for the purpose of issuing a certificate of maintenance review.

(3) A certificate of maintenance review may be issued for the purposes of this Regulation only by:

(a) the holder of an aircraft maintenance engineer's licence :

(i) granted under these Regulations being a licence which entitles him to issue thatcertificate, or

(ii) granted under the law of a country other than the Territory and rendered valid under these Regulations in accordance with the privileges endorsed on the licence, or

(iii) granted under the law of any country specified in Paragraph 13 in Schedule 14 to these Regulations in accordance with the privileges endorsed on the licence and

subject to any conditions which may be prescribed, or

(b) a person whom the Minister has authorised to issue a certificate of maintenance review in a particular case, and in accordance with that authority; or

(c) a person approved by the Minister as being competent to issue such certificates, and in accordance with that approval:

Provided that, in approving a maintenance schedule, the Minister may direct that certificates of maintenance review relating to that schedule, or to any part thereof specified in its direction, may be issued only by the holder of such a licence as is so specified.

(4) A person referred to in paragraph (3) of this Regulation shall not issue a certificate of maintenance review unless he has first verified that:

(a) maintenance has been carried out on the aircraft in accordance with the maintenance schedule approved for that aircraft; and

(b) inspections and modifications required by the Minister as provided in Regulation 8 have been completed as certified in the relevant certificate of release to service issued in accordance with Regulation 11; and

(c) defects entered in the technical log of the aircraft in accordance with Regulation 10 have been rectified or the rectification thereof has been deferred in accordance with procedures approved by the Minister; and

(d) certificates of release to service have been issued in accordance with Regulation 11;

and for this purpose the operator of the aircraft shall make available to that person such information as is necessary.

(5) A certificate of maintenance review shall be issued in duplicate. One copy of the most recently issued certificate shall be carried in the aircraft when Regulation 58 so requires, and the other shall be kept by the operator elsewhere than in the aircraft.

(6) Subject to the provisions of Regulation 62, each certificate of maintenance review shall be preserved by the operator of the aircraft for a period of two years after it has been issued.

Technical log.

10. (1) A technical log shall be kept in respect of an aircraft registered in the Territory being an aircraft in respect of which a certificate of airworthiness in either the transport or in the aerial work category is in force.

(2) At the end of every flight by an aircraft to which the provisions of this Regulation apply the commander of the aircraft shall enter:

(a) the times when the aircraft took off and landed; and

(b) particulars of any defect which is known to him and which affects the airworthiness or safe operation of the aircraft, or if no such defect is known to him, an entry to that effect; and

(c) such other particulars in respect of the airworthiness or operation of the aircraft as the Minister may require;

in a technical log, or, in the case of an aircraft of which the maximum total weight authorised does not exceed 2,730 kg. and which is not operated by a person who is the holder of or is required by Regulation 6(1) to hold an air operator's certificate, in such other record as the Minister shall approve and he shall sign and date such entries:

Provided that in the case of a number of consecutive flights each of which begins and ends:

(i) within the same period of 24 hours; and

(ii) at the same aerodrome, except where each such flight is for the purpose of dropping or projecting any material for agricultural, public health or similar purposes; and

(iii) with the same person as commander of the aircraft

the commander of an aircraft may, except where he becomes aware of a defect during an earlier flight, make the entries as aforesaid in a technical log at the end of the last of such consecutive flights.

(3) Upon the rectification of any defect which has been entered in a technical log in accordance with paragraph (2) of this Regulation, a person issuing a certificate of release to service required by Regulation 11 in respect of that defect shall enter the certificate in the technical log in such a position as to be readily identifiable with the defect to which it relates.

(4) The technical log referred to in this Regulation shall be carried in the aircraft when Regulation 58 so requires and copies of the entries referred to in this Regulation shall be kept on the ground:

Provided that, in the case of an aeroplane of which the maximum total weight authorised does not exceed 2,730 kg. or a helicopter, if it is not reasonably practicable for the copy of the technical log to be kept on the ground it may be carried in the aeroplane or helicopter, as the case may be, in a box approved by the Minister for that purpose.

Inspection, overhaul, repair, replace-ment and modification.

11. (1) Except as provided in paragraph (2) of this Regulation an aircraft registered in the Territory, being an aircraft in respect of which a certificate of airworthiness issued or rendered valid under and these Regulations is in force, shall not fly unless there is in force a certificate (in these Regulations referred to as "a certificate of release to service") issued in accordance with this Regulation if the aircraft or any part of the aircraft or such of its equipment as is necessary for the airworthiness of the aircraft has been overhauled, repaired, replaced, modified, maintained, or has been inspected as provided in Regulation 8 (7) (b), as the case may be:

Provided that if a repair or replacement of a part of an aircraft or its equipment is carried out when the aircraft is at such a place that it is not reasonably practicable :

(a) for the repair or replacement to be carried out in such a manner that a certificate of release to service can be issued under this Regulation in respect thereof; or

(b) for such certificate to be issued while the aircraft is at that place, it may fly to a place at which such certificate can be issued, being the nearest place:

(i) to which the aircraft can, in the reasonable opinion of the commander thereof, safely fly by a route for which it is properly equipped; and

(ii) to which it is reasonable to fly having regard to any hazards to the liberty or health of any person on board;

and in such case the commander of the aircraft shall cause written particulars of the flight, and the reasons for making it, to be given to the Minister within ten days thereafter.

(2) Nothing in paragraph (1) of this Regulation shall require a certificate of release to service to be in force in respect of an aircraft of which the maximum total weight authorised does not exceed 2,730 kg. and in respect of which a certificate of airworthiness of the special category is in force, unless the Minister gives a direction to the contrary in a particular case.

(3) Nothing in paragraph (1) of this Regulation shall prevent an aircraft in respect of which there is in force a certificate of airworthiness in the private or special categories and whose maximum total weight authorised does not exceed 2,730 kg. from flying if the only repairs or replacements in respect of which a certificate of release to service is not in force are of such a description as are specified in Paragraph 15 in Schedule 14 to these Regulations and have been carried out personally by the owner or operator of the aircraft being the holder of a pilot's licence granted or rendered valid under these Regulations. In that event the owner or operator, as the case may be, of the aircraft, shall keep in the aircraft log book kept in respect of the aircraft pursuant to Regulation 15 a record which identifies the repair or replacement and shall sign and date the entries and, subject to the provisions of Regulation 62, shall preserve the log book for the period specified in Regulation 15. Any equipment or parts used in carrying out such repairs or replacements shall be of a type approved by the Minister whether generally or in relation to a class of aircraft or one particular aircraft.

(4) Neither —

(a) equipment provided in compliance with Schedule 4 to these Regulations (except paragraph (3) thereof); nor

(b) radio apparatus provided for use in an aircraft or in any survival craft carried in an aircraft, whether or not such apparatus is provided in compliance with these Regulations,

shall be installed or placed on board for use in an aircraft registered in the Territory after being overhauled, repaired, modified or

inspected, unless there is in force in respect thereof at the time when it is installed or placed on board a certificate of release to service issued in accordance with this Regulation.

(5) A certificate of release to service shall:

(a) certify that the aircraft or any part thereof or its equipment has been overhauled, repaired, replaced, modified or maintained, as the case may be, in a manner and with material of a type approved by the Minister either generally or in relation to a class of aircraft or the particular aircraft and shall identify the overhaul, repair, replacement, modification or maintenance to which the certificate relates and shall include particulars of the work done;

(b) certify in relation to any inspection required by the Minister that the aircraft or the part thereof or its equipment, as the case may be, has been inspected in accordance with the requirements of the Minister and that any consequential repair, replacement or modification has been carried out as aforesaid.

(6) A certificate of release to service may be issued for the purposes of this Regulation only by —

(a) the holder of an aircraft maintenance engineer's licence:

(i) granted under these Regulations, being a licence which entitles him to issue that certificate; or

(ii) granted under the law of a country other than the Territory and rendered valid under these Regulations, in accordance with the privileges endorsed on the licence; or

(iii) granted under the law of any such country specified in Paragraph 13 of Schedule 14 to these Regulations in accordance with the privileges endorsed on the licence and subject to any conditions which may be prescribed; or

(b) the holder of an aircraft maintenance engineer's licence or authorisation as such an engineer granted or issued by or under the law of any Contracting State other than the Territory in which the overhaul, repair, replacement, modification or inspection has been carried out, but only in respect of aircraft of which the maximum total weight authorised does not exceed 2,730 kg. and in accordance with the privileges endorsed on the licence; or

(c) a person approved by the Minister as being competent to issue such certification, and in accordance with that approval; or

(d) a person whom the Minister has authorised to issue the certificate in a particular case, and in accordance with that authority; or

(e) in relation only to the adjustment and compensation of direct reading magnetic compasses, the holder of an Airline Transport Pilot's Licence (Aeroplanes), a Senior Commercial Pilot's Licence (Aeroplanes) or a Flight Navigator's Licence granted or rendered valid under these Regulations.

(7) Subject to the provisions of Regulation 62, a certificate of release to service shall be preserved by the operator of the aircraft to which it relates for the period of time for which he is required to preserve the log book relating to the same part of the aircraft or to the same equipment or apparatus, as the case may be.

(8) In this Regulation, the expression "repair" includes in relation to a compass the adjustment and compensation thereof and the expression "repaired" shall be construed accordingly.

Licensing of maintenance engineers.

12. (1) The Minister shall grant aircraft maintenance engineers' licences, subject to such conditions as he thinks fit, upon his being satisfied that the applicant is a fit person to hold the licence and has furnished such evidence and passed such examinations and tests as the Minister may require of him for the purpose of establishing that he has sufficient knowledge, experience, competence and skill in aeronautical engineering.

(2) An aircraft maintenance engineer's licence shall authorise the holder, subject to such conditions as may be specified in the licence, to issue :

(a) certificates of maintenance review in respect of such aircraft as may be so specified;

(b) certificates of release to service in respect of such overhauls, repairs, replacements, modifications, maintenance and inspections of such aircraft and such equipment as may be so specified; or

(c) certificates of fitness for flight under the "A Conditions" in respect of such aircraft as may be so specified.

(3) A licence shall, subject to the provisions of Regulation 63, remain in force for the period specified therein, not exceeding 5 years, but may be renewed by the Minister from time to time upon his being satisfied that the applicant is a fit person and is qualified as aforesaid.

(4) The Minister may issue a certificate rendering valid for the purposes of these Regulations any licence as an aircraft maintenance engineer granted under the law of any country other than the Territory. Such certificate may be issued subject to such conditions, and for such period, as the Minister thinks fit.

(5) Upon receiving a licence granted under this Regulation, the holder shall forthwith sign his name thereon in ink with his ordinary signature.

(6) Without prejudice to any other provision of these Regulations the Minister may, for the purpose of this Regulation, either absolutely or subject to such conditions as he thinks fit:-

(a) approve any course of training or instruction;

(b) authorise a person to conduct such examinations or tests as he may specify;

(c) approve a person to provide or conduct any course of training or instruction; and

(d) approve a person as qualified to furnish reports to him and to accept such reports.

Equipment of aircraft.

13. (1) An aircraft shall not fly unless it is so equipped as to comply with the law of the country in which it is registered, and to enable lights and markings to be displayed, and signals to be made, in accordance with these Regulations.

(2) In the case of aircraft registered in the Territory the equipment required to be provided (in addition to any other equipment required by or under these Regulations) shall be that specified in such parts of Schedule 4 to these Regulations as are applicable in the circumstances and shall comply with the provisions of that Schedule. The equipment, except that specified in paragraph 3 of the said Schedule, shall be of a type approved by the Minister either generally or in relation to a class of aircraft or in relation to that aircraft and shall be installed in a manner so approved.

(3) In any particular case the Minister may direct that an aircraft registered in the Territory shall carry such additional or special equipment or supplies as he may specify for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations, or the survival of the persons carried in the aircraft.

(4) The equipment carried in compliance with this Regulation shall be so installed or stowed and kept stowed, and so maintained and adjusted , as to be readily accessible and capable of being used by the person for whose use it is intended.

(5) The position of equipment provided for emergency use shall be indicated by clear markings in or on the aircraft. In particular in every public transport aircraft registered in the Territory there shall be :

(a) provided individually for each passenger; or

(b) if the Minister so permits in writing, exhibited in a prominent position in every passenger compartment —

a notice relevant to the aircraft in question containing pictorial:

(i) instructions on the brace position to be adopted in the event of an emergency landing;

(ii) instructions on the method of use of the safety belts and safety harnesses as appropriate;

(iii) information as to where emergency exits are to be found and instructions as to how they are to be used;

(iv) information as to where the life-jackets, escape slides, life-rafts and oxygen masks, if required to be provided by paragraph (2) of this Regulation are to be found and instructions as to how they are to be used.

(6) All equipment installed or carried in an aircraft, whether or not in compliance with this Regulation, shall be so installed or stowed and kept stowed and so maintained and adjusted as not to be a source of danger in itself or to impair the airworthiness of the aircraft or the proper functioning of any equipment or services necessary for the safety of the aircraft.

(7) Without prejudice to paragraph (2) of this Regulation, all navigational equipment (other than radio apparatus) of any of the following types, namely:

(a) equipment capable of establishing the aircraft's position in relation to its position at some earlier time by computing and applying the resultant of the acceleration and gravitational forces acting upon it, and

(b) equipment capable of establishing automatically the altitude and relative bearing of selected celestial bodies,

when carried in an aircraft registered in the Territory (whether or not in compliance with these Regulations) shall be of a type approved by the Minister either generally or in relation to a class of aircraft or in relation to that aircraft and shall be installed in a manner so approved.

(8) This Regulation shall not apply in relation to radio apparatus except that specified in Schedule 4 to these Regulations.

Radio equipment of aircraft.

14. (1) An aircraft shall not fly unless it is so equipped with radio and radio navigation equipment as to comply with the law of the country in which the aircraft is registered and to enable communications to be made and the aircraft to be navigated, in accordance with the provisions of these Regulations including in particular, Schedule 14 hereto.

(2) Without prejudice to paragraph (1), of this Regulation the aircraft shall be equipped with radio equipment in accordance with Schedule 5 to these Regulations.

(3) In any particular case the Minister may direct that an aircraft registered in the Territory shall carry such additional or special radio or radio navigation equipment as he may specify for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations or the survival of the persons carried in the aircraft.

(4) Subject to such exceptions as may be prescribed in the radio and radio navigation equipment provided in compliance with this Regulation in an aircraft registered in the Territory shall always be maintained in serviceable condition.

(5) All radio and radio navigation equipment installed in an aircraft registered in the Territory or carried on such an aircraft for use in connection with the aircraft (whether or not in compliance with these Regulations), shall be of a type approved by the Minister in relation to the purpose for which it is to be used, and shall, except in the case of a glider which is permitted by Regulation 3 (1) to fly unregistered, be installed in a manner approved by the Minister. Neither the equipment nor the manner in which it is installed shall be modified except with the approval of the Minister.

Aircraft, engine and propeller log books.

15. (1) In addition to any other log books required by or under these Regulations, the following log books shall be kept in respect of every aircraft registered in the Territory —

(a) an aircraft log book; and

(b) a separate log book in respect of each engine fitted in the aircraft; and

(c) a separate log book in respect of each variable pitch propeller fitted to the aircraft.

The log books shall include the particulars respectively specified in Schedule 6 to these Regulations, and in the case of an aircraft having a maximum total weight authorised not exceeding 2,730 kg. shall be of a type approved by the Minister.

(2) *(a)* Each entry in the log book, other than such an entry as is referred to in paragraphs 2 *(d)* (ii) or 3 *(d)* (ii) of Schedule 6 to these Regulations, shall be made as soon as practicable after the occurrence to which it relates, but in no event more than 7 days after the expiration of the certificate of maintenance review (if any) in force in respect of the aircraft at the time of the occurrence;

(b) Each entry in the log book, being such an entry as is referred to in paragraphs 2 *(d)* (ii) or 3 *(d)* (ii) of Schedule 6 to these Regulations shall be made upon each occasion that any maintenance, overhaul, repair, replacement, modification or inspection is undertaken on the engine or propeller as the case may be.

(3) Entries in a log book may refer to other documents, which shall be clearly identified, and any other documents so referred to shall be deemed, for the purposes of these Regulations to be part of the log book.

(4) It shall be the duty of the operator of every aircraft in respect of which log books are required to be kept as aforesaid to keep them or cause them to be kept in accordance with the foregoing provisions of this Regulation.

(5) Subject to the provisions of Regulation 62 every log book shall be preserved by the operator of the aircraft until a date two years after the aircraft, the engine or the variable pitch propeller, as the case may be, has been destroyed or has been permanently withdrawn from use.

Aircraft weight schedule.

16. (1) Every flying machine and glider in respect of which a certificate of airworthiness issued or rendered valid under these Regulations is in force shall be weighed, and the position of its centre of gravity determined, at such times and in such manner as the Minister may require or approve in the case of that aircraft.

(2) Upon the aircraft being weighed as aforesaid the operator of the aircraft shall prepare a weight schedule showing :

(a) either the basic weight of the aircraft, that is to say, the weight of the aircraft empty together with the weight of unusable fuel and unusable oil in the aircraft and of such items of equipment as are indicated in the weight schedule, or such other weight as may be approved by the Minister in the case of that aircraft; and

(b) either the position of the centre of gravity of the aircraft when the aircraft contains only the items included in the basic weight or such other position of the centre of gravity as may be approved by the Minister in the case of that aircraft.

(3) Subject to the provisions of Regulation 62 the weight schedule shall be preserved by the operator of the aircraft until the expiration of a period of 6 months following the next occasion on which the aircraft is weighed for the purposes of this Regulation.

Access and inspection for airworthiness purposes.

17. The Minister may cause such inspections, investigations, tests, experiments and flight trials to be made as he deems necessary for the purposes of this Part and any person authorised to do so in writing by the Minister may at any reasonable time inspect any part of, or material intended to be incorporated in or used in the manufacture of any part of, an aircraft or its equipment or any documents relating thereto and may for that purpose go upon an aerodrome or enter any aircraft factory.

PART IV

AIRCRAFT CREW AND LICENSING

Composition of crew of aircraft.

18. (1) An aircraft shall not fly unless it carries a flight crew of the number and description required by the law of the country in which it is registered.

(2) An aircraft registered in the Territory shall carry a flight crew adequate in number and description to ensure the safety of the aircraft and of at least the number and description specified in the certificate of airworthiness issued or rendered valid under these Regulations or, if no certificate of airworthiness is required under these Regulations to be in force, the certificate of airworthiness, if any, last in force under these Regulations in respect of that aircraft.

(3) *(a)* A flying machine registered in the Territory and flying for the purpose of public transport, having a maximum total weight authorised exceeding 5,700 kg., shall carry not less than two pilots as members of the flight crew thereof.

(b) On and after 1st January 1992, an aeroplane registered in the Territory and flying for the purpose of public transport in circumstances where the aircraft commander is required to comply with Instrument Flight Rules and having a maximum total weight authorised of 5700 kg, or less and powered by —

(i) one or more turbine jets;

(ii) one or more turbine propeller engines and provided with a means of pressurising the personnel compartments;

(iii) two or more turbine propeller engines and certificated to carry more than nine passengers;

(iv) two or more turbine propeller engines and certificated to carry fewer than ten passengers and not provided with a means of pressurising personnel compartments unless it is equipped with an autopilot which has been approved by the Minister for the purposes of this Regulation and which is serviceable on take-off; or

(v) two or more piston engines, unless it is equipped with an autopilot which has been approved by the Minister for the purposes of this Regulation and which is serviceable on take-off; shall carry not less than two pilots as members of the flight crew thereof;

Provided that an aeroplane powered by two or more turbine propeller engines and certificated to carry fewer than ten passengers or an aeroplane powered by two or more piston engines and equipped with an appropriate autopilot shall not be required to carry two pilots notwithstanding that before take-off the approved autopilot is found to be unserviceable if the aeroplane flies in accordance with arrangements approved by the Minister.

(4) An aircraft registered in the Territory engaged on a flight for the purpose of public transport shall carry :

(a) a flight navigator as a member of the flight crew; or

(b) navigational equipment approved by the Minister and used in accordance with any conditions subject to which that approval may have been given,

if on the route or any diversion therefrom, being a route or diversion planned before take-off, the aircraft is intended to be more than 500 nautical miles from the point of take-off measured along the route to be flown, and to pass over part of an area specified in Schedule

7 to these Regulations. The flight navigator carried in compliance with this Regulation shall be carried in addition to any person who is carried in accordance with this Regulation to perform other duties.

(5) An aircraft registered in the Territory which is required by the provisions of Regulation 14 to be equipped with radio communication apparatus shall carry a flight radio operator as a member of the flight crew, who, if he is required to operate radiotelegraph apparatus, shall be carried in addition to any other person who is carried in accordance with this Regulation to perform other duties.

(6) If it appears to him to be expedient to do so in the interests of safety, the Minister may direct any particular operator of any aircraft registered in the Territory that the aircraft operatedby him or any such aircraft shall not fly in such circumstances as the Minister may specify unless those aircraft carry in addition to the flight crew required to be carried therein by the foregoing provisions of this Regulation such additional persons as members of the flight crew as he may specify in the direction.

(7) *(a)* This paragraph applies to any flight for the purpose of public transport by an aircraft registered in the Territory:

(i) on which is carried twenty or more passengers; or

(ii) which may in accordance with its certificate of airworthiness carry more than thirty-five passengers and on which at least one passenger is carried.

(b) The crew of an aircraft on a flight to which this paragraph applies shall include cabin attendants carried for the purposes of performing in the interests of the safety of passengers, duties to be assigned by the operator or the commander of the aircraft but who shall not act as members of the flight crew.

(c) On a flight to which this paragraph applies, there shall be carried not less than one cabin attendant for every fifty, or fraction of fifty passenger seats installed in the aircraft:

Provided that the number of cabin attendants calculated in accordance with this paragraph need not be carried where the Minister has granted written permission to the operator to carry a lesser number on that flight and the operator carries the number specified in that permission and complies with any other terms and conditions subject to which such permission is granted.

(8) If it appears to be expedient to do so in the interests of safety, the Minister may direct any particular operator of any aircraft registered in the Territory that the aircraft operated by him or any such aircraft shall not fly in such circumstances as the Minister may specify unless those aircraft carry in addition to the cabin attendants required to be carried therein by the foregoing provisions of this Regulation such additional persons as cabin attendants as it may specify in the direction.

Members of flight crew-requirement of licences.

19. (1) Subject to the provisions of this Regulation, a person shall not act as a member of the flight crew of an aircraft registered in the Territory unless he is the of holder of an appropriate licence granted or rendered valid under these Regulations:

Provided that a person may, within the Territory without being the holder of such a licence:

(a) act as a flight radiotelephony operator if —

(i) he does so as the pilot of a glider not flying for the purpose of public transport or aerial work, or as a person being trained in an aircraft registered in the Territory to perform duties as a member of the flight crew of an aircraft; and

(ii) he is authorised to operate the radio-telephony station by the holder of the licence granted in respect of that station under any written law; and

(iii) messages are transmitted only for the purposes of instruction, or of the safety or navigation of the aircraft; and

(iv) messages are transmitted only on a frequency exceeding 60 MHZ assignedby the Minister for use on flights on which a

flight radiotelephony operator acts in one of the capacities specified in paragraph (i) of this proviso; and

(v) the transmitter is pre-set to one or more of the frequencies so assigned and cannot be adjusted in flight to any other frequency; and

(vi) the operation of the transmitter requires the use only of external switches; and

(vii) the stability of the frequency radiated is maintained automatically by the transmitter;

(b) subject to the provisions of Regulation 20 (8), act as pilot in command of an aircraft for the purpose of becoming qualified for the grant or renewal of a pilot's licence or the inclusion or variation of any rating in a pilot's licence if —

(i) he is at least 17 years of age; and

(ii) he is the holder of a valid medical certificate to the effect that he is fit so to act issued by a person approved by the Minister; and

(iii) he complies with any conditions subject to which that medical certificate was issued; and

(iv) no other person is carried in the aircraft; and

(v) the aircraft is not flying for the purpose of public transport or aerial work other than aerial work which consists of the giving of instruction in flying or the conducting of flying tests; and

(vi) he so acts in accordance with instructions given by a person holding a pilot's licence granted under these Regulations being a licence which includes a flying instructor's

rating or an assistant flying instructor's rating entitling him to give instruction in flying the type of aircraft being flown.

(2) Subject as aforesaid, a person shall not act as a member of the flight crew required by or under these Regulations to be carried in an aircraft registered in a country other than the Territory unless —

(a) in the case of an aircraft flying for the purpose of public transport or aerial work he is the holder of an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered; or

(b) in the case of any other aircraft, he is the holder of an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered or under these Regulations, and the Minister does not in the particular case give a direction to the contrary.

(3) For the purposes of this Regulation, a licence granted under the law of a Contracting State other than the Territory purporting to authorise the holder thereof to act as a member of the flight crew of an aircraft, not being a licence purporting to authorise him to act as a student pilot only, shall, unless the Minister in the particular case gives a direction to the contrary, be deemed to be a licence rendered valid under these Regulations but does not entitle the holder —

(a) to act as a member of the flight crew of any aircraft flying for the purpose of public transport or aerial work or on any flight in respect of which he receives remuneration for his services as a member of the flight crew; or

(b) in the case of a pilot's licence, to act as pilot of any aircraft flying in controlled airspace in circumstances requiring compliance with the Instrument Flight Rules or to give any instruction in flying.

(4) Notwithstanding the provisions of paragraph (1) of this Regulation a person may, unless the certificate of airworthiness in force in respect of the aircraft otherwise requires, act as pilot of an aircraft registered in the Territory for the purpose of undergoing training or tests for the grant or renewal of a pilot's licence or for

the inclusion, renewal or extension of a rating therein without being the holder of an appropriate licence, if the following conditions are complied with:

(a) no other person shall be carried in the aircraft or in an aircraft being towed thereby except a person carried as a member of the flight crew in compliance with these Regulations, a person authorised by the Minister to witness the aforesaid training or tests or to conduct the aforesaid tests, or, if the pilot in command of the aircraft is the holder of an appropriate licence, a person carried for the purpose of being trained or tested as a member of the flight crew of an aircraft; and

(b) the person acting as the pilot of the aircraft without being the holder of an appropriate licence either-

(i) within the period of 6 months immediately preceding was serving as a qualified pilot of aircraft in any of the naval, military or air forces of a country of the Commonwealth, and his physical condition has not, so far as he is aware, so deteriorated during that period as to render him unfit for the licence for which he intends to qualify; or

(ii) holds a pilot's, a flight navigator's or a flight engineer's licence granted or rendered valid under these Regulations and the purpose of the training or test is to enable him to qualify under these Regulations for the grant of a pilot's licence or for the inclusion of an additional type in the aircraft rating in his licence and he acts under the supervision of a person who is the holder of an appropriate licence.

(5) Notwithstanding the provisions of paragraph (1) of this Regulation, a person may act as a member of the flight crew, (otherwise than as a pilot) of an aircraft registered in the Territory for the purposes of undergoing training or tests for the grant or renewal of a flight navigator's, or a flight engineer's licence or for the inclusion, renewal or extension of a rating thereon, without being the holder of an appropriate licence if he acts under supervision and in the presence of another person who is the holder of the

type of licence or rating for which the person undergoing the training or tests is being trained or tested.

(6) Notwithstanding the provisions of paragraph (1) of this Regulation, a person may act as a member of the flight crew of an aircraft registered in the Territory without being the holder of an appropriate licence if, in so doing, he is acting in the course of his duty as a member of the naval, military or air forces of a country of the Commonwealth.

(7) An appropriate licence for the purposes of this Regulation means a licence which entitles the holder to perform the functions which he undertakes in relation to the aircraft concerned and the flight on which it is engaged.

(8) This Regulation shall not require a licence to be held by a person by reason of his acting as a member of the flight crew of a glider unless-

(a) he acts as a flight radio operator, or

(b) the flight is for the purpose of public transport or aerial work, other than aerial work which consists of the giving of instruction in flying or the conducting of flying tests in a glider owned or operated by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.

(9) Notwithstanding anything in this Regulation -

(a) the holder of licence granted or rendered valid under these Regulations, being a licence endorsed to the effect that the holder does not satisfy in full the relevant international standard, shall not act as a member of the flight crew of an aircraft registered in the Territory in or over the territory of a Contracting State, other than the Territory, except in accordance with permission granted by the competent authorities of that State;

(b) the holder of a licence granted or rendered valid under the law of a Contracting State other than the Territory, being a licence endorsed as aforesaid, shall not act as a member of the flight crew of any aircraft in or over the Territory except in accordance with permission granted by the Minister, whether or not the licence is

or is deemed to be rendered valid under these Regulations.

Grant, renewal and effect of flight crew licences.

20. (1) *(a)* The Minister may grant licences, subject to such conditions as he thinks fit, of any of the classes specified in Part A of Schedule 8 to these Regulations, authorising the holder to act as a member of the flight crew of an aircraft registered in the Territory, upon his being satisfied that the applicant is a fit person to hold the licence, and is qualified by reason of his knowledge, experience, competence, skill, physical and mental fitness to act in the capacity to which the licence relates, and for that purpose the applicant shall furnish such evidence and undergo such examinations and tests (including in particular medical examinations) and undertake such courses of training as the Minister may require of him.

(b) A licence of any class shall not be granted to any person who is under the minimum age specified for that class of licence in Part A of Schedule 8 to these Regulations.

(c) A licence granted under this Regulation shall not be valid unless it bears thereon the ordinary signature of the holder in ink.

(d) Subject to paragraph (2) of this Regulation and to the provisions of Regulation 63, a licence shall remain in force for the period indicated in the licence not exceeding the period specified in respect of a licence of that class in the said Schedule of these Regulations, and may be renewed by the Minister from time to time upon his being satisfied that the applicant is a fit person and qualified as aforesaid. If no period is indicated in the licence it shall remain in force, subject as aforesaid, for the lifetime of the holder.

Provided that, until 1st January 1993, the said Part A of Schedule 8 to these Regulations shall be applied as if —

(i) in the privileges of the Commercial Pilot's Licence (Aeroplanes), proviso *(e)* to paragraph (2), the proviso to paragraph (3) and paragraph (4) were omitted;

(ii) the privileges of the Airline Transport Pilot's Licence (Aeroplanes) were amended to read —

"the holder of the licence shall be entitled to exercise the privileges of a Commercial Pilot's Licence (Aeroplanes) except that for proviso *(d)* to paragraph (2) of those privileges, there shall be substituted —

(d) he shall not at any time after he attains the age of 60 years fly such an aeroplane for the purpose of public transport if its maximum total weight authorised exceeds 20,000 kg,

(iii) in the privileges of the Commercial Pilot's Licence (Helicopters and Gyroplanes), proviso *(e)* to paragraph (2), the proviso to paragraph (3) and paragraph (4) were omitted; and

(iv) in the privileges of the Airline Transport Pilot's Licence (Helicopters and Gyroplanes), all the words after "shall not apply" were omitted.

(2) *(a)* the Minister shall not on or after 1st December, 1990 grant a Senior Commercial Pilot's Licence (Aeroplanes) to any person who was not on 30th November, 1990 the holder of such a licence;

(b) a Senior Commercial Pilot's Licence (Aeroplanes) shall remain in force until either:

(i) the end of the period indicated in the licence, such period not exceeding ten years; or

(ii) 30th November, 1995;

whichever is the earlier.

(3) The Minister may include in a licence a rating subject to such conditions as he thinks fit, of any of the classes specified in Part B of Schedule 8 to these Regulations, upon his being satisfied that the applicant is qualified as aforesaid to act in the capacity to

which the rating relates, and such rating shall be deemed to form part of the licence.

(4) Subject to any conditions of the licence and to the provisions of these Regulations, a licence of any class shall entitle the holder to perform the functions specified in respect of that licence in Part A of Schedule 8 to these Regulations under the heading "privileges", and a rating of any class shall entitle the holder of the licence in which such rating is included to perform the functions specified in respect of that rating in Part B of Schedule 8 to these Regulations.

(5) *(a)* Subject to the provisions of sub-paragraph (c) of this paragraph, the holder of a pilot's licence or a flight engineer's licence shall not be entitled to exercise the privileges of an aircraft rating contained in the licence on a flight unless the licence bears a valid certificate of test or a valid certificate of experience, which certificate shall in either case be appropriate to the functions he is to perform on that flight in accordance with Part C of Schedule 8 to these Regulations and shall otherwise comply with that Part:

Provided that the holder of a Private Pilot's Licence (Balloons and Airships) or a Commercial Pilot's Licence (Balloons) shall be entitled to exercise the privileges of an aircraft rating contained in the licence on a flight when the licence does not bear such a certificate.

(b) The holder of a flight navigator's licence shall not be entitled to perform functions on a flight to which Regulation 18 (4) applies unless the licence bears a valid certificate of experience which certificate shall be appropriate to the functions he is to perform on that flight in accordance with Part C of Schedule 8 to these Regulations and shall otherwise comply with that Part.

(c) In any case where the Private Pilot's Licence is in such a form that it is not possible to include certificates therein, the holder of such a licence shall not be entitled to exercise the privileges of an aircraft rating contained in the licence on a flight unless the certificate of test or certificate of experience required by sub-paragraph (a) of this paragraph is included in the personal flying log book required to be kept by him under Regulation 22.

(6) A person shall not be entitled to perform the functions to which an instrument rating (aeroplanes), an instrument rating (helicopters), a flying instructor's rating, an assistant flying instructor's rating or an instrument meteorological conditions rating (aeroplanes) relates unless his licence bears a valid certificate of test which certificate shall be appropriate to the functions to which the rating relates in accordance with Part C of Schedule 8 to these Regulations and shall otherwise comply with that Part.

(7) A person who, on the last occasion when he took a test for the purposes of paragraph (4) or (5) of this Regulation, failed that test shall not be entitled to fly in the capacity for which that test would have qualified him had he passed it.

(8) *(a)* The holder of a licence, other than a flight radiotelephony operator's licence, granted under this Regulation shall not be entitled to perform any of the functions to which his licence relates unless it includes a valid medical certificate.

(b) Every applicant for or holder of such a licence shall upon such occasions as the Minister may require submit himself to medical examination by a person approved by the Minister either generally or in a particular case or class of case who shall make a report to the Minister in such form as the Minister may require.

(c) Where the medical examination referred to in sub-paragraph *(b)* of this paragraph has been conducted in the Territory, the Minister or any person approved by him as competent to do so may, on the basis thereof, issue a medical certificate subject to such conditions as he thinks fit to the effect that he has assessed the holder of the licence as fit to perform the functions to which the licence relates. The certificate shall, without prejudice to paragraph (9) of this Regulation be valid for such period as is therein specified and shall be deemed to form part of the licence.

(d) Where the medical examination is conducted outside the Territory the person conducting the examination shall, in addition to making a report to the Minister, issue a certificate certifying, if such is, in his opinion, the case, that the holder of the licence is fit to perform the functions to which the licence relates and the said

certificate may be deemed by the Minister to be a medical certificate for the purposes of this Regulation, and if so shall be valid for such period as may be specified therein in writing by the person conducting the examination.

(9) *(a)* A person shall not be entitled to act as a member of the flight crew of an aircraft registered in the Territory if he knows or suspects that his physical or mental condition renders him temporarily or permanently unfit to perform such functions or to act in such capacity.

(b) Every holder of a medical certificate issued under Regulation 19 or 20 who —

(i) suffers any personal injury involving incapacity to undertake his functions as a member of the flight crew; or

(ii) suffers any illness involving incapacity to undertake those functions throughout a period of 20 days or more; or

(iii) in the case of a woman, who has reason to believe that she is pregnant shall inform the Minister in writing of such injury, illness or pregnancy, as soon as possible in the case of injury or pregnancy, and as soon as the period of 20 days has elapsed in the case of illness. The medical certificate shall be deemed to be suspended upon the occurrence of such injury or the elapse of such period of illness or the confirmation of the pregnancy, and —

(aa) in the case of injury or illness the suspension shall cease upon the holder being medically examined under arrangements made by the Minister and pronounced fit to resume his functions as a member of the flight crew or upon the Minister exempting, subject to such conditions as he thinks fit, the holder from the requirement of a medical examination; and

(bb) in the case of pregnancy, the suspension may be lifted by the Minister for such period and subject to such conditions as he thinks fit and shall cease upon the holder being medically examined under arrangements made by the Minister after the pregnancy has ended and pronounced fit to resume her functions as a member of the flight crew.

(10) Nothing in these Regulations shall prohibit the holder of a pilot's licence from acting as pilot of an aircraft having a maximum total weight authorised not exceeding 5,700 kg. when, with the permission of the Minister, he is testing any person for the purposes of paragraph (1), (2), (4) or (5) of this Regulation, notwithstanding that the type of aircraft in which the test is conducted is not specified in the aircraft rating included in his licence or that the licence or personal flying log book, as the case may be, does not include a valid certificate of test or a valid certificate of experience in respect of the type of aircraft.

(11) Where any provision of Part C of Schedule 8 or Part B of Schedule 10 to these Regulations permits a test to be conducted in a flight simulator approved by the Minister, that approval may be granted subject to such conditions as the Minister thinks fit.

(12) Without prejudice to any other provision of these Regulations the Minister may, for the purpose of this Regulation, either absolutely or subject to such conditions as he thinks fit —

(a) approve any course of training or instruction;

(b) authorise a person to conduct such examinations or tests as he may specify;

(c) approve a person to provide any course of training or instruction; and

(d) approve a person as qualified to furnish reports to him and to accept such reports.

Validation of licences.

21. The Minister may issue a certificate of validation rendering valid for the purposes of these Regulations any licence as a member of the flight crew of aircraft granted under the law of any country other than the Territory. A certificate of validation may be issued

subject to such conditions and for such periods as the Minister thinks fit.

Personal flying log book.

22. (1) Every member of the flight crew of an aircraft registered in the Territory and every person who engages in flying for the purpose of qualifying for the grant or renewal of a licence under these Regulations shall keep a personal flying log book in which the following particulars shall be recorded —

(a) the name and address of the holder of the log book;

(b) particulars of the holder's licence (if any) to act as member of the flight crew of an aircraft;

(c) the name and address of his employer (if any).

(2) Particulars of each flight during which the holder of the log book acted either as a member of the flight crew of an aircraft or for the purpose of qualifying for the grant or renewal of a licence under these Regulations, as the case may be, shall be recorded in the log book at the end of each flight or as soon thereafter as is reasonably practicable, including —

(a) the date, the places at which the holder embarked on and disembarked from the aircraft and the time spent during the course of the flight when he was acting in either capacity; nationality and

(b) the type and nationality and registration marks of the aircraft;

(c) the capacity in which the holder acted in flight;

(d) particulars of any special conditions under which the flight was conducted including night-flying and instrument flying;

(e) particulars of any test or examination undertaken whilst in flight.

(3) For the purposes of this Regulation, a helicopter shall be deemed to be in flight from the moment the helicopter first moves under its own power for the purpose of taking off until the rotors are next stopped.

(4) Particulars of any test or examination undertaken whilst in a flight simulator shall be recorded in the log book, including —

(a) the date of the test or examination;

(b) the type of simulator;

(c) the capacity in which the holder acted;

(d) the nature of the test or examination.

Instruction in flying.

23. (1) A person shall not give any instruction in flying to which this Regulation applies unless-

(a) he holds a licence, granted or rendered valid under these Regulations, entitling him to act as pilot in command of the aircraft for the purpose and in the circumstances under which the instruction is to be given; and

(b) his licence includes a flying instructor's rating or an assistant flying instructor's rating entitling the holder to give the instruction.

(2) This Regulation applies to instruction in flying given to any person flying or about to fly a flying machine or glider for the purpose of becoming qualified for —

(a) the grant of a pilot's licence;

(b) the inclusion or variation of any rating in his licence;

Provided that this Regulation shall not apply to any instruction in flying given to a person for the purpose of becoming qualified for the inclusion in his licence of an aircraft rating entitling him to act as pilot of a multi-engined aircraft or of an aircraft of any class appearing in column 4 of the Table in Part A of Schedule 2 to these Regulations if that person has previously been entitled under these Regulations, or qualified in any of the naval, military or air forces of any country of the Commonwealth to act as pilot of multi-engined aircraft, or of an aircraft of that class as the case may be.

Operations manual.

PART V

OPERATION OF AIRCRAFT

25. (1) This Regulation shall apply to public transport aircraft registered in the Territory except aircraft whose maximum total weight authorised does not exceed 2,730 kg. and which are used for the time being solely for flights not intended to exceed 60 minutes in duration, which are either —

(a) flights solely for training persons to perform duties in an aircraft; or

(b) flights intended to begin and end at the same aerodrome.

(2) *(a)* The operator of every aircraft to which this Regulation applies shall —

(i) make available to each member of his operating staff an operations manual, and

(ii) ensure that each copy of the operations manual is kept up to date, and

(iii) ensure that on each flight every member of the crew has access to a copy of every part of the operations manual which is relevant to his duties on the flight.

(b) Each operations manual shall contain all such information and instructions as may be necessary to enable the operating staff to perform their duties as such including in particular information and instructions relating to the matters specified in Part A of Schedule 10 to these Regulations:

Provided that the operations manual shall not be required to contain any information or instructions available in a flight manual accessible to the persons by whom the information or instructions may be required.

(3) *(a)* An aircraft to which this Regulation applies shall not fly unless, not less than 30 days prior to such flight, the operator of the aircraft has furnished to the Minister

a copy of the whole of the operations manual for the time being in effect in respect of the aircraft.

(b) Any amendments or additions to the operations manual shall be furnished to the Minister by the operator before or immediately after they come into effect:

Provided that where an amendment or addition relates to the operation of an aircraft to which the operations manual did not previously relate, that aircraft shall not fly, for the purpose of public transport until the amendment or addition has been furnished to the Minister.

(c) Without prejudice to the foregoing sub-paragraphs the operator shall make such amendments or additions to the operations manual as the Minister may require for the purpose of ensuring the safety of the aircraft or of persons or property carried therein or the safety, efficiency or regularity of air navigation.

(4) For the purposes of this Regulation, Regulation 43 and Schedule 10 to these Regulations, "operating staff" means the servants and agents employed by the operator, whether or not as members of the crew of the aircraft, to ensure that the flights of the aircraft are conducted in a safe manner, and includes an operator who himself performs those functions.

(5) If in the course of a flight on which the equipment specified in Scale 0 in paragraph 5 of Schedule 4 to these Regulations is required to be provided the said equipment becomes unserviceable, the aircraft shall be operated on the remainder of that flight in accordance with any relevant instructions in the operations manual.

Training manual.

26. (1) The operator of every aircraft registered in the Territory and flying for the purpose of public transport shall :

(a) make a training manual available to every person appointed by the operator to give or to supervise the training, experience, practice or periodical tests required under Regulation 27 (2); and

(b) ensure that each copy of that training manual is kept up to date.

(2) Each training manual shall contain all such information and instructions as may be necessary to enable a person appointed by the

operator to give or to supervise the training, experience, practice and periodical tests required under Regulation 27 (2) to perform his duties as such including in particular information and instructions relating to the matters specified in Part C of Schedule 10 to these Regulations.

(3) *(a)* An aircraft to which this Regulation applies shall not fly unless, not less than 30 days prior to such flight, the operator of the aircraft has furnished to the Minister a copy of the whole of his training manual relating to the crew of that aircraft.

(b) Any amendments or additions to the training manual shall be furnished to the Minister by the operator before or immediately after they come into effect.

Provided that where an amendment or addition relates to training, experience, practice or periodical tests on an aircraft to which the training manual did not previously relate, that aircraft shall not fly for the purpose of public transport until the amendment or addition has been furnished to the Minister.

(c) Without prejudice to the foregoing paragraphs the operator shall make such amendments or additions to the training manual as the Minister may require for the purpose of ensuring the safety of the aircraft or of persons or property carried therein or the safety, efficiency or regularity of air navigation.

Public transport — operator's responsibilities.

27. (1) The operator of an aircraft registered in the Territory shall not permit the aircraft to fly for the purpose of public transport without first —

(a) designating from among the flight crew a pilot to be the commander of the aircraft for the flight; and

(b) satisfying himself by every reasonable means that the aeronautical radio stations and navigational aids serving the intended route or any planned diversion therefrom are adequate for the safe navigation of the aircraft; and

(c) satisfying himself by every reasonable means that the aerodromes at which it is intended to take-off or land and any alternate aerodrome to which a landing may

be made are suitable for the purpose and in particular are adequately manned and equipped (including such manning and equipment as is specified in paragraph 14 in Schedule 14 to these Regulations) to ensure the safety of the aircraft and its passengers:

Provided that the operator of the aircraft shall not be required to satisfy himself as to the adequacy of fire-fighting, search, rescue or other services which are required only after the occurrence of an accident.

(2) The operator of an aircraft registered in the Territory shall not permit any person to be a member of the crew thereof during any flight for the purpose of public transport (except a flight for the sole purpose of training persons to perform duties in aircraft) unless such person has had the training, experience, practice and periodical tests specified in Part B of Schedule 10 to these Regulations in respect of the duties which he is to perform and unless the operator has satisfied himself that such person is competent to perform his duties, and in particular to use the equipment provided in the aircraft for that purpose. The operator shall maintain, preserve, produce and furnish information respecting records relating to the foregoing matters in accordance with Part B of Schedule 10 to these Regulations.

(3) The operator of an aircraft registered in the Territory shall not permit any member of the flight crew thereof, during any flight for the purpose of public transport of passengers, to simulate emergency manoeuvres and procedures which the operator has reason to believe will adversely affect the flight characteristics of the aircraft.

Loading — public transport aircraft and suspended loads.

28. (1) The operator of an aircraft registered in the Territory shall not cause or permit it to be loaded for a flight for the purpose of public transport, or any load to be suspended therefrom, except under the supervision of a person whom he has caused to be furnished with written instructions as to the distribution and securing of the load so as to ensure that —

(a) the load may safely be carried on the flight, and

(b) any conditions subject to which the certificate of airworthiness in force in respect of the aircraft was issued or rendered valid, being conditions relating to the loading of the aircraft, are complied with.

(2) The instructions shall indicate the weight of the aircraft prepared for service, that is to say the aggregate of the weight of the aircraft (shown in the weight schedule referred to in Regulation 16) and the weight of such additional items in or on the aircraft as the operator thinks fit to include; and the instructions shall indicate the additional items included in the weight of the aircraft prepared for service, and shall show the position of the centre of gravity of the aircraft at that weight:

Provided that this paragraph shall not apply in relation to a flight if —

(a) the aircraft's maximum total weight authorised does not exceed 1,150 kg.; or

(b) the aircraft's maximum total weight authorised does not exceed 2,730 kg. and the flight is intended not to exceed 60 minutes in duration and is either: —

(i) a flight solely for training persons to perform duties in an aircraft; or

(ii) a flight intended to begin and end at the same aerodrome; or

(c) the aircraft is a helicopter the maximum total weight authorised of which does not exceed 3,000 kg., and the total seating capacity of which does not exceed five persons.

(3) The operator of an aircraft shall not cause or permit it to be loaded in contravention of the instructions referred to in paragraph (1) of this Regulation.

(4) The person supervising the loading of the aircraft shall, before the commencement of any flight, prepare and sign a load sheet in duplicate conforming to the requirements specified in Paragraph 1 in Schedule 14 to these Regulations, and shall (unless he is himself the commander of the aircraft) submit the load sheet for examination by the commander of the aircraft who shall sign his name thereon:

Provided that the foregoing requirements of this Paragraph shall not apply if :

(a) the load and the distributing and securing thereof upon the next intended flight are to be unchanged from the previous flight and the commander of the aircraft makes and signs an endorsement to that effect upon the load sheet for the previous flight, indicating the date of the endorsement, the place of departure upon the next intended flight and the next intended place of destination; or

(b) paragraph (2) of this Regulation does not apply in relation to the flight.

(5) One copy of the load sheet shall be carried in the aircraft when Regulation 58 so requires until the flights to which it relates have been completed and one copy of that load sheet and of the instructions referred to in this Regulation shall be preserved by the operator until the expiration of a period of 6 months thereafter and shall not be carried in the aircraft:

Provided that in the case of an aeroplane of which the maximum total weight authorised does not exceed 2,730 kg., or a helicopter, if it is not reasonably practicable for the copy of the load sheet to be kept on the ground it may be carried in the aeroplane or helicopter, as the case may be, in a box approved by the Minister for that purpose.

(6) The operator of an aircraft registered in the Territory and flying for the purpose of the public transport of passengers shall not cause or permit baggage to be carried in the passenger compartment of the aircraft unless such baggage can be properly secured and, in the case of an aircraft capable of seating more than 30 passengers, such baggage shall not exceed the capacity of the spaces in the passenger compartment approved by the Minister for the purpose of stowing baggage or carried in accordance with the terms of a written permission granted by the Minister which permission may be granted subject to such conditions as the Minister thinks fit.

Public transport — operating conditions.

29. (1) An aircraft registered in the Territory shall not fly for the purpose of public transport, except for the sole purpose of training persons to perform duties in aircraft , unless the requirements specified in Paragraphs 3 to 11 inclusive in Schedule 14 to these Regulations in respect of its weight and related performance and

(2) The assessment of the ability of an aircraft to comply within paragraph(1) of this Regulation shall be based on the information as to its performance contained in the certificate of airworthiness relating to the aircraft. In the event of the information given therein being insufficient for that purpose such assessment shall be based on the best information available to the commander of the aircraft.

(3)A flying machine registered in the Territory when flying over water for the purpose of public transport shall fly, except as may be necessary for the purpose of take-off or landing, at such an altitude as would enable the aircraft —

(a) if it has one engine only, in the event of the failure of that engine;

(b) if it has more than one engine, in the event of the failure of one of those engines and with theremaining engine or engines operating within the maximum continuous power conditions specified in the certificate of airworthiness relating to the aircraft

to reach a place at which it can safely land at a height sufficient to enable it to do so.

(4) Without prejudice to the provisions of paragraph (3) of this Regulation, an aeroplane in respect of which there is in force under these Regulations a certificate of airworthiness designating the aeroplane as being of performance group X shall not fly over water for the purpose of public transport so as to be more than 60 minutes flying time from the nearest shore, unless the aeroplane has more than two power units. For the purpose of this paragraph, flying time shall be calculated at normal cruising speed with one power unit inoperative.

(5) Without prejudice to the provisions of paragraph (3) of this Regulation, a helicopter in respect of which there is in force under these Regulations a certificate of airworthiness designating the helicopter as being of performance Group B shall not fly over water for the purpose of public transport so as to be more than 20 seconds flying time from a point from which it can make an autorotative descent to land suitable for an emergency landing unless it is equipped with apparatus approved by the Minister enabling it to land safely on water, but shall not so fly on any flight for more than three minutes except with the permission in writing of the Minister and in accordance with any conditions subject to which that permission may have been given. For the purpose of this paragraph

flying time shall be calculated on the assumption that the helicopter is flying in still air at the speed specified in the certificate of airworthiness in force in respect of the helicopter as the speed for compliance with Regulations governing flights over water.

(6) Without prejudice to the provisions of paragraph (3) of this Regulation, a helicopter in respect of which there is in force under these Regulations a certificate of airworthiness designating the helicopter as being of performance group A2 shall not fly over water for the purpose of public transport for more than 15 minutes during any flight unless it is equipped with apparatus approved by the Minister enabling it to land safely on water.

(7) Notwithstanding the provisions of paragraph (1) of this Regulation a helicopter in respect of which there is in force under these Regulations a certificate of airworthiness designating the helicopter as being of performance Group A or Group A (Restricted) may fly for the purpose of public transport in accordance with the weight and related performance requirements prescribed for helicopters designated as being of —

(a) performance Group A (Restricted) in the case of a helicopter designated as being of performance Group A if:

(i) the maximum total weight authorised of the helicopter is less than 5,700 kg.; and

(ii) the total number of passengers carried on the helicopter does not exceed 15; or

(b) performance Group B if :

(i) the maximum total weight authorised of the helicopter is less than 2,730 kg.; and

(ii) the total number of passengers carried does not exceed 9.

Aircraft registered in the Territory — operating minima.

30. (1) *(a)* The operator of every aircraft to which Regulation 25 applies shall establish and include in the operations manual relating to the aircraft such particulars aerodromeof aerodrome operating minima as are appropriate to every aerodrome of intended departure or landing and every alternative aerodrome:

Provided that in relation to any flight wherein it is not practicable to include such information in the operations manual the operator of the said aircraft shall, prior to the commencement of the flight, cause to be furnished, in writing, to the commander of the aircraft such particulars of the aerodrome operating minima as are appropriate to every aerodrome of intended departure or landing and every alternate aerodrome and calculated in accordance with the specified method; and the operator shall cause a copy of the said particulars to be retained outside the aircraft for a minimum period of 3 months.

(b) The operator of every such aircraft shall include in the operations manual relating to that aircraft such data and instructions as will enable the commander of the aircraft to calculate aerodrome operating minima as are appropriate to aerodromes the use of which could not reasonably have been foreseen by the operator prior to the commencement of the flight.

(2) The aerodrome operating minima specified shall not, in respect of any aerodrome, be less favourable than any declared in respect of that aerodrome by the competent authority, unless that authority otherwise permits in writing.

(3) In establishing aerodrome operating minima for the purposes of this Regulation the operator of the aircraft shall take into account the following matters —

(a) the type and performance and handling characteristics of the aircraft and any relevant conditions in its certificate of airworthiness; and

(b) the composition of its crew; and

(c) the physical characteristics of the relevant aerodrome and its surroundings; and

(d) the dimensions of the runways which may be selected for use; and

(e) whether or not there are in use at the relevant aerodrome any aids, visual or otherwise, to assist aircraft in approach, landing or take-off, being aids which the crew of the aircraft are trained and equipped to use; the

nature of any such aids that are in use; and the procedures for approach, landing and take-off which may be adopted according to the existence or absence of such aids; and shall establish in relation to each runway which may be selected for use such aerodrome operating minima as are appropriate to each set of circumstances which can reasonably be expected.

(4) An aircraft to which Regulation 25 applies shall not commence a flight at a time when: -

(a) the cloud ceiling or the runway visual range at the aerodrome of departure is less than the relevant minimum specified for take-off; or

(b) according to the information available to the commander of the aircraft it would not be able, without contravening paragraph (5) of this Regulation, to land at the aerodrome of intendeddestination at the estimated time of arrival there and at any alternate aerodrome at any time at which according to a reasonable estimate the aircraft would arrive there.

(5) An aircraft to which Regulation 25 applies when making a descent to an aerodrome shall not:

(a) descend below 1000 feet above the height of the aerodrome if the relevant runway visual range at the aerodrome is at the time less than the specified minimum for landing: or

(b) (i) continue an approach to landing at any aerodrome by flying below the relevant specified decision height, or

(ii) descend below the relevant specified minimum descent height unless from that height the specified visual reference for landing is established and is maintained.

(6) If, according to the information available, an aircraft would as regards any flight be required by the Rules of the Air and Air Traffic Control to be flown in accordance with the Instrument Flight Rules at the aerodrome of intended landing, the commander of the aircraft shall select prior to take-off an alternate aerodrome unless no aerodrome suitable for that purpose is available.

(7) In this Regulation "specified" in relation to aerodrome operating minima means such particulars of aerodrome operating minima as have been specified by the operator in, or are ascertainable by reference to, the operations manual relating to that aircraft, or furnished in writing to the commander of the aircraft by the operator pursuant to the proviso to paragraph (1) *(a)* of this Regulation.

Aircraft not registered in the Territory - aerodrome operating minima

31. (1) A public transport aircraft registered in a country other than the Territory shall notfly in or over the Territory unless the operator thereof shall have furnished to the Minister such particulars as he may from time to time have required relating to the aerodrome operating minima specified by the operator in relation to aerodromes in the Territory for the purpose of limiting their use by the aircraft for take-off or landing, including any instructions given by the operator in relation to such aerodrome operating minima. The aircraft shall not fly in or over the Territory unless the operator shall have made such amendments or additions to the aerodrome operating minima so specified and any instructions so given as the Minister may require for the purpose of ensuring the safety of the aircraft or the efficiency or regularity of air navigation.

(2) The aircraft shall not take off or land at an aerodrome in the Territory in contravention of the specified aerodrome operating minima or the specified instruction.

(3) Without prejudice to the provisions of paragraph (2) of this Regulation a public transport aircraft registered in a country other than the Territory when making a descent to an aerodrome shall not —

(a) descend below 1000 feet above the height of an aerodrome if the relevant runway visual range at the aerodrome is at the time less than the specified minimum for landing; or

(b) (i) continue an approach to landing at any aerodrome by flying below the relevant specified decision height, or

(ii) descend below the relevant specified minimum descent height unless from that height the specified visual reference for landing is established and ismaintained.

(4) In this Regulation "specified" in relation to an aircraft means specified by the operator in, or ascertainable by reference to, the particulars furnished by the operator to the Minister pursuant to paragraph (1) of this Regulation.

Pre-flight action by commander of aircraft.

32. The commander of an aircraft registered in the Territory shall satisfy himself before the aircraft takes off —

(a) that the flight can safely be made, taking into account the latest information available as to the route and aerodromes to be used, the weather reports and forecasts available, and any alternative course of action which can be adopted in case the flight cannot be completed as planned;

(b) that the equipment (including radio apparatus) required by or under these Regulations to be carried in the circumstances of the intended flight is carried and is in a fit condition for use;

(c) that the aircraft is in every way fit for the intended flight, and that where a certificate of maintenance review is required by Regulation 9 (1) to be in force, it is in force and will not cease to be in force during the intended flight;

(d) that the load carried by the aircraft is of such weight, and is so distributed and secured, that it may safely be carried on the intended flight;

(e) in the case of a flying machine or airship, that sufficient fuel, oil and engine coolant (if required) are carried for the intended flight, and that a safe margin has been allowed for contingencies, and, in the case of a flight for the purpose of public transport, that the instructions in the operations manual relating to fuel, oil and engine coolant have been complied with;

(f) in the case of an airship or balloon, that sufficient ballast is carried for the intended flight;

(g) in the case of a flying machine, that, having regard to the performance of the flying machine in the conditions to be expected on the intended flight, and to any obstructions at the places of departure and intended destination and on the intended route, it is capable of

safely taking off, reaching and maintaining a safe height thereafter, and making a safe landing at the place of intended destination;

(h) that any pre-flight check system established by the operator and set forth in the operations manual or elsewhere has been complied with by each member of the crew of the aircraft.

Pilots to remain at controls.

33. (1) The commander of an aircraft registered in the Territory being a flying machine or glider, shall cause one pilot to remain at the controls at all times while the aircraft is in flight.. If the aircraft is required by or under these Regulations to carry two pilots, the commander shall cause both pilots to remain at the controls during take-off and landing. If the aircraft carries two or more pilots (whether or not it is required to do so) and is engaged on a flight for the purpose of the public transport of passengers the commander shall remain at the controls during take-off and landing.

(2) Each pilot at the controls shall be secured in his seat by either a safety belt with or without one diagonal shoulder strap, or a safety harness except that during take-off and landing a safety harness shall be worn if it is required by Regulation 13 to be provided.

Wearing of survival suits by crew.

34. Each member of the crew of an aircraft registered in the Territory shall wear a survival suit if such a suit is required by Regulation 13 to be carried.

Public transport of passengers — duties of commander.

35. (1) This Regulation applies to flights for the purpose of the public of transport of passengers by aircraft registered in the Territory.

(2) In relation to every flight to which this Regulation applies the commander of the aircraft shall: -

(a) before the aircraft takes off, take all reasonable steps to ensure that all passengers are made familiar with the position and method of use of emergency exists, safety belts, safety harnesses, and (where required to be carried) oxygen equipment, life jackets, and the floor path lighting system and all other devices required by or under these Regulations and intended for use by passengers individually in case of an emergency occurring to the aircraft;

(b) (i) if the aircraft is not a seaplane but is intended in the course of the flight to reach a point more than 30 minutes flying time (while flying in still air at the speed specified in the relevant certificate or airworthiness as the speed for compliance with Regulations governing flights over water) from the nearest land, take all reasonable steps to ensure that before take-off, all passengers are given a demonstration of the method of use of the life-jackets required by or under these Regulations for the use of passengers;

(ii) if the aircraft is not a seaplane but is required by Regulation 18 (7) to carry cabin attendants, take all reasonable steps to ensure that, before the aircraft takes off on a flight:

(aa) which is intended to proceed beyond gliding distance from land, or

(bb) on which in the event of any emergency occurring during the take-off or during the landing at the intended destination or any likely alternate destination it is reasonably possible that the aircraft would be forced to land onto water;

all passengers are given a demonstration of the method and use of the life jackets required by or under these Regulations for the use of passengers:

Provided that where the only requirement to give such a demonstration arises because it is reasonably possible that the aircraft would be forced to land onto water at one or more of the likely alternate destinations the demonstration need not be given until after the decision has been taken to divert to such a destination;

(c) if the aircraft is a seaplane, take all reasonable steps to ensure that before the aircraft takes off all passengers are given a demonstration of the method of use of the equipment referred to in paragraph *(b)* of this Regulation;

(d) before the aircraft takes off, and before it lands, take all reasonable steps to ensure that the crew of the

aircraft are properly secured in their seats and that any persons carried in compliance with Regulation 18 (7) are properly secured in seats which shall be in a passenger compartment and which shall be so situated that those persons can readily assist passengers;

(e) before the aircraft takes-off, and before it lands, and whenever by reason of turbulent air or any emergency occurring during the flight he considers the precaution necessary —

(i) take all reasonable steps to ensure that all passengers of two years of age or more are properly secured in their seats by safety belts or safety harnesses and that all passengers under the age of two years are properly secured by means of a child restraint device; and

(ii) take all reasonable steps to ensure that those items of baggage in the passenger compartment which he reasonably considers ought by virtue of their size, weight or nature to be properly secured are properly secured and, in the case of an aircraft capable of seating more than 30 passengers, that such baggage is stowed in the passenger compartment stowage spaces approved by the Minister for the purpose of stowing baggage or carried in accordance with the terms of a written permission granted by the Minister which permission may be granted subject to such conditions as the Minister thinks fit.

(f) in an emergency, take all reasonable steps to ensure that all passengers are instructed in the emergency action which they should take;

(g) except in a case where a pressure greater than 700 millibars is maintained in all passenger and crew compartments throughout the flight, take all reasonable steps to ensure that —

(i) before the aircraft reaches flight level 100 the method of use of the oxygen provided in the aircraft in compliance with the requirements of Regulation 13 is demonstrated to all passengers;

(ii) when flying above flight level 120 all passengers and cabin attendants are recommended to use oxygen;

(iii) during any period when the aircraft is flying above flight level 100 oxygen is used by all the flight crew of the aircraft;

(h) in the case of aircraft in respect of which a certificate of airworthiness was first issued (whether in the Territory or elsewhere) prior to 1st January, 1991, except in the case where a pressure greater than 700 millibars is maintained in all passenger and crew compartments throughout the flight, take all reasonable steps to ensure that-

(i) before the aircraft reaches flight level 130 the method of use of the oxygen provided in the aircraft in compliance with the requirements of Regulation 13 is demonstrated to all passengers;

(ii) when flying above flight level 130 all passengers and cabin attendants are recommended to use oxygen;

(iii) during any period when the aircraft is flying above flight level 130 or on and after 1st January 1989 above flight level 100 oxygen is used by all the flight crew of the aircraft:

Provided that he need not comply with the provisions of this paragraph (h) if he complies instead with the provisions of paragraph *(g)* of this Regulation..

Operation of radio in aircraft.

36. (1) The radio station in an aircraft shall not be operated, whether or not the aircraft is in flight, except in accordance with the conditions of the licence issued in respect of that station under the law of the country in which the aircraft is registered, and by a person duly licensed or otherwise permitted to operate the radio station under that law.

(2) Whenever an aircraft is in flight in such circumstances that it is required by or under these Regulations to be equipped with radio communications apparatus, a continuous radio watch shall be maintained by a member of the flight crew listening to the signals transmitted upon the frequency notified, or designated by a message

received from an appropriate aeronautical radio station, for use by that aircraft;

Provided that —

(a) the radio watch may be discontinued or continued on another frequency to the extent that a message as aforesaid so permits; and

(b) the watch may be kept by a device installed in the aircraft if —

(i) the appropriate aeronautical radio station has been informed to that effect and has raised no objection; and

(ii) that station is notified, or in the case of a station situated in a country other than the Territory, otherwise designated as transmitting a signal suitable for that purpose.

(3) Whenever an aircraft is in flight in such circumstances that it is required by or under these Regulations to be equipped with radio or radio navigation equipment a member of the flight crew shall operate that equipment in such a manner as he may be instructed by the appropriate air traffic control unit or as may be notified in relation to any notified airspace in which the aircraft is flying.

(4) The radio station in an aircraft shall not be operated so as to cause interference which impairs the efficiency of aeronautical telecommunications or navigational services, and in particular emissions shall not be made except as follows:

(a) emission of the class and frequency for the time being in use, in accordance with general international aeronautical practice, in the airspace in which the aircraft is flying;

(b) distress, urgency and safety messages and signals, in accordance with general international aeronautical practice;

(c) messages and signals relating to the flight of the aircraft, in accordance with general international aeronautical practice;

(d) such public correspondence messages as may be permitted by or under the aircraft radio station licence referred to in paragraph (1) of this Regulation.

(5) In every aircraft registered in the Territory which is equipped with radio communication apparatus a telecommunication log book shall be kept in which the following entries shall be made;

(a) the identification of the aircraft radio station;

(b) the date and time of the beginning and end of every radio watch maintained in the aircraft and of the frequency on which it was maintained;

(c) the date and time, and particulars of all messages and signals sent or received, including in particular details of any distress signals or distress messages sent or received;

(d) particulars of any action taken upon the receipt of a distress signal or distress message;

(e) particulars of any failure or interruption of radio communications and the cause thereof:

Provided that a telecommunication log book shall not be required to be kept in respect of communication by radiotelephony with a radio station on land or on a ship which provides a radio service for aircraft.

(6) The flight radio operator maintaining radio watch shall sign the entries in the telecommunication log book indicating the times at which he began and ended the maintenance of such watch.

(7) The telecommunication log book shall be preserved by the operator of the aircraft until a date 6 months after the date of the last entry therein.

(8) In any flying machine registered in the Territory which is engaged on a flight for the purpose of public transport the pilot and the flight engineer (if any) shall not make use of a hand-held microphone (whether for the purpose of radio communication or of intercommunication within the aircraft) whilst the aircraft is flying in controlled airspace below flight level 150 or is taking off or landing.

Minimum navigation performance.

37. An aircraft registered in the Territory shall not fly in airspace prescribed for the purposes of this Regulation by Paragraph 17 of Schedule 14 to these Regulations unless —

(a) it is equipped with navigation systems which enable the aircraft to maintain the prescribed navigation performance capability; and

(b) the navigation systems required by paragraph *(a)* of this Regulation are approved by the Minister and installed and maintained in a manner approved by the Minister; and

(c) the operating procedures for the navigation systems required by paragraph *(a)* of this Regulation are approved by the Minister; and

(d) the equipment is operated in accordance with the approved procedures whilst the aircraft is flying in the said airspace.

Use of flight recording systems and perservation of records.

38. (1) On any flight on which a flight data recorder or a cockpit voice recorder is required by sub-paragraph 4 (4) or (5) of Schedule 4 to these Regulations to be carried in an an aeroplane, it shall always be in use from the beginning of the take-off run to the end of the landing run.

(2) The operator of the aeroplane shall at all times, subject to the provisions of Regulation 62, preserve —

(a) the last 25 hours of recording made by any flight data recorder required by or under these Regulations to be carried in an aeroplane; and

(b) a record of not less than one representative flight, that is to say, a recording of a flight made within the last twelve months which includes a take-off, climb, cruise, descent, approach to landing and landing, together with a means of identifying the record with the flight to which it relates;

and shall preserve such records for such period as the Minister may in a particular case direct.

(3) On any flight on which a cockpit voice recorder or a flight data recorder or a combined cockpit voice recorder/flight data

recorder is required by paragraph 4 (10) *(c)* of Schedule 4 to these Regulations to be carried in a helicopter, it shall always be in use from the time the rotors first turn for the purpose of taking off until the rotors are next stopped.

(4) The operator of the helicopter shall at all times, subject to Regulation 62 preserve:-

(a) the last eight hours of recording made by any flight data recorder specified at sub-paragraph (i) or (ii) of Scale SS of paragraph 5 of Schedule 4 to these Regulations and required by or under these Regulations to be carried in the helicopter;

(b) in the case of a combined cockpit voice recorder/flight data recorder specified at sub-paragraph (iii) of the said Scale SS and required by or under these Regulations to be carried in a helicopter either —

(i) in the last eight hours of recording, or

(ii) the last five hours of recording or the duration of the last flight, whichever is the greater, together with an additional period of recording for either —

(aa) the period immediately preceding the recording required to be retained pursuant to sub-paragraph *(b)* (ii) above, or

(bb) such period or periods as the Minister may permit in any particular case or class of cases or generally.

(5) The additional recording retained pursuant to sub-paragraphs *(b)* (ii) *(aa)* and *(bb)* above shall, together with the recording required to be retained pursuant to sub-paragraph *(b)* (ii) above, total a period of eight hours and shall be retained in accordance with arrangements approved by the Minister.

(6) An approval granted by the Minister for the purposes of this Regulation shall be in writing and may be subject to such conditions as the Minister thinks fit.

Towing of gliders.

39. (1) An aircraft in flight shall not tow a glider unless the certificate of airworthiness issued or rendered valid in respect of the

towing aircraft under the law of the country in which that aircraft is registered includes an express provision that it may be used for that purpose.

(2) The length of the combination of towing aircraft, tow rope and glider in flight shall not exceed 150 metres.

(3) The commander of an aircraft which is about to tow a glider shall satisfy himself, before the towing aircraft takes off -

(a) that the tow rope is in good condition and is of adequate strength for the purpose, and that the combination of towing aircraft and glider, having regard to its performance in the conditions to be expected on the intended flight and to any obstructions at the place of departure and on the intended route, is capable of safely taking off, reaching and maintaining a safe height at which to separate the combination and that thereafter the towing aircraft can make a safe landing at the place of intended destination;

(b) that signals have been agreed and communication established with persons suitably stationed so as to enable the glider to take off safely;

(c) that emergency signals have been agreed between the commander of the towing aircraft and the commander of the glider, to be used, respectively, by the commander of the towing aircraft to indicate that the tow should immediately be released by the glider, and by the commander of the glider to indicate that the tow cannot be released.

(4) The glider shall be attached to the towing aircraft by means of the tow rope before the aircraft takes off.

Towing, picking up and raising of persons and articles.

40. (1) Subject to the provisions of this Regulation, an aircraft in flight shall not, by means external to the aircraft, tow any article, other than a glider, or pick up or raise any person, animal or article, unless the certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered includes an express provision that it may be used for that purpose.

(2) An aircraft shall not launch or pick up tow ropes, banners or similar articles other than at an aerodrome.

(3) An aircraft in flight shall not tow any article, other than a glider, at night or when flight visibility is less than one nautical mile.

(4) The length of the combination of towing aircraft, tow rope and article in tow, shall not exceed 150 metres.

(5) A helicopter shall not fly at any height over a congested area of a city, town or settlement at any time when any person, article or animal is suspended from the helicopter.

(6) A passenger shall not be carried in a helicopter at any time when an article, person or animal is suspended therefrom, other than a passenger who has duties to perform in connection with the article, person or animal or a passenger who has been picked up or raised by means external to the helicopter or a passenger who it is intended shall be lowered to the surface by such means.

(7) Nothing in this Regulation shall —

(a) prohibit the towing in a reasonable manner by an aircraft in flight of any radio aerial, any instrument which is being used for experimental purposes, or any signal, apparatus or article required or permitted by or under these Regulations to be towed or displayed by an aircraft in flight;

(b) prohibit the picking up or raising of any person, animal or article in an emergency or for the purpose of saving life;

(c) apply to any aircraft while it is flying in accordance with the "B Conditions" set forth in Schedule 1 to these Regulations;

(d) be taken to permit the towing or picking up of a glider otherwise than in accordance with Regulation 39.

Dropping of animals and articles.

41. (1) Articles and animals (whether or not attached to a parachute) shall not be dropped, or permitted to drop, from an aircraft in flight so as to endanger persons or property.

(2) Except under and in accordance with the terms of an aerial application certificate granted under Regulation 43, articles and animals (whether or not attached to a parachute) shall notbe dropped, or permitted to drop, to the surface from an aircraft flying over the Territory:

Provided that this paragraph shall not apply to the dropping of articles by, or with the authority of, the commander of the aircraft in any of the following circumstances:

(a) the dropping of articles for the purpose of saving life;

(b) the jettisoning, in case of emergency, of fuel or other articles in the aircraft;

(c) the dropping of ballast in the form of fine sand or water;

(d) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of these Regulations;

(e) the dropping at an aerodrome of tow ropes, banners, or similar articles towed by aircraft;

(f) the dropping of articles for the purposes of public health or as a measure against weather conditions, surface icing or oil pollution, or for training for the dropping of articles for any such purposes if the articles are dropped with the permission of the Minister and in accordance with any conditions subject to which that permission may have been given;

(g) the dropping of wind drift indicators for the purpose of enabling parachute descents to be made if the wind drift indicators are dropped with the permission of the Minister and in accordance with any conditions subject to which that permission may have been given.

(3) For the purposes of this Regulation "dropping" includes projecting and lowering.

(4) Nothing in this Regulation shall prohibit the lowering of any article or animal from a helicopter to the surface, if the certificate of airworthiness issued or rendered valid in respect of the helicopter under the law of the country in which it is registered includes an express provision that it may be used for that purpose.

Dropping of persons.

42. (1) A person shall not drop, be dropped or be permitted to drop to the surface or jump from an aircraft flying over the Territory except under and in accordance with the terms of a written permission granted by the Minister under this Regulation.

(2) For the purpose of this Regulation "dropping" includes projecting and lowering.

(3) Notwithstanding the grant of a permission under paragraph (1) of this Regulation, a person shall not drop, be dropped or be permitted to drop from an aircraft in flight so as to endanger persons or property.

(4) An aircraft shall not be used for the purpose of dropping persons unless the certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered includes an express provision that it may be used for that purpose and the aircraft is operated in accordance with the written permission granted by the Minister under this Regulation.

(5) Every applicant for and every holder of a permission shall make available to the Minister if requested to do so a parachuting manual and shall make such amendments or additions to such manual as the Minister may require. The holder of a permission shall make available to every employee or person who is engaged or may engage in parachuting activities conducted by him the manual which shall contain all such information and instructions asmay be necessary to enable such employees or persons to perform their duties.

(6) Without prejudice to any other provision in these Regulations the Minister may, for the purpose of this Regulation, accept reports furnished to him by a person whom he may approve, either absolutely or subject to such conditions as he thinks fit, as qualified to furnish such reports.

(7) Nothing in this Regulation shall apply to the descent of persons by parachute from an aircraft in an emergency.

(8) Nothing in this Regulation shall prohibit the lowering of any person in an emergency or for the purpose of saving life.

(9) Nothing in this shall prohibit the lowering of any person from a helicopter to the surface, if the certificate of airworthiness issued or rendered valid in respect of the helicopter under the law of the country in which it is registered includes an express provision that it may be used for that purpose.

Issue of aerial application certificates.

43. (1) An aircraft shall not be used for the dropping of articles for the purposes of agriculture, horticulture, or forestry or for

training for the dropping of articles for any of such purposes, otherwise than under and in accordance with the terms of an aerial application certificate granted to the operator of the aircraft under paragraph (2) of this Regulation.

(2) The Minister may grant to any person applying therefor an aerial application certificate if he is satisfied that that person is a fit person to hold the certificate and is competent, having regard in particular to his previous conduct and experience, his equipment, organisation, staffing and other arrangements, to secure the safe operation of the aircraft specified in the certificate on flights for the purposes specified in paragraph (1) of this Regulation. The certificate may be granted subject to such conditions as the Minister thinks fit including, without prejudice to the generality of the foregoing, conditions for ensuring that the aircraft and any article dropped from it do not endanger persons or property in the aircraft or elsewhere, and shall, subject to the provisions of Regulation 63, remain in force for the period specified in the certificate.

(3) Every applicant for and holder of an aerial application certificate shall make available to the Minister upon application and to every member of his operating staff upon the certificate being granted an aerial application manual which shall contain all such information and instructions as may be necessary to enable the operating staff to perform their duties as such. The holder of a certificate shall make such amendments of or additions to the manual as the Minister may require.

(4) For the purposes of this Regulation "operating staff" has the meaning ascribed to it in Regulation 25 (4).

Carriage of weapons and of munitions of war.

44. (1) An aircraft shall not carry any munition of war unless —

(a) such munition of war is carried with the written permission of the Minister and in accordance with any conditions relating thereto, and

(b) the commander of the aircraft is informed in writing by the operatorbefore the flight commences of the type, weight or quantity and location of any such munition of war on board or suspended beneath the aircraft and any conditions of the permission of the Minister.

(2) Notwithstanding paragraph (1) of this Regulation it shall be unlawful for an aircraft to carry any weapon or munition of war in any compartment or apparatus to which passengers have access.

(3) It shall be unlawful for a person to carry or have in his possession or to take or cause to be taken on board an aircraft, to suspend or cause to be suspended beneath an aircraft or to deliver or cause to be delivered for carriage thereon any weapon or munition of war unless —

(a) the weapon or munition of war;

(i) is either part of the baggage of a passenger on the aircraft or consigned as cargo to be carried thereon, and

(ii) is carried in a part of the aircraft, or in any apparatus attached to the aircraft inaccessible to passengers, and

(iii) in case of a firearm, is unloaded; and

(b) particulars of the weapon or munition of war have been furnished by that passenger or by the consignor to the operator before the flight commences, and

(c) without prejudice to paragraph (1) of this Regulation the operator consents to the carriage of such weapon or munition of war by the aircraft.

(4) Nothing in this Regulation shall apply to any weapon or munition of war taken or carried on board an aircraft registered in a country other than the Territory, if the weapon or munition of war, as the case may be, may under the law of the country in which the aircraft is registered be lawfully taken or carried on board for the purpose of ensuring the safety of the aircraft or of persons on board.

(5) For the purposes of this Regulation a "munition of war" means any weapon, ammunition or article containing an explosive or any noxious liquid, gas or other thing which is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article.

Carriage of dangerous goods.

45. (1) It shall be an offence to contravene or permit the contravention of or fail to comply with any of the Paragraphs set out in Schedule 15 to these Regulations:

Provided that the Minister may make Regulations which supplement, amend or replace the Regulations set out in the said Schedule 15 to these Regulations, and which prescribe —

(a) the classification of certain articles and substances as dangerous goods;

(b) the categories of dangerous goods which an aircraft may not carry;

(c) the conditions which apply to the loading on; suspension beneath and carriage by an aircraft of dangerous goods;

(d) the manner in which dangerous goods must be packed, marked, labelled and consigned before being loaded on suspended beneath or carried by an aircraft;

(e) any other provisions for securing the safety of aircraft and any apparatus attached thereto and the safety of persons and property on the surface in relation to the loading on, suspension beneath or carriage by an aircraft of dangerous goods;

(f) the persons to whom information about the carriage of dangerous goods must be provided;

(g) the documents relating to the carriage by an aircraft of dangerous goods which must be produced to the Minister or an authorised person on request.

(2) The provisions of paragraph (1) of this Regulation shall be without prejudice to any other provisions of these Regulations; and the provisions of paragraph (1), of Schedule 15 to these Regulations and of any Regulations supplementing, amending or replacing the sub-Paragraphs set out in Schedule 15 to these Regulations shall be additional to and not in derogation from the provisions of Regulation 44.

Method of carriage of persons.

46. A person shall not be in or on any part of an aircraft in flight which is not a part designed for the accommodation of persons and in particular a person shall not be on the wings or undercarriage of an aircraft. A person shall not be in or on any object, other than a glider or flying machine, towed by or attached to an aircraft in flight:

Provided that a person may have temporary access to :

(a) any part of an aircraft for the purpose of taking action necessary for the safety of the aircraft or of any person, animal or goods therein;

(b) any part of an aircraft in which cargo or stores are carried, being a part which is designed to enable a person to have access thereto while the aircraft is in flight.

Exits and break-in markings.

47. (1) This Regulation shall apply to every public transport aircraft registered in the
Territory.

(2) Whenever an aircraft to which this Regulation applies is carrying passengers, every exit therefrom and every internal door in the aircraft shall be in working order, and during take-off and landing and during any emergency, every such exit and door shall be kept free of obstruction and shall not be fastened by locking or otherwise so as to prevent, hinder or delay its use by passengers:

Provided that —

(a) an exit may be obstructed by cargo if it is an exit which, in accordance with arrangements approved by the Minister either generally or in relation to a class of aircraft or a particular aircraft, is not required for use by passengers;

(b) a door between the flight crew compartment and any adjacent compartment to which passengers have access may be locked or bolted if the commander of the aircraft so determines, for the purpose of preventing access by passengers to the flight crew compartment;

(c) nothing in this paragraph shall apply to any internal door which is so placed that it cannot prevent, hinder or delay the exit of passengers from the aircraft in an emergency if it is not in working order.

(3) Every exit from the aircraft shall be marked with the words "Exit" or "Emergency Exit" in capital letters.

(4) *(a)* Every exit from the aircraft shall be marked with instructions in English and with diagrams, to indicate the correct method of opening the exit.

(b) The markings shall be placed on or near the inside surface of the door or other closure of the exit and, if it is openable from the outside of the aircraft,on or near the exterior surface.

(5)*(a)* Every aircraft to which this Regulation applies, being an aircraft of which the maximum total weight authorised exceeds 3,600 kg., shall be marked upon the exterior surface of its fuselage with markings to show the areas (in this paragraph referred to as "break-in areas") which can, for purposes of rescue in an emergency, be most readily and effectively broken into by persons outside the aircraft.

(b) The break-in areas shall be rectangular in shape and shall be marked by right- angled corner markings, each arm of which shall be 10 centimetres in length along its outer edge and 2.5 centimetres in width.

(c) The words "Cut Here in Emergency" shall be marked across the centre of each break-in area in capital letters.

(6) On every flight by an aircraft to which this Regulation applies, being an aircraft of which the maximum total weight authorised exceeds 5,700 kg., every exit from such an aircraft intended to be used by passengers in an emergency shall be marked upon the exterior of the aircraft by a band not less than 5 centimetres in width outlining the exit.

(7) The markings required by this Regulation shall —

(a) be painted, or affixed by other equally permanent means;

(b) except in the case of the markings required by paragraph (6) of this Regulation, be red in colour and in any case in which the colour of the adjacent background is such as to render red markings not readily visible, be outlined in white or some other contrasting colour in such a manner as to render them readily visible;

(c) in the case of markings required by paragraph (6) of this Regulation, be of a colour clearly contrasting with the background on which it appears;

(d) be kept at all times clean and unobscured.

(8) If one, but not more than one, exit from an aircraft becomes inoperative at a place where it is not reasonably practicable for it to be repaired or replaced, nothing in this Regulation shall prevent that

aircraft from carrying passengers until it next lands at a place where the exit can be repaired or replaced:

Provided that —

(a) the number of passengers carried and the position of the seats which they occupy is in accordance with arrangements approved by the Minister either in relation to the particular aircraft or to a class of aircraft; and

(b) in accordance with arrangements so approved, the exit is fastened by locking or otherwise, the words "Exit" or "Emergency Exit" are covered, and the exit is marked by a red disc at least 23 centimetres in diameter, with a horizontal white bar across it bearing the words "No exit" in red letters.

Imperilling safety of aircraft.

48. A person shall not recklessly or negligently act in a manner likely to endanger an aircraft safety or any person therein.

Imperilling safety of any person or property.

49. A person shall not recklessly or negligently cause or permit an aircraft to endanger any person or property.

Drunkenness in aircraft.

50. (1) A person shall not enter any aircraft when drunk, or be drunk in any aircraft.

(2) A person shall not, when acting as a member of the crew of any aircraft or being carried in any aircraft for the purpose of so acting, be under the influence of drink or a drug to such an extent as to impair his capacity so to act.

Smoking in aircraft.

51. (1) Notices indicating when smoking is prohibited shall be exhibited in every aircraft registered in the Territory so as to be visible from each passenger seat therein.

(2) A person shall not smoke in any compartment of an aircraft registered in the Territory at a time when smoking is prohibited in that compartment by a notice to that effect exhibited by or on behalf of the commander of the aircraft.

Authority of commander of aircraft.

52. Every person in an aircraft registered in the Territory shall obey all lawful commands which the commander of that aircraft may give for the purpose of securing the safety of the aircraft and of persons or property carried therein, or the safety, efficiency or regularity of air navigation.

Stowaways.

53. A person shall not secrete himself for the purpose of being carried in an aircraft without the consent of either the operator or the commander thereof or of any other person entitled to give consent to his being carried in the aircraft.

PART VI

FATIGUE OF CREW

Application and interpretation of Part VI.

54. (1) Regulations 55 and 56 apply in relation to any aircraft registered in the Territory which is either —

(a) engaged on a flight for the purpose of public transport, or

(b) operated by an air transport undertaking:

Provided that the said Regulations shall not apply in relation to a flight made only for the purpose of instruction in flying given by or on behalf of a flying club or flying school, or a person who is not an air transport undertaking.

(2) In this Part, the following expressions shall, except where the context otherwise requires, have the meanings hereby respectively assigned to them, that is to say -

(a) "flight time", in relation to any person, means all time spent by that person in an aircraft whether or not registered in the Territory (other than an aircraft of which the maximum total weight authorised does not exceed 1,600 kg, and which is not flying for the purpose of public transport or aerial work) while it is in flight and he is carried therein as a member of the crew thereof;

(b) 'day' means a continuous period of 24 hours beginning at midnight Greenwich Mean Time.

(3) For the purposes of this Part, a helicopter shall be deemed to be in flight from the moment the helicopter first moves under its own power for the purpose of taking off until the rotors are next stopped.

Fatigue of crew - operator's responsibilities.

55. (1) The operator of an aircraft to which this Regulation applies shall not cause or permit that aircraft to make a flight unless:

(a) he has established a scheme for the Regulation of flight times for every person flying in that aircraft as a member of its crew; and

(b) the scheme is approved by the Minister subject to such conditions as he thinks fit; and

(c) either —

(i) the scheme is incorporated in the operations manual required by Regulation 25; or

(ii) in a case where an operations manual is not required by that Regulation, the scheme is incorporated in a document, a copy of which has been made available to every person flying in that aircraft as a member of its crew; and

(d) he has taken all such steps as are reasonably practicable to ensure that the provisions of the scheme will be complied with in relation to every person flying in that aircraft as a member of its crew.

(2) The operator of an aircraft to which this Regulation applies shall not cause or permit any person to fly therein as a member of its crew if he knows or has reason to believe that that person is suffering from, or, having regard to the circumstances of the flight to be undertaken, is likely to suffer from, such fatigue while he is so flying as may endanger the safety of the aircraft or of its occupants.

(3) The operator of an aircraft to which this Regulation applies shall not cause or permit any person to fly therein as a member of its flight crew unless the operator has in his possession an accurate and up- to-date record in respect of that person and in respect of the 28 days immediately preceding the flight showing —

(a) all his flight times; and

(b) brief particulars of the nature of the functions performed by him in the course of his flight times.

(4) The record referred to is paragraph (3) of this Regulation shall, subject to the provisions of Regulation 62, be preserved by the operator of the aircraft until a date 12 months after the flight referred to in that paragraph.

Fatigue of crew — responsibilities of crew.

56. (1) A person shall not act as a member of the crew of an aircraft to which this Regulation applies if he knows or suspects that he is suffering from, or, having regard to the of circumstances of the flight to be undertaken, is likely to suffer from, such fatigue as may endanger the safety of the aircraft or of its occupants.

(2) A person shall not act as a member of the flight crew of an aircraft to which this Regulation applies unless he has ensured that the operator of the aircraft is aware of his flight times during the period of 28 days preceding the flight.

Flight times — responsibilities of flight crew.

57. A person shall not act as a member of the flight crew of an aircraft registered in the Territory if at the beginning of the flight the aggregate of all his previous flight times —

(a) during the period of 28 consecutive days expiring at the end of the day on which the flight begins exceeds 100 hours; or

(b) during the period of 12 months expiring at the end of the previous month exceeds 900 hours.

Provided that this Regulation shall not apply to a flight made —

(i) in an aircraft of which the maximum total weight authorised does not exceed 1,600 kg. and which is not flying for the purposes of public transport or aerial work; or

(ii) in an aircraft not flying for the purpose of public transport nor operated by an air transport undertaking, if at the time when the flight begins the aggregate of all the flight times of the aforesaid person since he was last medically examined and found fit by a person approved by the Minister for the purpose of Regulation 20 (7) does not exceed 25 hours.

PART VII

DOCUMENTS AND RECORDS

Documents to be carried.

58. (1) An aircraft shall not fly unless it carries the documents which it is required to carry under the law of the country in which it is registered.

(2) An aircraft registered in the Territory, shall, when in flight, carry documents in accordance with Schedule 11 to these Regulations :

Provided that, if the flight is intended to begin and end at the same aerodrome and does not include passage over the territory of any country other than the Territory the documents may be kept at that aerodrome instead of being carried in the aircraft.

Records to be kept.

59. The operator of a public transport aircraft registered in the Territory shall in respect of any flight by that aircraft during which it may fly at an altitude of more than 49,000 feet, keep a record in a manner prescribed of the total dose of cosmic radiation to which the aircraft is exposed during the flight together with the names of the members of the crew of the aircraft during the flight.

Production of documents and records.

60. (1) The commander of an aircraft shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person —

(a) the certificates of registration and airworthiness in force in respect of the aircraft;

(b) the licences of its flight crew;

(c) such other documents as the aircraft is required by Regulation 58 to carry when in flight.

(2) The operator of an aircraft registered in the Territory shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person such of the following documents or records as may have been requested by that person being documents or records which are required, by or under these Regulations, to be in force or to be carried, preserved or made available —

(a) the documents referred to in Schedule 11 to these Regulations as Documents A, B and G;

(b) the aircraft log book, engine log books and variable pitch propeller log books required under these Regulations to be kept;

(c) the weight schedule, if any, required to be preserved under Regulation 16;

(d) in the case of a public transport aircraft or aerial work aircraft, the documents referred to in Schedule 11 to these Regulations as Documents D, E, F and H;

(e) any records of flight times, duty periods and rest periods which he is required by Regulation 55 (4) to preserve, and such other documents and information in the possession or control of the operator, as the authorised person may require for the purpose of determining whether those records are complete and accurate;

(f) any such operations manuals as are required to be made available under Regulation 25 (2) *(a)* (i);

(g) the record made by any flight data recorder required to be carried by or under these Regulations;

(h) the record made from any cosmic radiation detection equipment together with the record of the names of the members of the crew of the aircraft which are required to be kept under Regulation 59.

(3) *(a)* The holder of a licence granted or rendered valid under these Regulations shall, within a reasonable time after being required to do so by an authorised person, cause to be produced to that person his licence, including any certificate of validation. The requirements of this Regulation shall be deemed to have been complied with, except in relation to licences required by Regulation 58 to be carried in the aircraft or kept at an aerodrome, if the licence requested is produced within five days after the request has been made at a police station in the Territory specified, at the time of the request, by the person to whom the request is made.

(b) The foregoing provisions of this Regulation shall apply to a medical certificate issued pursuant to Regulation 19 (1) *(b)* (ii) as they apply to a licence granted or rendered valid under these Regulations.

(4) Every person required by Regulation 22 to keep a personal flying log book shall cause it to be produced within a reasonable time to an authorised person after being requested to do so by him within two years after the date of the last entry therein.

Power to inspect and copy documents and records.

61. An authorised person shall have the power to inspect and copy any certificate, licence, log book, document or record which he has the power pursuant to these Regulations and any Regulations made thereunder to require to be produced to him.

Preservation of documents etc.

62. A person required by these Regulations to preserve any document or record by reason of his being the operator of an aircraft shall, if he ceases to be the operator of the aircraft, continue to preserve the document or record as if he had not ceased to be the operator, and in the event of his death the duty to preserve the document or record shall fall upon his personal representative:

Provided that if —

(a) another person becomes the operator of the aircraft he or his personal representative shall deliver to that person upon demand the certificates of maintenance review and release to service, the log books and the weight schedule and any record made by a flight data recorder and preserved in accordance with Regulation 38 (2) which are in force or required to be preserved in respect of that aircraft;

(b) an engine or variable pitch propeller is removed from the aircraft and installed in another aircraft operated by another person he or his personal representative shall deliver to that person upon demand the log book relating to that engine or propeller;

(c) any person in respect of whom a record has been kept by him in accordance with Regulation 55 (4) becomes a member of the flight crew of a public transport aircraft registered in the Territory and operated by another person he or his personal representative shall deliver those records to that other person upon demand, and itshall be the duty of that other person to deal with the document or record delivered to him as if he were the first-mentioned operator.

Revocation, suspension and variation of certificates, licences and other documents.

63. (1) Subject to paragraph (4) of this Regulation, the Minister may, if he thinks fit provisionally suspend or vary any certificate, licence, approval, permission, exemption, authorisation or other document issued, granted or having effect under these Regulations pending inquiry into or consideration of the case. The Minister may, on sufficient ground being shown to his satisfaction after due inquiry, revoke, suspend or vary any such certificate, licence,

documents approval, permission, exemption, authorisation or other document.

(2) The holder or any person having the possession or custody of any certificate, licence, approval, permission, exemption, authorisation or other document which has been revoked, suspended or varied under these Regulations shall surrender it to the Minister within a reasonable time after being required to do so by him.

(3) The breach of any condition subject to which any certificate, licence, approval, permission, exemption or other document, other than a licence issued in respect of an aerodrome, has been granted or issued, or which has effect under these Regulations, shall, in the absence of provision to the contrary in the document, render the document invalid during the continuance of the breach.

(4) The provisions of Regulation 64 shall have effect, in place of the provisions of this Regulation, in relation to permits to which that Regulation applies.

(5) Notwithstanding paragraph (1) of this Regulation, a flight manual, performance schedule or other document incorporated by reference in the certificate of airworthiness may be varied on sufficient ground being shown to the satisfaction of the Minister, whether or not after due inquiry.

Revocation, suspension or variation of permissions, etc. granted under Regulation 85 or Regulation 86.

64. (1) Subject to the provisions of this Regulation, the Minister may revoke,suspend or vary any permit to which this Regulation applies.

(2) Save as provided by paragraph (3) of this Regulation, the Minister may exercise his powers under paragraph (1) of this Regulation only after notifying the permit-holder of his intention to do so and after due consideration of the case.

(3) If, by reason of the urgency of the matter, it appears to the Minister to be necessary for him to do so, he may provisionally suspend or vary a permit to which this Regulation applies without complying with the requirements of paragraph (2) of this Regulation; but he shall, in any such case, comply with those requirements as soon thereafter as is reasonably practicable and shall then, in the light of his due consideration of the case, either —

(a) revoke the provisional suspension or variation of the permit; or

(b) substitute therefor a definitive revocation, suspension or variation, which, if a definitive suspension, may be for the same or a different period as the provisional suspension (if any) or, if a definitive variation, may be in the same or different terms as the provisional variation (if any).

(4) The powers vested in the Minister by paragraph (1) or paragraph (3) of this Regulation may be exercised by him whenever, in his judgement and whether or not by reason of anything done or omitted to be done by the permit-holder or otherwise connected with the permit-holder, it is necessary or expedient that the permit-holder should not enjoy, or should no longer enjoy, the rights conferred on him by a permit to which this Regulation applies or should enjoy them subject to such limitations or qualifications as the Minister may determine. In particular, and without prejudice to the generality of the foregoing, the Minister may exercise his said powers if —

(a) it appears to him that the person to whom the permit was granted has committed a breach of any condition to which it is subject;

(b) it appears to him that any agreement between the Government of the Territory and the Government of any other country in pursuance of which or in reliance on which the permit was granted is no longer in force or that that other Government has committed a breach thereof;

(c) it appears to him that the person to whom the permit was granted, or such other Government as aforesaid (that is to say, a Government which is a party to such an agreement as aforesaid with the Government of the Territory), or the aeronautical authorities of the country concerned, have acted in a manner which is inconsistent with or prejudicial to the operation in good faith, and according to its object and purpose, of any such agreement as aforesaid, or have engaged in unfair, discriminatory or restrictive practices to the prejudice of the operator of an aircraft registered in and licensed to operate from the Territory by Regulations under the Act in his operation of air services to or from points in the country concerned;

(d) it appears to him that the person to whom the permit was granted, having been granted it as a person designated by the Government of a country other than the Territory for the purposes of any such agreement as aforesaid, is no longer so designated or that that person has so conducted himself, or that such circumstances have arisen in relation to him, as to make it necessary or expedient to disregard or qualify the consequences of his being so designated.

(5) The permit-holder or any person having the possession or custody of any permit which has been revoked, suspended or varied under this Regulation shall surrender it to the Minister within a reasonable time of being required by him to do so.

(6) The breach of any condition subject to which any permit to which this Regulation applies has been granted shall render the permit invalid during the continuance of the breach.

(7) The permits to which this Regulation applies are permissions granted by the Minister under Regulation 85 or Regulation 86 and any approvals or authorisations of, or consents to, any matter which the Minister has granted, or is deemed to have granted, in pursuance of a permission which he has so granted.

(8) References in this Regulation to the permit-holder are references to the person to whom any permit to which this Regulation applies has been granted or is deemed to have been granted.

(9) The provisions of this Regulation shall have effect, as from the commencement of these Regulations, as well as in relation to permits, being permits to which that Regulation applies, granted before the commencement of these Regulations as in relation to those granted thereafter.

Offences inrelation to documents and records.

65. (1) A person shall not with intent to deceive —

(a) use any certificate, licence, approval, permission, exemption or other document issued or required by or under these Regulations which has been forged, altered, revoked or suspended, or to which he is not entitled; or

(b) lend any certificate, licence, approval, permission, exemption or other document issued or having effect

or required by or under these Regulations to, or allow it to be used by, any other person; or

(c) make any false representation for the purpose of procuring for himself or any other person the grant, issue, renewal or variation of any such certificate, licence, approval, permission, exemption or other document, and in this paragraph, a reference to a certificate, licence, approval, permission, exemption or other document includes a copy or purported copy thereof.

(2) A person shall not intentionally damage, alter or render illegible any log book or other record required by or under these Regulations to be maintained or any entry made therein, or knowingly make, or procure or assist in the making of, any false entry in or material omission from any such log book or record or destroy any such log book or record during the period for which it is required under these Regulations to be preserved.

(3) All entries made in writing in any log book or record referred to paragraph (2) of this Regulation shall be made in ink or indelible pencil.

(4) A person shall not knowingly make in a load sheet any entry which is incorrect in any material particular, or any material omission from such a load sheet.

(5) A person shall not purport to issue any certificate for the purposes of these Regulations or the Regulations made thereunder unless he is authorised to do so under these Regulations.

(6) A person shall not issue such certificate as aforesaid unless he has satisfied himself that all statements in the certificate are correct.

PART VIII

CONTROL OF AIR TRAFFIC

Rules of the air — Air and and air traffic control.

66. (1) Every person and every aircraft shall comply with such of the Rules of the Air and Air Traffic Control contained in Schedule 13 to these Regulations as maybe applicable to that person or aircraft in the circumstances of the case.

(2) Subject to the provisions of paragraph (3) of this Regulation it shall be an offence to contravene, to permit the contravention of, or to fail to comply with, the Rules of the Air and Air Traffic Control.

(3) It shall be lawful for the Rules of the Air and Air Traffic Control to be departed from to the extent necessary —

(a) for avoiding immediate danger; or

(b) for complying with the law of any country, other than the Territory, within which the aircraft then is.

(4) If any departure from the Rules of the Air and Air Traffic Control is made for the purpose of avoiding immediate danger, the commander of the aircraft shall cause written particulars of the departure, and of the circumstances giving rise to it, to be given within ten days thereafter to the competent authority of the country in whose territory the departure was made or if the departure was made over the high seas, to the Minister.

(5) Nothing in the Rules of the Air and Air Traffic Control shall exonerate any person from the consequences of any neglect in the use of lights or signals or of the neglect of any precautions required by ordinary aviation practice or by the special circumstances of the case.

(6) The Minister may make rules of the air and air traffic control supplementary to but, not inconsistent with, the Rules of the Air and Air Traffic Control contained in Schedule 13 to these Regulations.

Licensing of air traffic controllers, student air traffic controllers and aerodome flight information service officers.

67. (1) The Minister may grant a licence subject to such conditions as he thinks fit to any person to act as an air traffic controller, as a student air traffic controller or as an aerodrome flight information service officer upon his being satisfied that the applicant is a fit person to hold the licence and is qualified by reason of his knowledge, experience, competency, skill, physical and mental fitness so to act, and for that purpose the applicant shall furnish such 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) a student air traffic controller's licence or an aerodrome flight information service officer's licence to a person under the age of 18 years; or

(b) an air traffic controller's licence which includes an Aerodrome Control Rating, an Approach Control Rating, or an Area Control Rating, to a person under the age of 20 years; or

(c) an air traffic controller's licence which includes any other rating, to a person under the age of 21 years.

(2) Every licence to act as an air traffic controller shall include *(a)* ratings of one or more of the classes set forth in Schedule 9 to these Regulations specifying the type of air traffic control service which the holder of the licence is competent to provide, *(b)* a list of the places at which, and *(c)* the type of radar equipment, if any, with the aid of which he may provide the service. If throughout any period of 90 days the holder of the licence has not at any time provided at a particular place the type of air traffic control service specified in the rating, the rating shall, without prejudice to the Mininster's powers under Regulation 63, cease to be valid for that place at the end of that period, and upon a rating ceasing to be valid for a place the holder of the licence shall forthwith inform the Minister 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 place in question.

(4) Every licence to act as an aerodrome flight information service officer shall be valid only for the purpose of authorising the holder to provide an aerodrome flight information service at an aerodrome specified in the licence. If, throughout any period of 180 days, the holder of the licence has not at any time provided such a service at a particular aerodrome, the licence shall cease to be valid for that aerodrome at the end of that period.

(5) A licence to act as an air traffic controller, as a student air traffic controller or as an aerodrome flight information service officer shall not be valid unless the holder of the licence has signed his name thereon in ink with his ordinary signature.

(6) Subject to the provisions of Regulation 63, a licence to act as an air traffic controller, as a student air traffic controller or as an

aerodrome flight information service officer shall remain in force for the period indicated in the licence and may be renewed by the Minister from time to time, upon his being satisfied that the applicant is a fit person and is qualified as aforesaid. If no period is indicated in the licence, it shall remain in force, subject as aforesaid, for the lifetime of the holder.

(7) Every applicant for and holder of an air traffic controller's licence or a student air traffic controller's licence shall upon such occasions as the Minister may require —

(a) submit himself to medical examination by a person approved by the Minister either generally or in a particular case who shall make a report to the Minister in such form as the Minister may require; and

(b) submit himself to such examinations and tests and furnish such evidence as to his knowledge, experience, competence and skill, as the Minister may require, and such examinations and tests may be conducted by the Minister or by a person approved by the Minister.

(8) Every applicant for and holder of an aerodrome flight information service officer's licence shall, upon such occasions as the Minister may require, subject himself to such examinationsand tests and furnish such evidence as to his knowledge, experience, competence and skill as the Minister may require and such examinations and tests may be conducted by the Minister or by a person approved by the Minister.

(9) On the basis of the medical examination referred to in paragraph (7) of this Regulation the Minister or any person approved by him as competent to do so may issue a medical certificate subject to such conditions as he thinks fit to the effect that the holder of the licence has been assessed as fit to perform the functions to which the licence relates. The certificate shall, without prejudice to Regulation 70 be valid for such period as is therein specified, and shall be deemed to form part of the licence.

(10) The holder of an air traffic controller's licence or student air traffic controller's licence shall not provide any type of air traffic control service at any such aerodrome or place as is referred to in Regulation 68 (1) unless his licence includes a medical certificate issued and in force under paragraph (9) of this Regulation.

Prohibition of unlicensed air traffic controllers, student air traffic controllers and aerodrome flight information service officers.

68. (1) A person shall not provide at any place any type of air traffic control service or an aerodrome flight information service or hold himself out, whether by use of a radio call sign or in any other way, as a person who may provide any type of air traffic control service or an aerodrome flight information service unless:

(a) in the case of an air traffic control service, he is the holder, and complies with the terms of —

(i) a valid student air traffic controller's licence granted under these Regulations and he is supervised in accordance with Regulation 67(3); or

(ii) a valid air traffic controller's licence so granted authorising him to provide that type of service at that place; or

(iii) a valid air traffic controller's licence so granted which does not authorise him to provide that type of service at that place, but he is supervised by a person who is present at the time and who is the holder of a valid air traffic controller's licence so granted which authorises him to provide at that place the type of air traffic control service which is being provided; or

(b) in the case of an aerodrome flight information service, he is the holder and complies with the terms of an aerodrome flight information service officer's licence granted under these Regulations authorising him to provide such a service at that place:

Provided that a licence shall not be required by any person who acts in the course of his duty as a member of any of the naval, military or air forces of the Territory or a visiting force.

(2) The holder of an air traffic controllers's licence shall not be entitled to perform any of the functions specified in Schedule 9 to these Regulations in respect of a rating at any place unless:

(a) his licence includes that rating and the rating is valid for the place at which, and the type of radar equipment, if any, with the aid of which, the functions are performed; or

(b) he is supervised by a person who is present at the time and who is the holder of a valid air traffic controller's licence granted under these Regulations which authorises him to provide at that place the type of air traffic control service which is being provided.

(3) A person shall not provide any type of air traffic control service or an aerodrome flight information service unless he identifies himself in such a manner as may be notified.

(4) Nothing in a licence granted under Regulation 67 shall permit any person to operate manually any direction-finding equipment for the purpose of providing air traffic control service to an aircraft at a time when he is providing air traffic control service or making signals to that aircraft or to another aircraft.

(5) Nothing in this Regulation shall prohibit the holder of a valid air traffic controller's licence from providing at any place for which the licence includes a valid rating, information to aircraft in flight in the interests of safety.

Flight information service manual.

69. A person shall not provide an aerodrome flight information service at any aerodrome unless —

(a) the service is provided in accordance with the standards and procedures specified in an aerodrome information service manual in respect of that aerodrome;

(b) the manual is produced to the Minister within a reasonable time after a request for its production is made by the Minister;

(c) such amendments or additions as the Minister may from time to time require have been made to the manual.

Incapacity of air traffic controllers.

70. (1) Every holder of an air traffic controller's licence granted under Regulation 67 who —

(a) suffers any personal injury or illness involving incapacity to undertake the functions to which his licence relates throughout a period of 20 consecutive days; or

(b) in the case of a woman, has reason to believe that she is pregnant, shall inform the Minister in writing of such injury, illness or pregnancy as soon as possible.

(2) An air traffic controller's licence shall be deemed to be suspended upon the elapse of such period of injury or illness as is referred to in paragraph (1) *(a)* of this Regulation. The suspension of the licence shall cease:

(a) upon the holder being medically examined under arrangements made by the Minister and pronounced fit to resume his functions under the licence; or

(b) upon the Minister exempting the holder from the requirement of a medical examination subject to such conditions as the Minister may think fit.

(3) Upon the pregnancy of the holder of an air traffic controller's licence being confirmed, the licence shall be deemed to be suspended and such suspension may be lifted by the Minister subject to such conditions as he thinks fit, and shall cease upon the holder being medically examined under arrangements made by the Minister after the pregnancy has ended and pronounced fit to resume her functions under the licence.

Power to prohibit or restrict flying.

71. (1) *(a)* Where the Minister deems it necessary in the public interest to restrict or prohibit flying by reason of—

(i) the intended gathering or movement of a large number of persons, or

(ii) the intended holding of an aircraft race or contest or of an exhibition of flying, or

(iii) national defence or any other reason affecting the public interest, the Minister may make Regulations prohibiting, restricting or imposing conditions on flight —

(aa) by any aircraft, whether or not registered in the Territory, in any airspace over the Territory;

(bb) by aircraft registered in the Territory, in any other airspace, being airspace in respect of which the Government of the Territory has inpursuance of international ar-

rangements undertaken to provide navigation services for aircraft.

(b) Regulations made under this Regulation may apply either generally or in relation to any class of aircraft.

(2) If the commander of an aircraft becomes aware that the aircraft is flying in contravention of any Regulations which have been made for any of the reasons referred to in paragraph (1) *(a)* (iii) of this Regulation he shall unless otherwise instructed pursuant to paragraph (3) of this Regulation cause the aircraft to leave the area to which the Regulations relate by flying to the least possible extent over such area and the aircraft shall not begin to descend while over such an area.

(3) The commander of an aircraft flying either within an area for which Regulations have been made for any of the reasons referred to in paragraph (1) *(a)* (iii) of this Regulation or within airspace notified as a Danger Area shall forthwith comply with such instructions given by radio or by one of the prescribed visual signals by the appropriate air traffic control unit or by, or on behalf of, the person responsible for safety within the relevant airspace.

Balloons, kites, airships, gliders, parascending parachutes.

72. (1) Within the Territory —

(a) a captive balloon or kite shall not be flown at a height of more than 60 metres above the ground level or within 60 metres of any vessel, vehicle or structure;

(b) a captive balloon shall not be flown within 5 kilometres of an aerodrome;

(c) a balloon exceeding 2 metres in any linear dimension at any stage of its flight, including any basket or other equipment attached to the balloon, shall not be flown in controlled airspace;

(d) a kite shall not be flown within 5 kilometres of an aerodrome;

(e) an airship shall not be moored;

(f) a glider or a parascending parachute shall not be launched by winch and cable or by ground tow to a height of more than 60 metres above ground level,

without the permission in writing of the Minister and in accordance with any conditions subject to which that permission may be granted.

(2) A captive balloon when in flight shall be securely moored, and shall not be left unattended unless it is fitted with a device which ensures its automatic deflation if it breaks free of its moorings.

PART IX

AERODROMES, AERONAUTICAL LIGHTS AND DANGEROUS LIGHTS

Aerodromes: public transport of passengers and instruction in flying.

73. (1) An aircraft to which this paragraph applies shall not take-off land at a place in the Territory other than —

(a) an aerodrome licensed under these Regulations for the take-off and landing of such aircraft; or

(b) a Government aerodrome notified as available for the take-off and landing of such aircraft, or in respect of which the person in charge of the aerodrome has given his permission for the particular aircraft to take-off or land as the case may be, and in accordance with any condition subject to which the aerodrome may have been so licensed or notified, or subject to which such permission may have been given.

(2) Paragraph (1) of this Regulation applies to —

(a) aeroplanes of which the maximum total weight authorised exceeds 2,730 kg. and which are flying -

(i) for the purpose of public transport of passengers; or

(ii) for the purpose of instruction in flying given to any person for the purpose of becoming qualified for the grant of a pilot's licence or the inclusion of an aircraft rating or a night rating in a licence; or

(iii) for the purpose of carrying out flying tests in respect of the grant of a pilot's licence

or the inclusion of an aircraft rating or a night rating in a licence;

(b) aeroplanes of which the maximum total weight authorised does not exceed 2,730 kg. engaged on either —

(i) scheduled journeys for the purpose of the public transport of passengers; or

(ii) flights for the purpose of the public transport of passengers beginning and ending at the same aerodrome; or

(iii) flights for the purpose of —

(aa) instruction in flying given to any person for the purpose of becoming qualified for the grant of a pilot's licence or the inclusion of an aircraft rating or a night rating in a licence; or

(bb) a flying test in respect of the grant of a pilot's licence or the inclusion of an aircraft rating or a night rating in a licence; or

(iv) flights for the purpose of the public transport of passengers at night;

(c) helicopters and gyroplanes engaged on such flights as are specified in sub-paragraphs *(b)* (i) and (iii) of this Regulation.;

(d) gliders (other than gliders being flown under arrangements made by a flying club and carrying no person other than a member of the club) which are flying for the purpose of the public transport of passengers or for the purpose of instruction in flying.

(3) *(a)* The person in charge of any area in the Territory intended to be used for the taking-off or landing of helicopters at night other than such a place as is specified in paragraph (1) of this Regulation shall cause to be in operation, whenever a helicopter flying

for the purpose of public transport of passengers is taking-off or landing at that area by night, such lighting as will enable the pilot of the helicopter -

(i) in the case of landing, to identify the landing area in flight, to determine the landing direction and to make a safe approach and landing;

(ii) in the case of taking-off, to make a safe take-off.

(b) A helicopter flying for the purpose of the public transport of passengers at night shall not take-off or land at a place to which sub- paragraph (a) of this paragraph applies unless there is in operation such lighting.

Use of Government aerodromes.

74. The Minister may cause to be notified subject to such conditions as he thinks fit any Government aerodrome as an aerodrome available for the take-off and landing of aircraft engaged on flights for the purpose of the public transport of passengers or for the purpose of instruction in flying or of any classes of such aircraft.

Licensing of aerodromes.

75. (1) The Minister may grant to any person applying therefor a licence in respect of any aerodrome in the Territory if he is satisfied that —

(a) that person is competent, having regard to his previous conduct and experience, his equipment, organisation, staffing, maintenance and other arrangements, to secure that the aerodrome and the airspace within which its visual traffic pattern is normally contained are safe for use by aircraft; and

(b) the aerodrome is safe for use by aircraft, having regard in particular to the physical characteristics of the aerodrome and of its surroundings.

(2) An aerodrome licence may be granted subject to such conditions as the Minister thinks fit and shall, subject to the provisions of Regulation 63, remain in force for the period specified in the licence.

(3) Without prejudice to the generality of paragraph (2) of this Regulation, the Minister may grant a licence (in these Regulations referred to as "a licence for public use") which shall be subject to the condition that the aerodrome shall at all times when it is available

for take-off or landing of aircraft be so available to all persons on equal terms and conditions.

(4) The holder of an aerodrome licence granted under these Regulations shall —

(a) furnish to any person on request information concerning the terms of the licence; and

(b) in the case of a licence for public use, cause to be notified the times during which the aerodrome will be available for the take-off or landing of aircraft engaged on flights for the purpose of public transport of passengers or instruction in flying.

(5) The holder of an aerodrome licence granted under these Regulations shall not contravene or cause or permit to be contravened any condition of the aerodrome licence at any time in relation to such aircraft engaged on such flights as are specified in Regulation 73(2), but the licence shall not cease to be valid by reason only of such a contravention.

Radio equipment at aerodromes.

76. (1) A person shall not cause or permit any aeronautical radio station to be established or used unless its purpose has been approved by the Minister and the equipment thereof is of a type the specification of which is approved by the Minister in relation to the purpose for which it is to be used.

(2) The person in charge of an aeronautical radio station the purpose of which is to provide navigational aid by radio or radar to an aircraft making an approach to land or landing at an aerodrome shall not cause or permit that aeronautical radio station to provide such navigational aid unless all aeronautical radio stations operated by that person at that aerodrome are —

(a) installed, modified and maintained in a manner approved by the Minister, and

(b) flight checked by the Minister or by a person approved by the Minister for that purpose on such occasions as the Minister may require.

Provided that the provisions of this paragraph shall not apply to any aeronautical radio station which is used solely for the purpose of enabling communications to be made by or on behalf of the operator of an aircraft and the commander thereof.

(3) The person in charge of an aeronautical radio station at an aerodrome for which a licence for public use has been granted shall cause to be notified in relation to that aeronautical radio station the type and hours of operation of any service which is available for use by any aircraft, and in approving the purpose for which an aeronautical radio station is to be used at any other aerodrome the Minister may if he thinks fit require the person in charge of the aeronautical radio station to cause such information as aforesaid to be notified.

(4) The provisions of this Regulation shall not apply in respect of any aeronautical radio station of which the person in charge is the Minister.

Records at aerodromes.

77. (1) The person in charge of any aeronautical radio station the purpose of which is to provide navigational aid by radio or radar to an aircraft making an approach to land or landing at an aerodrome shall in respect of all aeronautical radio stations operated by him at that aerodrome:

(a) keep a written record of functional tests, flight checks and particulars of any overhaul, repair, replacement or modification thereof; and

(b) preserve the written record for a period of one year or such longer period as the Minister may in any particular case direct and shall within a reasonable time after being requested to do so by an authorised person produce such record to that person.

(2) The person in charge of an aeronautical radio station which is used for the provision of an air traffic control service by an air traffic control unit shall provide apparatus which is capable of recording the terms or content of any radio message or signal transmitted to any aircraft either alone or in common with other aircraft or received from any aircraft by the air traffic control unit.

(3) The apparatus provided in compliance with paragraph (2) of this Regulation shall be:

(a) of a type the specification of which is approved by the Minister in relation to the particular aeronautical radio station; and

(b) installed, modified and maintained in a manner approved by the Minister; and

(c) in operation at all times when the aeronautical radio station is in operation for providing an air traffic control service.

(4) The person in charge of an aeronautical radio station shall ensure that each record made by the apparatus provided in compliance with paragraph (2) of this Regulation includes:

(a) the identification of the aeronautical radio station; and

(b) the date or dates on which the record was made; and

(c) a means of determining the time at which each message or signal was transmitted; and

(d) the identity of the aircraft to or from which and the radio frequency on which the message or signal was transmitted or received; and

(e) the time at which the record started and finished.

(5) If at any time the apparatus provided in compliance with paragraph (2) of this Regulation ceases to be capable of recording the matters required by this Regulation to be included in the record the person in charge of the aeronautical radio station shall ensure that a written record is kept in which the particulars specified in paragraph (4) of this Regulation are recorded together with a summary of communications exchanged between the aeronautical radio station and aircraft.

(6) The person in charge of the aeronautical radio station shall preserve any record made in compliance with paragraphs(2) and (5) of this Regulation for a period of 30 days from the date on which the message or signal was recorded or for such longer period as the Minister may in any particular case direct, and shall, within a reasonable time after being requested to do so by an authorised person, produce such record to that person.

(7) A person required by this Regulation to preserve any record by reason of his being the person in charge of the aeronautical radio station shall, if he ceases to be such person, continue to preserve the record as if he had not ceased to be such person, and in the event of his death the duty to preserve the record shall fall upon his personal representative:

Provided that if another person becomes the person in charge of the aeronautical radio station the previous person in charge or his personal representative shall deliver the record to that other person on demand, and it shall be the duty of that other person to deal with the record delivered to him as if he were that previous person in charge.

(8) The provisions of this Regulation shall not apply in respect of any aeronautical radio stationof which the person in charge is the Minister.

Charges at aerodromes licensed for public use.

78. (1) The Minister may, in relation to any aerodrome in respect of which a licence for public use has been granted, or to such aerodromes generally or to any class thereof prescribe the charges, or the maximum charges, which may be made for the use of the aerodrome and for any services performed at the aerodrome to or in connection with aircraft, and may further prescribe the conditions to be observed in relation to those charges and the performance of those services.

(2) The licensee of an aerodrome in relation to which the Minister has made any Regulations under paragraph (1) of this Regulation shall not cause or permit any charges to be made in contravention of those Regulations and shall cause particulars of the prescribed charges to be kept exhibited at the aerodrome in such a place and manner as to be readily available for the information of any person affected thereby.

(3) The licensee of any aerodrome in respect of which a licence for public use has been granted shall, when required by the Minister, furnish to the Minister such particulars as he may require of the charges established by the licensee for the use of the aerodrome or of any facilities provided at the aerodrome for the safety, efficiency or regularity of air navigation.

Use of aerodromes by aircraft of Contracting States and of the Commonwealth.

79. The person in charge of any aerodrome in the Territory which is open to public use by aircraft registered in the Territory (whether or not the aerodrome is a licensed shall cause the aerodrome, and all air navigation facilities provided thereat to be available for a use by aircraft registered in other Contracting States or in any part of the Commonwealth on the same terms and conditions as for use by aircraft registered in the Territory.

Noise and vibration caused by aircraft on aerodromes.

80. The conditions under which noise and vibration may be caused by aircraft (including aircraft military aircraft) on Government aerodromes, licensed aerodromes or on aerodromes at which,

the manufacture, repair or maintenance of aircraft is carried out by persons carrying on business as manufacturers or repairers of aircraft shall be as specified in Paragraph 12 in Schedule 14 to these Regulations.

Aeronautical lights.

81. Except with the permission of the Minister and in accordance with any conditions subject to which the permission may be granted, a person shall not establish, maintain or alter the character of:

(a) an aeronautical beacon within the Territory;

Provided that, in the case of an aeronautical beacon which is or may be visible from the waters within an area of a lighthouse authority, the Minister shall not give his permission for the purpose of this Regulation except with the consent of that authority, or

(b) any aeronautical ground light (other than an aeronautical beacon) at an aerodrome licensed under these Regulations, or which forms part of the lighting system for use by aircraft taking off from or landing at such an aerodrome.

(2) A person shall not intentionally or negligently damage or interfere with any aeronautical ground light established by or with the permission of the Minister.

Dangerous lights.

82. (1) A person shall not exhibit in the Territory any light which—

(a) by reason of its glare is liable to endanger aircraft taking off from or landing at an aerodrome; or

(b) by reason of its liability to be mistaken for an aeronautical light is liable to endanger aircraft.

(2) If any light which appears to the Minister to be such a light as aforesaid is exhibited the Minister may cause a notice to be served upon the person who is the occupier of the place where the light is exhibited or having charge of the light, directing that person, within a reasonable time to be specified in the notice, to take such steps as may be specified in the notice for extinguishing or screening the light and for preventing for the future the exhibition of any other light which may similarly endanger aircraft.

(3) The notice may be served either personally or by post, or by affixing it in some conspicuous place near to the light to which it relates.

(4) In the case of a light which is or may be visible from any waters within the area of a lighthouse authority, the powers of the Minister under this Regulation shall not be exercised except with the consent of that authority.

Customs airports.

83. (1) The Minister may, subject to such conditions as he may think fit and on the recommendation of the Comptroller of Customs and Excise by order designate any aerodrome to be a place for the landing or departure of aircraft for the purpose of the written laws for the time being in force relating to customs.

(2) The Minister may by order revoke any designation so made.

Aviation fuel at aerodromes.

84. (1) A person who has the management of any aviation fuel installation on an aerodrome in the Territory shall not cause or permit any fuel to be delivered to that installation or from it to an aircraft unless —

(a) when the aviation fuel is delivered into the installation he is satisfied that -

(i) the installation is capable of storing and dispensing the fuel so as not to render it unfit for use in aircraft; and

(ii) the installation is marked in a manner appropriate to the grade of fuel stored or if different grades are stored in different parts each part is so marked; and

(iii) in the case of delivery into the installation or part thereof from a vehicle or vessel, the fuel has been sampled and is of a grade appropriate to that installation or that part of the installation as the case may be and is fit for use in aircraft.

(b) when any aviation fuel is dispensed from the installation he is satisfied as the result of sampling that the fuel is fit for use in aircraft:

Provided that this paragraph shall not apply in respect of fuel which has been removed from an aircraft and is intended for use in another aircraft operated by the same operator as the aircraft from which it has been removed.

(2) A person to whom paragraph (1) of this Regulation applies shall keep a written record in respect of each installation of which he has the management, which record shall include -

(a) particulars of the grade and quantity of aviation fuel delivered and the date of delivery;

(b) particulars of all samples taken of the aviation fuel and of the results of tests of those samples;

(c) particulars of the maintenance and cleaning of the installation;

and he shall preserve the written record for a period of 12 months or such longer period as the Minister may in a particular case direct and shall, within a reasonable time after being requested to do so by an authorised person, produce such record to that person.

(3) *(a)* A person shall not cause or permit any aviation fuel to be dispensed for use in an aircraft if he knows or has reason to believe that the aviation fuel is not fit for use in aircraft.

(b) If it appears to the Minister or an authorised person that any aviation fuel is intended or likely to be delivered in contravention of any provision of this Regulation, the Minister or that authorised person may direct the person having the management of the installation not to permit aviation fuel to be dispensed from that installation until the direction has been revoked by the Minister or by an authorised person.

(4) For the purposes of this Regulation —

"aviation fuel" means fuel intended for use in aircraft;

"aviation fuel installation" means any apparatus or container, including a vehicle, designed, manufactured or adapted for the storage of aviation fuel or for the delivery of such fuel to an aircraft.

PART X

GENERAL

Restriction with respect to carriage for hire or reward in aircraft registered outside the Territory.

85. (1) An aircraft registered in a Contracting State, other than the Territory or any Member State of the Organisation of Eastern Caribbean States, or in a foreign country, shall not take on board or discharge any passenger or cargo in the Territory, being passengers or cargo or to be carried for hire or reward, except with the permission of the Minister granted under this Regulation to the operator or charterer of the aircraft or to the Government of the country in which the aircraft is registered and in accordance with any conditions to which such permission may be subject.

(2) Without prejudice to the provisions of Regulation 64 or of paragraph (1) of this Regulation, any breach by a person to whom a permission has been granted under this Regulation of any condition to which that permission was subject shall constitute a contravention of this Regulation.

Restriction with respect to aerial photography and survey from aircraft registered outside the Territory.

86. (1) An aircraft registered in any country other than the Territory shall not fly over the the Territory for the purpose of aerial photography or aerial survey (whether or not hire or and reward is given or promised in respect of the flight or the purpose of the flight) or for the purpose of any other form of aerial work except with the permission of the Minister granted under this Regulation to the operator or character of the aircraft and in accordance with any conditions to which such permission may be subject.

(2) Without prejudice to the provisions of Regulation 64 or paragraph (1) of this Regulation anybreach by a person to whom a permission has been granted under this Regulation of any condition to which that permission was subject shall constitute a contravention of this Regulation.

Flights over any foreign country.

87. (1) The operator or commander of an aircraft registered in the Territory (or, if the operator's principal place of business or permanent residence is in the Territory, any other aircraft) which is being flown over any foreign country shall not allow that aircraft to be used for a purpose which is prejudicial to the security, public order or public health of or to the safety of air navigation in relation to, that country.

(2) A person does not contravene paragraph (1) of this Regulation if he neither knew nor suspected that the aircraft was being or

was to be used for a purpose referred to in paragraph (1) in this Regulation.

(3) The operator or commander of an aircraft registered in the Territory (or, if the operator's principal place of business or permanent residence is in the Territory, any other aircraft) which is being flown over any foreign country shall comply with any directions given by the appropriate aeronautical authorities of that country whenever —

(a) the flight has not been duly authorised; or

(b) there are reasonable grounds for the appropriate aeronautical authorities to believe that the aircraft is being or will be used for a purpose which is prejudicial to the security, public order or public health of, or to the safety of the aircraft would be endangered.

(4) A person does not contravend paragraph (3) in this Regulation if he neither knew nor suspected that directions were being given by the appropriate aeronautical authorities.

(5) The requirement in paragraph (3) in this Regulation is without prejudice to any other requirement to comply with directions or an aeronautical authority.

(6) In this Regulation "appropriate aeronautical authorities" includes any person, whether a member of a country's military or civil authorities, authorised under the law of the foreign country to issue directions to aircraft flying over that country.

Mandatory reporting.

88. (1) Subject to the provisions of this Regulation, every person who —

(a) is the operator or the commander of a public transport aircraft which is registered in the Territory, and has a maximum total weight authorised of more than 2,300 Kg.; or

(b) carries on the business of manufacturing, repairing or overhauling such an aircraft, or any equipment or part thereof, or

(c) signs a certificate of maintenance review or of release to service in respect of such an aircraft, part or equipment; or

(d) performs a function for which he requires an air traffic controller's licence; or

(e) is the license or manager of a licensed aerodrome;

shall —

(i) make a report to the Minister of any reportable occurrence of which he knows and which is of such a description as is specified in Paragraph 16 of Schedule 14 to these Regulations; the report shall be made within such time, by such means, and shall contain such information as is so specified and it shall be presented in such form as the Minister may in any particular case approve, and

(ii) make a report to the Minister, within such time, by such means, and containing such information as the Minister may specify in a notice in writing served upon him, being information which is in his possession or control and which relates to a reportable occurrence which has been reported by him or by another person to the Minister in accordance with this Regulation.

(2) In this Regulation "reportable occurrence" means —

(a) any incident relating to such an aircraft or any defect in or malfunctioning of such an aircraft or any part or equipment of such an aircraft, being an incident, malfunctioning or defect endangering, or which if not corrected would endanger, the aircraft, its occupants, or any other person;

(b) any defect in or malfunctioning of any facility on the ground used or intended to be used for purposes of or in connection with the operation of such an aircraft, being a defect or malfunctioning endangering, or which if not corrected would endanger, such an aircraft or its occupants:

Provided that any accident of which notice has been given in pursuance of Regulations made under any written law relating to the investigation of aircraft accidents and having effect in the Territory shall not constitute a reportable occurrence for purposes of this

Regulation.

(3) Subject to paragraph (1) (ii), of this Regulation, nothing in this Regulation shall require a person to report any occurrence which he has reason to believe has been or will be reported by another person to the Minister in accordance with this Regulation.

(4) A person shall not make any report under this Regulation if he knows or has reason to believe that the report is false in any particular.

(5) Without prejudice to Regulation 38 (2) and subject to the provisions of Regulation 60, the operator of an aircraft shall, if he has reason to believe that a report has been or will be made in pursuance of this Regulation, preserve any data from a flight data recorder relevant to the reportable occurrence for fourteen days from the date on which a report of that occurrence is made to the Minister or for such longer period as the Minister may in particular case direct:

Provided that the record may be erased if the aircraft is outside the Territory and it is not reasonably practicable to preserve the record until the aircraft reaches the Territory.

Power to prevent aircraft flying.

89. (1) If it appears to the Minister or an authorised person that any aircraft is intended or likely to be flown —

(a) in such circumstances that any provision of Regulations 3, 5, 6, 7, 18, 19, 28, 38, 44, or 45 would be contravened in relation to the flight; or

(b) in such circumstances that the flight would be in contravention of any otherprovision of these Regulations or any Regulations made thereunder and be a cause of danger to any person or property whether or not in the aircraft; or

(c) while in a condition unfit for the flight, whether or not the flight would otherwise be in contravention of any provision of these Regulations or of any Regulation made thereunder,

the Minister or that authorised person may direct the operator or the commander of the aircraft that he is not to permit the aircraft to make the particular flight or any other flight of such description as may be specified in the direction, until the direction has been revoked by

the Minister or by an authorised person, and the Minister or that authorised person may take such steps as are necessary to detain the aircraft.

(2) For the purposes of paragraph (1) of this Regulation the Minister or any authorised person may enter upon and inspect any aircraft.

(3) If it appears to the Minister or an authorised person that any aircraft is intended or likely to be flown in such circumstances that any provision of Regulation 85 or 86 or any provision relating to the licensing of air transport in the Territory would be contravened in relation to the flight, the Minister or that authorised person may direct the operator or the commander of the aircraft that he is not to permit the aircraft to make the particular flight or any other flight of such description as may be specified in the direction until the direction has been revoked by the Minister or by an authorised person, and the Minister or any authorised person may take such steps as are necessary to detain the aircraft.

(4) For the purposes of paragraph (3) of this Regulation the Minister or any authorised person may enter upon any aerodrome and may enter upon and inspect any aircraft.

Right of access to aerodromes and other places.

90. The Minister and any authorised person shall have the right of access at all reasonable times —

(a) to any aerodrome, for the purpose of inspecting the aerodrome, or

(b) to any aerodrome for the purpose of inspecting any aircraft on the aerodrome or any document which he has power to demand under these Regulations, or for the purpose of detaining any aircraft under the provisions of these Regulations; and

(c) to any place where an aircraft has landed, for the purpose of inspecting the aircraft or any document which he has power to demand under these Regulations and for the purpose of detaining the aircraft under the provisions of these Regulations:

Provided that access to a Government aerodrome shall only be obtained with the permission of the person in charge of the aerodrome.

Obstruction of persons.

91. A person shall not intentionally obstruct or impede any person acting in the exercise of his powers or the performance of his duties under these Regulations.

Enforcement of directions.

92. Any person who without reasonable excuse fails to comply with any direction given to him under any provision of these Regulations or any Regulations made thereunder shall be deemed for the purposes of these Regulations to have contravened that provision.

Penalties.

93. (1) If any provision of these Regulations or of any Regulations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the commander thereof, shall (without prejudice to the liability of any other person under these Regulations for that contravention) be deemed for the purposes of the following provisions of this Regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.

(2) If it is proved that an act or omission of any person which would otherwise have been a contravention by that person of a provision of these Regulations or of any Regulations made thereunder was due to any cause not avoidable by the exercise of reasonable care by that person the act or omission shall be deemed not to be a contravention by that person of that provision.

(3) Where a person is charged with contravening a provision of these Regulations or of any Regulations made thereunder by reason of his having been a member of the flight crew of an aircraft on a flight for the purpose of public transport or aerial work the flight shall be treated (without prejudice to the liability of any other person under these Regulations) as not having been for that purpose if he proves that he neither knew nor suspected that the flight was for that purpose.

(4) If any person contravenes any provision of these Regulations or of any Regulations made thereunder, not being a provision referred to in paragraph (5) or (6) of this Regulation he shall be liable on summary conviction to a fine not exceeding one thousand dollars.

(5) If any person contravenes any provision specified in Part A of Schedule 12 to these Regulations he shall be liable on summary conviction to a fine not exceeding two thousand dollars.

(6) If any person contravenes any provision specified in Part B of the said Schedule he shall be liable on summary conviction to a fine not exceeding three thousand dollars or imprisonment for a term not exceeding one year and on conviction on indictment to a fine not exceeding ten thousand dollars or imprisonment for a term not exceeding five years or both.

Extra-territorial effect of these Regulations.

94. Except where the context otherwise requires, the provisions of these Regulations —

(a) in so far as they apply (whether by express reference or otherwise) to aircraft registered in the Territory shall apply to such aircraft wherever they may be;

(b) in so far as they apply as aforesaid to other aircraft shall apply to such other aircraft when they are within the Territory;

(c) in so far as they prohibit, require or regulate (whether by express reference or otherwise) the doing of anything by persons in, or by any of the crew of, any aircraft registered in the Territory, shall apply to such persons and crew, wherever they may be; and

(d) in so far as they prohibit, require or regulate as aforesaid the doing of anything in relation to any aircraft registered in the Territory by other persons shall, where such persons are citizens of the Territory, apply to them wherever they may be.

Application of Regulations to aircraft not registered in the Territory.

95. The Minister may direct that such of the provisions of these Regulations and of any Regulations made or having effect thereunder as may be specified in the direction shall have effect as if reference in those provisions to aircraft registered in the Territory included references to the aircraft specified in the direction, being an aircraft not so registered but for the time being under the management of a person who, or of persons each of whom, is qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in the Territory.

Application of Regulations to Government.

96. (1) Subject to the following provisions of this Regulation, the provisions of these Regulations shall apply to or in relation to aircraft belonging or exclusively employed in the service of the Government, as they apply to or in relation to other aircraft and for the purposes of such application the Department or other authority for the time being responsible on behalf of the Government for the

management of the aircraft shall be deemed to be the operator of the aircraft:

Provided that nothing in this Regulation shall render liable to any penalty any Department or other authority responsible on behalf of the Government for the management of any aircraft.

(2) Save as otherwise expressly provided the naval, military and air force authorities and members of any visiting force and any international headquarters and the members thereof and property held or used for the purpose of such a force or headquarters shall be exempt from the provisions of these Regulations and of any Regulations made thereunder to the same extent as if that force or headquarters formed part of the forces of the Territory and for the time being serving in the Territory.

(3) Save as otherwise provided by paragraph (4) of this Regulation and the Rules of the Air and Air Traffic Control nothing in these Regulations shall apply to or in relation to any military aircraft.

(4) Where a military aircraft is flown by a civilian pilot and is not commanded by a person who is acting in the course of his duty as a member of the naval, military or air forces of the Territory or as a member of a visiting force or international headquarters the following provisions of these Regulations shall apply on the occasion of that flight, that is to say, Regulations 48, 49, 50 and 71 and in addition Regulation 66 (so far as applicable) shall apply.

Exemption from Regulations.

97. The Minister may exempt from any of the provisions of these Regulations (other.than Regulations 85, 86 or 98) or any Regulations made there under, any aircraft or persons or classes of aircraft or persons, either absolutely or subject to such conditions as he thinks fit.

Appeal to High Court.

98. (1) An appeal shall lie to the High Court or to such other court as may be prescribed from any decision of the Minister that a person is not a fit person to hold a licence to act as an aircraft maintenance engineer, member of the flight crew of an aircraft, air traffic controller, student air traffic controller or aerodrome flight information service officer, and if the court is satisfied that on the evidence submitted to the Minister he was wrong in so deciding, the court may reverse the Minister's decision and the Minister shall give effect to the court's determination:

Provided that an appeal shall not lie from a decision of the Minister that a person is not qualified to hold the licence by reason of a

Navigation (Amendment) Order, 1962 (S.I. 1962 No. 2597), the Colonial Air Navigation (Amendment) Order, 1963 (S.I. 1963 No. 1966), the Colonial Air Navigation Order, 1965 (S.I. 1965 No. 588) and the Colonial Air Navigation (Amendment) Order, 1968 (S.I. 1968 No. 1090) are hereby revoked.

(2) Notwithstanding the revocation of the Orders mentioned in paragraph (1) in this Regulation any instrument, rule or other requirement, any notice and any certificate, licence, approval, permission, exemption, log book, record or other document issued under any enactment revoked by any of those Orders, if in force at the commencement of these Regulations, shall (except to the extent that such instrument is inconsistent with the provisions of these Regulations) continue in force until superseded, revoked or otherwise terminated and, so far as it could have been issued, made, served or granted under these Regulations, shall have effect as if issued, made, served or granted under these Regulations and these Regulations shall apply to or in relation to such instrument accordingly:

Provided that any such instrument which is expressed to remain in force for a definite period shall not remain in force after the expiration of that period unless it shall be renewed in accordance with the provisions of these Regulations or in accordance with any prescribed provisions.

Commencement.

These Regulations are deemed to have come into force on the 1st day of January, 1997.

Lester B. Bird,
Minister responsible for Aviation.

SCHEDULE 1

Regulations 3 (1), 7 (1), 12 (2) and 40

A AND B CONDITIONS

The A Conditions and B Conditions referred to in Regulations 3 (1), 7 (1), 12 (2) and 40 are as follows:

A Conditions

(1) The aircraft shall be either an aircraft in respect of which a certificate of airworthiness or validation has previously been in force under these Regulations, or an aircraft identical in design with an aircraft in respect of which such a certificate is or has been in force.

(2) The aircraft shall fly only for the purpose of enabling it to —

(a) qualify for the issue or renewal of a certificate of airworthiness or of the validation thereof or the approval of a modification of the aircraft, after an application has been made for such issue, renewal, validation or approval as the case may be; or

(b) proceed to or from a place at which any inspection, approval, test or weighing of, or the installation of equipment in, the aircraft is to take place for a purpose referred to in sub-paragraph *(a),* hereof after such an application has been made, or at which the installation of furnishings in, or the painting of, the aircraft is to be undertaken; or

(c) proceed to or from a place at which the aircraft is to be or has been stored.

(3) The aircraft and its engines shall be certified as fit for flight by the holder of an aircraft maintenance engineer's licence granted under these Regulations, being a licence which entitles him to issue that certificate or by a person approved by the Minister for the purpose of issuing certificates under this condition, and in accordance with that approval.

(4) The aircraft shall carry the minimum flight crew specified in any certificate of airworthiness or validation which has previously been in force under these Regulations in respect of the aircraft, or is or has previously been in force in respect of any other aircraft of identical design.

(5) The aircraft shall not carry any persons or cargo except persons performing duties in the aircraft in connection with the flight or persons who are carried in the aircraft to perform duties in connection with a purpose referred to in paragraph (2) of these Conditions.

(6) The aircraft shall not fly over any congested area of a city, town or settlement except to the extent that it is necessary to do so in order to take off from or land at a Government aerodrome or a licensed aerodrome, in accordance with normal aviation practice.

(7) Without prejudice to the provisions of Regulation 18(2), the aircraft shall carry such flight crew as may be necessary to ensure the safety of the aircraft.

B Conditions

(1) The flight shall be made under the supervision of a person approved by the Minister for the purposes of these Conditions, and subject to any additional conditions which may be specified in such approval.

(2) If it is not registered in the Territory or under the law of any country referred to in Regulation 3, the aircraft shall be marked in a manner approved by the Minister for the purposes of these Conditions, and the provisions of Regulations 14, 15, 19, 32, 36, 58 and 60 shall be complied with in relation to the aircraft as if it was registered in the Territory so far as such provisions are applicable to the aircraft in the circumstances.

(3) The aircraft shall fly only for the purpose of —

(a) experimenting with or testing the aircraft (including in particular its engines) and its equipment; or

(b) enabling it to qualify for the issue of a certificate of airworthiness or the validation thereof, or the approval of a modification of the aircraft; or

(c) proceeding to or from a place at which any experiment, inspection, approval, test or weighing of, or the installation of equipment in, the aircraft is to take place for a purpose referred to in sub-paragraph (a) or (b) of this paragraph or at which the installation of furnishings in, or the painting of, the aircraft is to be undertaken; or

(d) demonstrating the aircraft with a view to the sale of that aircraft or of other similar aircraft.

(4) Without prejudice to the provisions of Regulation 18(2), the aircraft shall carry such flight crew as may be necessary to ensure the safety of the aircraft.

(5) The aircraft shall not carry any cargo, or any persons other than the flight crew except the following:

(a) persons employed by the operator who carry out during the flight duties in connection with the purposes specified in paragraph (3) of these Conditions;

(b) persons employed by manufacturers of component parts of the aircraft (including its engines) who carry out during the flight duties in connection with the purposes so specified;

(c) persons approved by the Minister under Regulation 8 (8) as qualified to furnish reports for the purposes of that Regulation;

(d) persons, other than those carried under the preceding provisions of this paragraph, who are carried in the aircraft in order to carry out a technical evaluation of the aircraft or its operation.

(6) The aircraft shall not fly, except in accordance with procedures which have been approved by the Minister in relation to that flight, over any congested area of a city, town or settlement.

SCHEDULE 2
Regulations 2 (5), 4 (6) and 23 (2)

Part A

TABLE OF GENERAL CLASSIFICATION OF AIRCRAFT

Col. 1	*Col. 2*	*Col. 3*	*Col. 4*
Aircraft	Lighter than air aircraft	Non-power driven	Free Balloon Captive Balloon
		Power driven	Airship
	Heavier than air aircraft	Non-power driven	Glider Kite
		Power driven (flying machines)	Aeroplane (Landplane) Aeroplane (Seaplane) Aeroplane (Amphibian) Aeroplane(Self-launching Motor Glider) Rotocraft: Helicopter, Gyroplane

PART B
Regulation 5 (2)

NATIONALITY AND REGISTRATION MARKS OF AIRCRAFT REGISTERED IN THE TERRITORY

1. The nationality mark of the aircraft shall be either a group of two capital letters in Roman character or a group of one capital letter in Roman character and one Arabic numeral and the registration mark shall be a group of three capital letters in Roman character assigned by the Minister on the registration of the aircraft. The letters shall be without ornamentation and a hyphen shall be placed between the nationality mark and the registration mark.

2. The nationality and registration marks shall be displayed to the best advantage, taking into consideration the constructional features of the aircraft and shall always be kept clean and visible.

3. The nationality and registration marks shall also be inscribed, together with the name and address of the registered owner of the aircraft, on a fireproof metal plate affixed —

(a) in the case of an aeroplane having an empty weight not exceeding 150 kg. either in accordance with paragraph (b) or in a prominent position to the wing,

(b) in the case of any other aircraft in a prominent position on the fuselage or car or basket, as the case may be, and near to the main entrance to the aircraft.

4. The nationality and registration marks shall be painted on the aircraft or shall be affixed thereto by any other means ensuring a similar degree of permanence in the following manner —

I. Position of marks —

(a) Flying Machines and Gliders —

(i) Horizontal Surfaces of the Wings or Fuselage (or equivalent structure):

(aa) On aircraft having a fixed wing surface the marks shall appear on the lower surface of the wing structure, and shall be on the left half of the lower surface of the wing structure unless they extend across the whole surface of both wings. So far as possible the marks shall be located equidistant from the leading and trailing edges of the wings. The tops of the letters shall be towards the leading edge of the wing.

(bb) On aircraft having no fixed wing surface and when owing to the structure of the aircraft the greatest height reasonably practicable for the marks on the vertical surface of the fuselage (or equivalent structure) is less than 15 centimetres the marks shall also appear on the lower surface of the fuselage on the line of symmetry and shall be placed with the tops of the letters towards the nose.

(ii) Vertical Surfaces of the Tail or Fuselage (or equivalent structure): The marks shall also be on each side of the aircraft either on the fuselage or on the upper halves of the vertical tail surfaces. On aircraft having a fixed wing surface, the marks,

if placed on the fuselage (or equivalent structure) shall be between the horizontal tail surfaces and the wing. When on a single vertical tail surface the marks shall be on both sides. When there is more than one vertical tail surface, the marks shall be on the outer sides of the outboard vertical tail surfaces.

(b) Airships and Free Balloons —

(i) Airships: The marks shall be on each side of the airship. They shall be placed horizontally either on the hull near the maximum cross-section of the airship or on the lower vertical stabiliser.

(ii) Free Balloons: The marks shall be in two places diametrically opposite.

(iii) In the case of all airships and free balloons the side marks shall be so placed as to be visible both from the sides and from the ground.

II. Size of Marks

(a) Flying Machines and Gliders

(i) Wings: The letters constituting each group of marks shall be of equal height. The height of the letters shall be at least 50 centimetres.

(ii) Fuselage (or equivalent structure) or Vertical Tail Surfaces: The marks on the fuselage (or equivalent structure) shall not interfere with the visible outlines of the fuselage (or equivalent structure). The marks on the vertical tail surfaces shall be such as to leave a margin of at least 5 centimetres along each side of the vertical tail surface. The letters shall be of equal height. The height of the letters constituting each group of marks shall be at least 30 centimetres. Where marks are required to be carried on the lower surface of aircraft having no fixed wing surface, the height of the marks shall be at least 50 centimetres:

Provided that where owing to the structure of the aircraft the appropriate height specified in this sub-paragraph (ii) is not reasonably practicable, the height of the marks shall be the greatest height reasonably practicable in the circumstances consistent with compliance with Section III of this Part of this Schedule.

(b) Airships and Free Balloons —

The letters constituting each group of marks shall be of equal height. The height of the letters shall be at least 50 centimetres.

III. Width and Spacing of Marks —

(a) The width of each letter (except the letter i) and the length of the hyphen between the nationality mark and registration mark shall be two-thirds of the height of a letter.

(b) The letters and hyphen shall be formed by solid lines and shall be of a colour clearly contrasting with the background on which they appear. The thickness of the lines shall be one-sixth of the height of a letter.

(c) Each letter shall be separated from the letter which it immediately precedes or follows by a space equal to half the width of a letter. A hyphen shall be regarded as a letter for this purpose.

PART C

Regulation 4 (8)

AIRCRAFT DEALER'S CERTIFICATE — CONDITIONS

(1) The operator of the aircraft shall be the registered owner of the aircraft, who shall be the holder of an aircraft dealer's certificate granted under these Regulations.

(2) The aircraft shall fly only for the purpose of —

(a) testing the aircraft; or

(b) demonstrating the aircraft with a view to the sale of that aircraft or of other similar aircraft; or

(c) proceeding to or from a place at which the aircraft is to be tested or demonstrated as aforesaid, or overhauled, repaired or modified; or

(d) delivering the aircraft to a person who has agreed to buy, lease or sell it; or

(e) proceeding to or from a place for the purpose of storage.

(3) Without prejudice to the provisions of Regulation 32 the operator of the aircraft shall satisfy himself before the aircraft takes off that the aircraft is in every way fit for the intended flight.

(4) The aircraft shall fly only within the Territory.

SCHEDULE 3 Regulation 8

Transport Category (Passenger)

Transport Category (Cargo)

Aerial Work Category

Private Category

Special Category

The purposes for which the aircraft may fly are as follows:

Transport Category (Passenger):	Any purpose
Transport Category (Cargo):	Any purpose, other than the public transport of passengers.
Aerial Work Category:	Any purpose other than public transport.
Private Category:	Any purpose other than public transport or aerial work.
Special Category:	Any purpose, other than public transport, specified in the certificate of airworthiness but not including the carriage of passengers unless expressly permitted.

SCHEDULE 4
Regulation 11 (4) and 13 (2)

AIRCRAFT EQUIPMENT

1. Every aircraft of a description specified in the first column of the Table set forth in paragraph 4 of this Schedule and which is registered in the Territory shall be provided, when flying in the circumstances specified in the second column of the said Table, with adequate equipment, and for the purpose of this paragraph the expression "adequate equipment" shall mean the scales of equipment respectively indicated in that Table:

Provided that, if the aircraft is flying in a combination of such circumstances the scales of equipment shall not on that account be required to be duplicated.

2. The equipment carried in an aircraft as being necessary for the airworthiness of the aircraft shall be taken into account in determining, whether this Schedule is complied with in respect of that aircraft.

3. The following items of equipment shall not be required to be of a type approved by the Minister —

(i) The equipment referred to in Scale A (ii).
(ii) First aid equipment and handbook, referred to in Scale B.
(iii) Time-pieces, referred to in Scale F.
(iv) Torches, referred to in Scales G, H, J, and Z.
(v) Whistles, referred to in Scale H.
(vi) Sea anchors, referred to in Scales I and J.
(vii) Rocket signals, referred to in Scale I.
(viii) Equipment for mooring, anchoring or manoeuvring aircraft on the water, referred to in Scale I.
(ix) Paddles, referred to in Scale J.
(x) Food and water, referred to in Scale J, U and V.
(xi) First aid equipment, referred to in Scales J, U and V.
(xii) Stove, cooking utensils, snow shovels, ice saws, sleeping bags and Arctic suits, referred to in Scale V.
(xiii) Megaphones, referred to in Scale Y.

4. TABLE

Description of aircraft	Circumstances of flight	Scale of Equipment Required
(1) Gliders	(a) *flying for purposes other than public transport or aerial work* when flying by night	A (ii)
	(b) *flying for the purpose of public transport or aerial work*; and	A,B,D and F (i)
	(i) when flying by night	C and G
	(ii) when carrying out aerobatic manoeuvres	M

Description of aircraft	Circumstances of flight	Scale of Equipment Required
(2) Aeroplanes	(a) *flying for purposes other than public transport*; and	A
	(i) when flying by night	C and D
	(ii) when flying under Instrument Flight Rules	
	(aa) outside controlled airspace	D
	(bb) within controlled airspace	E with E (iv) duplicated and F
	(iii) when carrying out aerobatic manoeuvres	M
	(iv) when flying for the purpose of aerial work	B (i)
	(b) *flying for the purpose of public transport;* and	A, B, D and F (i)
	(i) when flying under Instrument Flight Rules except flights outside controlled airspace by aeroplanes having a maximum total weight authorised not exceeding 1,150 kg.	
	(ii) when flying by night; and in the case of aeroplanes of which the maximum total weight authorised exceeds 1,150 kg.	E with E (iv) duplicated and F,C and G E with E(iv) duplicated and F
	(iii) When flying over water beyond gliding distance from land	H
	(iv) on all flights on which in the event of any emergency occurring during the take-off or during the landing at the intended destination or any likely alternate desti-	

Description of aircraft	Circumstances of flight	Scale of Equipment Required
	nation it is reasonably possible that the aeroplane would be forced to land onto water	H
	(v) when flying over water —	
	(aa) in the case of an aeroplane—	
	(aaa) classified in its certificate of airworthiness as being of performance group A, C or X; or	
	(bbb) having no performance group classification in its certificate of airworthiness and of such a weight and performance that with any one of its power units inoperative and the remaining power unit or units operating within the maximum continuous power conditions specified in the certificate of airworthiness, performance schedule or flight manual relating to the aeroplane issued or rendered valid by the Minister it is capable of a gradient of climb of at least 1 in 200 at an altitude of 5,000 feet in the International Standard Atmosphere specified in or ascertainable by reference to the certificate of airworthiness in force in respect of that aircraft when either more than 400 nautical miles or more than	

Description of aircraft	Circumstances of flight	Scale of Equipment Required
	90 minutes flying time* from the nearest aerodrome at which an emergency landing can be made	H and J
	(bb) in the case of all other aeroplanes when more than 30 minutes flying time* from such an aerodrome	H and J
	(vi) on all flights which involve manoeuvres on water	H,I and J
	(vii) when flying at a height of 10,000 feet or more above mean sea level:	
	(aa) having a certificate of airworthiness first issued (whether in the Territory or elsewhere) before 1st January 1991	K1 or K2
	(bb) having a certificate of airworthiness first issued (whether in the Territory or elsewhere) on or after 1st January 1991	K2
	(viii) on flights when the weather reports or forecasts available at the aerodrome at the time of departure indicate that conditions favouring ice formation are likely to be met	L
	(ix) when carrying out aerobatic manoeuvres	M

*For the purposes of this Table, flying time shall be calculated on the assumption that the aircraft is flying in still air at the speed specified in the relevant certificate of airworthiness as the speed for compliance with regulations governing flights over water.

Description of aircraft	Circumstances of flight	Scale of Equipment Required
	(x) on all flights on which the aircraft carries a flight crew of more than one person	N
	(xi) on all flights for the purpose of public transport of passengers	Q and Y
	(xii) on all flights by a pressurised aircraft	R
	(aa) before 1st January 1992	R1
	(bb) on or after 1st January 1992	R2
	(xiii) when flying over substantially uninhabited land areas where, in the event of an emergency landing, tropical conditions are likely to be met	U
	(xiv) when flying over substantially uninhibited land or arears where, in the event of an emergency landing, polar conditions are likely to be met.	V
	(xv) when flying at an altitude of more than 49,000 feet	W
(3) Turbine-jet aeroplanes having a maximum total weight authorised exceeding 5,700 kg. or pressurised aircraft having a maximum total weight authorised exceeding 11,400 kg.	*When flying for the purpose of public transport*	O

Description of aircraft	Circumstances of flight	Scale of Equipment Required
(4) Turbine-engined aeroplanes having a maximum total weight authorised exceeding 5,700 kg. and piston-engined aeroplanes having a maximum total weight authorised exceeding 27,000 kg.		
(a) which are operated by an air transport undertaking under a certificate of airworthiness of the Transport Category (Passenger) or the Transport Category (Cargo) or	*when flying on any flight*	P
(b) in respect of which application has been made and not withdrawn or refused for such a certificate, and which fly under the "A" Conditions or under a certificate of airworthiness of the Special Catergory	*when flying on any flight*	P
Provided that this paragraph shall not apply to:		
(i) aeroplanes having a maximum total weight authorised exceeding 230,000 kg. which conform to a type which was first issued with a type certificate in the Territory after 1st January 1970; or		

Description of aircraft	Circumstances of flight	Scale of Equipment Required
(ii) aeroplanes having a maximum total weight authorised exceeding 5,700 kg. but not exceeding 230,000 kg. which conform to a type which was first issued with a type certificate (whether in the Territory or elsewhere) after 1st April 1971.		
(5) Aeroplanes —		
(a) which conform to a type first issued with a type certificate (whether in the Territory or elsewhere) on or after 1st April 1971 and which have a maximum total weight authorised exceeding 5,700 kg. and in respect of which there is in force a certificate of airworthiness in the Transport Category (Passenger) or Transport Category (Cargo); or	*when flying on any flight*	S
(b) which conform to a type first issued with a type certificate in the Territory on or after 1st January 1970 and having a maximum total weight authorised exceeding 230,000 kg. and in respect of which there is in force such a certificate of airworthiness; or	*when flying on any flight*	S

Description of aircraft	Circumstances of flight	Scale of Equipment Required
(c) having a maximum total weight authorised exceeding 5,700 kg. which conform to a type first issued with a type certificate on or after 1st April 1971 (or 1st January 1970 in the case of an aeroplane over 230,000 kg. maximum total weight authorised) in respect of which application has been made, and not withdrawn or refused, for such a certificate of airworthiness and which fly under the "A Conditions" or in respect of which there is in force a certificate of airworthiness in the Special Category.	*when flying on any flight*	S
(6) Aeroplanes —		
(a) which conform to a type first issued with a type certificate (whether in the Territory or elsewhere) on or after 1st April 1971 and which have maximum total weight authorised exceeding 27,000 kg. and in respect of which there is in force a certificate of airworthiness in the Transport Category (Passenger) or the Transport Category (Cargo); or	*when flying on any flight*	T
(b) which conform to a type first issued with a type certificate in the Ter-		

Description of aircraft	Circumstances of flight	Scale of Equipment Required
ritory on or after 1st January 1970 and which have a maximum total weight authorised exceeding 230,000 kg. and in respect of which there is in force such a certificate of airworthiness; or,	*when flying on any flight*	T
(c) having a maximum total weight authorised exceeding 27,000 kg. which conform to a type first issued with a type certificate on or after 1st April 1971 (or 1st January 1970 in the case of an aeroplane having a maximum total weight authorised exceeding 230,000 kg.) in respect of which an application has been made, and not withdrawn or refused for such a certificate of airworthiness and which fly under the "A Conditions" or in respect of which there is in force a certificate of airworthiness in the Special Category.	*when flying on any flight*	T
(7) Aeroplanes which have a maximum total weight authorised exceeding 15,000 kg. or which in accordance with the certificate of airworthiness in force in respect thereof may carry more than 30 passengers	*On all flights for the purpose of public transport*	X

Description of aircraft	Circumstances of flight	Scale of Equipment Required
(8) Aeroplanes —		
(a) which are a turbo-jet and which have a maximum total weight authorised exceeding 22,700 kg., or	*when flying by night for the purpose of the public transport of passengers*	Z (i) and (ii)
(b) having a maximum total weight authorised exceeding 5,700 kg. and which conform to a type for which a certificate of airworthiness was first applied for (whether in the Territory or elsewhere) after 30th April 1972 but not including any aeroplane which in the opinion of the Minister is identical in all matters affecting the provision of emergency evacuation facilities to an aeroplane for which a certificate of airworthiness was first applied for before that date; or	*when flying by night for the purpose of the public transport of passengers*	Z (i) and (ii)
(c) which in accordance with the certificate of airworthiness in force in respect thereof may carry more than 19 passengers over 3 years of age.	*when flying by night for the purpose of the public transport of passengers*	Z (i)
(9) Helicopters and Gyroplanes	*(a)* flying for purposes other than public transport; and (i) when flying by day under Visual Flight	A

Description of aircraft	Circumstances of flight	Scale of Equipment Required
	Rules with visual ground reference	D
	(ii) when flying by day under Instrument Flight Rules or without visual ground reference	
	(aa) outside controlled airspace	E with E (ii) duplicated
	(bb) within controlled airspace	E with E (ii) and E(iv) duplicated and F with F (iv) for all weights
	(iii) when flying at night	
	(aa) with visual ground reference	C,E,G(iii)and G (v).
	(bb) without visual ground reference —	
	(aaa) outside controlled airspace	C,E with E (ii) duplicated, G(iii) and G (v)
	(bbb) within controlled airspace	C, E, with both E (ii) and E (iv) duplicated, F with F(iv) for all weights, G (iii) and G (v).
	(b) flying for the purpose of public transport; and	A,B,F(i) and F(iv) for all weights.

Description of aircraft	Circumstances of flight	Scale of Equipment Required
	(i) when flying by day under Visual Flight Rules with visual ground reference	D
	(ii) when flying by day under Instrument Flight Rules or without visual ground reference	E with both E (ii) and E (iv) duplicated, F (ii), F (iii) and F (v).
	(iii) when flying by night with visual ground reference	
	(aa) in the case of a helicopter or gyroplane having a maximum total weight authorised not exceeding 2,000 kg.	C, E and G.
	(bb) in the case of a helicopter or gyroplane having a maximum total weight authorised exceeding 2,000 kg.	C, E with E (ii) duplicated and either E (iv) duplicated or a radio altimeter, F(ii), F(iii),F(v) and G.
	(iv) when flying by night without visual ground reference	C, E with both E(ii) and E(iv) duplicated, F(ii),
	(v) when flying over water	F(iii), F(v), and G.
	(aa) in the case of a helicopter or a gyroplane classified in its certificate of airworthiness as being of performance group A2 or B when beyond autorotational	

Description of aircraft	Circumstances of flight	Scale of Equipment Required
	gliding distance from land suitable for an emergency landing	E and H
	(bb) on all flights on which in the event of any emergency occurring during the take-off or during the land at the intended destination or any likely alternate destination it is reasonably possible that the helicopter or gyroplane would be forced to land onto water	H
	(cc) in the case of a helicopter or a gyroplane classified in its certificate of airworthiness as being of performance group A2 when beyond 10 minutes flying time * from land	E,H, J and T
	(dd) for more than a total of three minutes in any flight	EE
	(ee) in the case of a helicopter or a gyroplane classified in its certificate of airworthiness as being of performance group A2 which	

* For the purposes of this table, flying time shall be calculated on the assumption that the helicopter or gyroplane is flying in still air at the speed specified in the relevant certificate of airworthiness as the speed for compliance with regulations governing flights over water.

Description of aircraft	Circumstances of flight	Scale of Equipment Required
	is intended to fly beyond ten minutes flying time from land or which actually flies beyond ten minutes flying time from land, on a flight in support of or in connection with the offshore exploration of mineral resources (including gas) when the weather report or forecasts available to the commander of the aircraft indicate that the sea temperature will be less than plus ten degrees centi-grade during the flight or when any part of the flight is at night	HH
	(vi) on all flights which involve manoeuvres on water	H, I and J.
	(vii) when flying at a height of 10,000 feet or more above mean sea level:	
	(aa) having a certificate of airworthiness first issued (whether in the Territory or elsewhere) before 1st January 1991	K1 or K2
	(bb) having a certificate of airworthiness first issued (whether in	

Description of aircraft	Circumstances of flight	Scale of Equipment Required
	the Territory or elsewhere) on or after 1st January 1991	K2
	(viii) on flights when the weather reports or forecasts available at the aerodrome at the time of departure indicate that conditions favouring ice formation are likely to be met.	L
	(ix) on all flights on which the aircraft carries a flight crew of more than one person	N
	(x) on all flights for the purpose of the public transport of passengers	Y
	(xi) when flying over substantially uninhabited land areas where, in the event of emergency landing, tropical conditions are likely to be met	U
	(xii) when flying over substantially uninhabited land or other areas where, in the event of an emergency landing, polar conditions are likely to be met.	V

Description of aircraft	Circumstances of flight	Scale of Equipment Required
(10) Helicopters and Gyroplanes —		
(a) having a maximum total weight authorised exceeding 5,700 kg.; and which conform to a type for which a certificate of airworthiness was first applied for (whether in the Territory or elsewhere) after 30th April 1972 but not including any helicopter or gyroplane which in the opinion of the Minister is identical in all matters affecting the provision of emergency evacuation facilities to a helicopter or gyroplane for which a certificate of airworthiness was first applied for before that date; or	*when flying by night for the purpose of the public transport of passengers*	Z (i) and (ii)
(b) which, in accordance with the certificate of airworthiness in force in respect thereof, may carry more than 19 persons over 3 years of age; or	*when flying by night for the purpose of the public transport of passengers*	Z(i)
(c) which have a certificate of airworthiness issued in the Transport Category (passenger or cargo) and which has either a maximum total weight	*when flying on any flight beginning on or after 1st January 1991 until 31st July 1992*	S

Description of aircraft	Circumstances of flight	Scale of Equipment Required
authorised exceeding 2,700 kg. or which may carry more than 9 passengers.		
(d) in respect of which there is in force a certificate of airworthiness issued in the Transport Category (Passenger or Cargo) and helicopters in respect of which application has been made and not withdrawn or refused for such a certificate of airworthiness and which fly under the "A" conditions or which have a certificate of airworthiness in the Special Category and		
(i) which have maximum weight authorised exceeding 2780 kg but not exceeding 7000 kg or which in accordance with the certificate of airworthiness in force in respect thereof may carry more than nine passengers, or both	*when flying on any flight on or after 31 July 1992*	SS (i) or (iii)
(ii) which have a maximum total weight authorised exceeding 7000kg.	*when flying on any flight on or after 31 July 1992*	SS (ii) or (iii)

5. The scales of equipment indicated in the foregoing Table shall be as follows —

Scale A

(i) Spare fuses for all electrical circuits the fuses of which can be replaced in flight, consisting of 10 per cent, of the number of each rating or three of each rating, whichever is the greater;

(ii) Maps, charts, codes and other documents and navigational equipment necessary, in addition to any other equipment required under these Regulations, for the intended flight of the aircraft including any diversion which may reasonably be expected.

(iii) *(a)* Subject to Scale B (iii) *(a)* in all aeroplanes, helicopters and gyroplanes, for every pilot's seat and for any seat situated alongside a pilot's seat, a safety belt with one diagonal shoulder strap or a safety harness:

Provided that the Minister may permit a safety belt without a diagonal shoulder strap to be fitted if he is satisfied that it is not reasonably practicable to fit a safety belt with one diagonal shoulder strap, or a safety harness.

(b) Subject to Scale B (iii) *(b)* for every seat in use (not being a seat referred to in sub-paragraph *(a)* above) a safety belt with or without one diagonal shoulder strap or a safety harness.

(c) In addition and for attachment to the equipment required in sub-paragraph *(b)*, above, a child restraint device for every child under the age of two years on board.

Scale B

(i) First-aid equipment of good quality, sufficient in quantity, having to the number of person on board the aircraft, and including the following —

Roller bandages, triangular bandages, adhesive plaster, absorbent gauze, cotton wool (or wound dressings in place of the absorbent gauze and cotton wool), burn dressings, safety pins;
Haemostatic bandages or tourniquets, scissors;
Antiseptic, analgesic and stimulant drugs;
Splints, in the case of aeroplanes the maximum total weight authorised of which exceeds 5,700 kg.;
A handbook on First Aid.

(ii) In the case of a flying machine used for the public transport of passengers in which, while the flying machine is at rest on the ground, the sill of any external door intended for the

disembarkation of passengers whether, normally or in an emergency,

(a) is more than 1.82 metres from the ground when the undercarriage of the machine is in the normal position for taxying, or

(b) would be more than 1.82 metres from the ground if the undercarriage or any part thereof should collapse, break or fail to function, apparatus readily available for use at each such door consisting of a device or devices which will enable passengers to reach the ground safely in an emergency while the flying machine is on the ground, and can be readily fixed in position for use.

(iii) *(a)* If the maximum total weight authorised of the aircraft exceeds 2,730 kg., a safety harness for every pilot's seat in use, in place of the safety belt with one diagonal shoulder strap referred to under Scale A:

Provided that the Minister may permit a safety belt with one diagonal shoulder strap to be fitted if he is satisfied that it is not reasonably practicable to fit a safety harness.

(b) On all flights for the public transport of passengers by aircraft, for each seat for use by cabin attendants who are required to be carried under these Regulations, a safety harness.

(iv) If the commander cannot, from his own seat, see all the passengers' seats in the aircraft, a means of indicating to the passengers that seat belts should be fastened.

Scale C

(i) Equipment for displaying the lights required by the Rules of the Air and Air Traffic Control;

(ii) Electrical equipment, supplied from the main source of supply in the aircraft, to provide sufficient illumination to enable the flight crew properly to carry out their duties during flight;

(iii) Unless the aircraft is equipped with radio, devices for making the visual signal specified in the Rules of the Air

and Air Traffic Control as indicating a request for permission to land.

Scale D

(i) *(a)* In the case of a helicopter or a gyroplane, a slip indicator;

(b) In the case of any other flying machine either —

(aa) a turn indicator and a slip indicator; or

(bb) a gyroscopic bank and pitch indicator and a gyroscopic direction indicator,

(ii) a sensitive pressure altimeter adjustable for any sea level barometric pressure which the weather report or forecasts available to the commander of the aircraft indicate is likely to be encountered during the intended flight.

Scale E

(i) *(a)* In the case of a helicopter or a gyroplane, a slip indicator;

(b) In the case of any other flying machine, a turn indicator and a slip indicator;

(ii) A gyroscopic bank and pitch indicator;

(iii) A gyroscopic direction indicator;

(iv) A sensitive pressure altimeter adjustable for any sea level barometric pressure which the weather report or forecasts available to the commander of the aircraft indicate is likely to be encountered during the intended flight;

Provided that any aircraft may, at the option of the operator, be equipped with an additional gyroscopic bank and pitch indicator in lieu of the turn indicator referred to in (i) of this Scale.

Scale EE

On all flights on or after 1st January 1991, a radio altimeter with an audio voice warning operating below a preset

height and a visual warning capable of operating at a height selectable by the pilot.

Scale F

(i) A time piece indicating the time in hours, minutes and seconds.

(ii) A means of indicating whether the power supply to the gyroscopic instruments is adequate;

(iii) A rate of climb and descent indicator;

(iv) If the maximum total weight authorised of the aircraft exceeds 5,700 kg. a means of indicating outside air temperature;

(v) If the maximum total weight authorised of the aircraft exceeds 5,700 kg. two air speed indicators.

Scale G

(i) In the case of an aircraft other than a helicopter or gyroplane landing lights consisting of two single filament lamps, or one dual filament lamp with separately energised filaments;

(ii) an electric lighting system to provide illumination in every passenger compartment;

(iii) *(a)* one electric torch for each member of the flight crew of the aircraft; or

(b) (aa) one electric torch for each member of the flight crew of the aircraft; and

(bb) at least one electric torch affixed adjacent to each floor level exit intended for the disembarkation of passengers whether normally or inan emergency, provided that such torches shall—

— be readily accessible for use by the crew of the aircraft at all times; and

— number in total not less than the minimum number of cabin attendants required to be carried with a full passenger complement.

(iv) In the case of an aircraft other than a helicopter or gyroplane of which the maximum total weight authorised exceeds 5,700 kg., means of observing the existence and build up of ice on the aircraft.

(v) *(a)* In the case of a helicopter or gyroplane in respect of which there is in force a certificate of airworthiness designating the helicopter or gyroplane as being of performance group A, either -

(aa) two landing lights both of which are adjustable so as to illuminate the ground in front and below the helicopter or gyroplane and one of which is adjustable so as to illuminate the ground on either side of the helicopter or gyroplane; or

(bb) one landing light or, if the maximum total weight authorised of the helicopter or gyroplane exceeds 5,700 kg., one dual filament landing light with separately energised filaments, or two single filament lights, each of which is adjustable so as to illuminate the ground in front and below the helicopter or gyroplane; and two parachute flares.

(b) In the case of a helicopter or gyroplane in respect of which there is in force a certificate of airworthiness designating the helicopter or gyroplane as being of performance group B, either-

(aa) one landing light and two parachute flares; or

(bb) if the maximum total weight authorised of the helicopter or gyroplane exceeds 5,700 kg., either one dual filament landing light with separately energised filaments or two single filament landing lights; and two parachute flares.

Scale H

For each person on board, a life jacket equipped with a whistle and waterproof torch:

Provided that life jackets constructed and carried solely for use by children under three years of age need not be equipped with a whistle.

Scale HH

A survival suit for each member of the crew.

Scale I

(i) Additional flotation equipment, capable of supporting one-fifth of the number of persons on board, and provided in a place of stowage accessible from outside the flying machine;

(ii) Parachute distress rocket signals capable of making, from the surface of the water,the pyrotechnical signal of distress specified in the Rules of the Air and Air Traffic Control;

(iii) A sea anchor and other equipment necessary to facilitate mooring, anchoring or manoeuvring the flying machine on water, appropriate to its size, weight and handling characteristics.

Scale J

(i) *(a)* In the case of a flying machine, other than a helicopter or gyroplane carrying 20 or more persons, life rafts sufficient to accommodate all persons on board;

(b) In the case of a helicopter or gyroplane carrying 20 or more persons, a minimum of two life rafts sufficient together to accommodate all persons on board.

Each life raft shall contain the following equipment —

(a) means for maintaining buoyancy;

(b) a sea anchor;

(c) life-lines, and means of attaching one life raft to another;

(d) paddles or other means of propulsion;

(e) means of protecting the occupants from the elements;

(f) a waterproof torch;

(g) marine type pyrotechnical distress signals;

(h) means of making sea water drinkable, unless the full quantity of fresh water is carried as specified in sub-paragraph (i).

(i) for each four or proportion of four persons the life raft is designed to carry —

100 grammes of glucose toffee tablets;
½ litre of fresh water in durable containers;

Provided that in any case in which it is not reasonably practicable to carry the quantity of water above specified; as large a quantity of fresh water as is reasonably practicable in the circumstances may be substituted. In no case however shall the quantity of water carried be less than is sufficient, when added to the amount of fresh water capable of being produced by means of the equipment specified in sub-paragraph (h), to provide ½ litre of water for each four or proportion of four persons the life raft is designed to carry;

(j) first aid equipment;
Items *(f)* to *(j)* inclusive shall be contained in a pack.

(ii) The number of survival beacon radio apparatus carried when the aircraft is carrying the number of life rafts specified in column 1 of the following Table shall be not less than the number specified in, or calculated in accordance with, column 2:

TABLE

Column 1	**Column 2**
Not more than 8 life rafts	2 survival beacon radio apparatus
For every additional 4 or proportion of 4 life rafts	1 additional survival beacon radio apparatus

(iii) In the case of a helicopter or gyroplane undertaking a flight on or after 1st January, 1991, an emergency beacon which is automatically deployed and activated in the event of a crash.

Scale K1

PART 1

(i) In every flying machine which is provided with means for maintaining a pressure greater than 700 millibars throughout the flight in the flight crew compartment and in the compartments in which passengers are carried -

(a) a supply of oxygen sufficient, in the event of failure to maintain such pressure, occurring in the circumstances specified in columns 1 and 2 of the Table set out in Part II of this Scale, for continuous use, during the periods specified in column 3 of the said Table, by the persons for whom oxygen is to be provided in accordance with column 4 of that Table, and

(b) in addition, in every case where the flying machine flies above flight level 350, a supply of oxygen in a portable container sufficient for the simultaneous first aid treatment of two passengers, together with suitable and sufficient apparatus to enable such persons to use the oxygen.

(ii) In any other flying machine —

(a) a supply of oxygen sufficient for continuous use by all the crew, and if passengers are carried, by 10 per cent of the number of passengers, for any period exceeding 30 minutes during which the flying machine flies above flight level 100 but not above flight level 130 except that on and after 1st January 1991 flight crews shall be supplied with oxygen sufficient for continuous use for any period during which the flying machines flies above flight level 100; and

(b) a supply of oxygen sufficient for continuous use by all persons on board for the whole time during which the flying machine flies above flight level 130,

PART II

Column 1	*Column 2*	*Column 3*	*Column 4*
Vertical displacement of the flying machine in relation to flight levels	*Capability of flying machine to descend (where relevant)*	*Period of supply of oxygen*	*Persons for whom oxygen is to be provided*
Above flight level 100		30 minutes or the period specified at A hereunder whichever is the greater	In addition to any passengers for whom oxgyen is provided as specified below, all the crew
Above flight level 100 but not above flight level 300	Flying machine is either flying at or below flight level 150 or is capable of descending and continuing to destination as specified at X hereunder	30 minutes or the period specified at A hereunder whichever is the greater	10 per cent of number of passengers
	Flying machine is flying above flight level 150 and is not so capable	10 minutes or the period specified at B hereunder whichever is the greater and in addition 30 minutes or the period specified at C hereunder whichever is the greater	All passengers 10 per cent of number of passengers
	Flying machine is capable of descending and continuing to destination as specified at Y hereunder.	30 minutes or the period specified at A hereunder whichever is the greater	15 per cent of number of passengers

Column 1	*Column 2*	*Column 3*	*Column 4*
Above flight level 300 but not above flight level 350	Flying machine is not so capable	10 minutes or the period specified at B hereunder whichever is the greater and in addition 30 minutes or the period specified at C hereunder whichever is the greater	All passengers 15 per cent of number of passengers
Above flight level 350	—	10 minutes or the period specified at B hereunder whichever is the greater and in addition 30 minutes or the period specified at C hereunder whichever is the greater	All passengers 15 per cent of number of passengers

A. The whole period during which, after a failure to maintain a pressure greater than 700 millibars in the control compartment and in the compartments in which passengers are carried has occurred, the flying machine flies above flight level 100.

B. The whole period during which, after failure to maintain such pressure has occurred, the flying machine flies above flight level 150.

C. The whole period during which, after a failure to maintain such pressure has occurred, the flying machine flies above flight level 100, but not above flight level 150.

X. The flying machine is capable, at the time when a failure to maintain such pressure occurs, of descending in accordance with the emergency descent procedure specified in the relevant flight manual and without flying below the minimum altitudes for safe flight specified in the operations manual relating to the aircraft, to flight level 150 within 6 minutes, and of continuing at or below that flight level to its place of intended destination or any other place at which a safe landing can be made.

Y. The flying machine is capable, at the time when a failure to maintain such pressure occurs of descending in accordance with the emergency descent procedure specified in the relevant flight manual and without flying below the minimum altitudes for safe flight specified in the operations manual relating to the aircraft, to flight level 150 within 4 minutes and of continuing at or below that flight level to its place of intended destination or any other place at which a safe landing can be made.
together with suitable and sufficient apparatus to enable such persons to use the oxygen.

(iii) The quantity of oxygen required for the purpose of complying with paragraph (i) and (ii) of this Part of this Scale shall be computed in accordance with the information and instructions relating thereto specified in theoperations manual relating to the aircraft pursuant to Item (vi) of Part A of Schedule 10 to these Regulations.

Scale K2

A supply of oxygen and the associated equipment to meet the requirements set out in Parts I and II of this scale. The duration for the purposes of this scale shall be:

(i) that calculated in accordance with the operations manual prior to the commencement of the flight, being the period or periods which it is reasonably anticipated that the aircraft will be flown in the circumstances of the intended flight at a height where the said requirements apply and in calculating the said duration account shall be taken of:

(a) in the case of pressurised aircraft, the possibility of depressurisation when flying above flight level 100,

(b) the possibility of failure of one or more of the aircraft engines,

(c) restrictions due to required minimum safe altitude,

(d) fuel requirement, and

(e) the performance of the aircraft; or

(ii) the period or periods during which the aircraft is actually flown in the circumstances specified in the said Parts; whichever is the greater.

PART 1

Unpressurised Aircraft

(i) When flying at or below flight level 100
Nil

(ii) When flying above flight level 100 but not exceeding flight level 120

Supply for	*Duration*
(a) Members of the flight crew	Any period during which the air craft flies above flight level 100
(b) Cabin attendants and 10% of passengers	For any continuous period exceeding 30 minutes during which the aircraft flies above flight level 100 but not exceeding flight level 120, the duration shall be the period by which 30 minutes is exceeded

(iii) When flying above flight level 120

Supply for	*Duration*
(a) Members of the flight crew	Any period during which the aircraft flies above flight level 120
(b) Cabin attendants and all passengers	Any period during which the aircraft flies above flight level 120

PART II

Pressurised Aircraft

(i) when flying at or below flight level 100
Nil.

(ii) When flying above flight level 100 but not exceeding flight level 250

Supply for		*Duration*
(a) Members of the flight crew		30 minutes or whenever the cabin pressure altitude exceeds 10,000 feet, whichever is the greater
(b) Cabin attendants and 10% of passengers	(aa)	When the aircraft is capable of descending and continuing to its destination as specified at A hereunder, 30 minutes or whenever the cabin pressure altitude exceeds 10,000 feet, whichever is the greater.
	(bb)	When the aircraft is not so capable, whenever the cabin pressure altitude is greater than 10,000 feet but does not exceed 12,000 feet
(c) Cabin attendants and passengers	(aa)	When the aircraft is capable of descending and continuing to its destination as specified at A hereunder, no requirement other than that at (ii) (b) (aa) of this part of this scale
	(bb)	When the aircraft is not so capable and the cabin pressure altitude exceeds 12,000 feet, the duration shall be the period when the cabin pressure altitude exceeds 12,000 feet or 10 minutes, whichever is the greater

(iii) When flying above flight level 250

Supply for	*Duration*
(a) Members of the flight crew	2 hours or whenever the cabin pressure altitude exceeds 10,000 feet, whichever is the greater

Supply for	*Duration*
(b) Cabin attendants	Whenever the cabin pressure altitude exceeds 10,000 feet and a portable supply for 15 minutes
(c) 10% of passengers	Whenever the cabin pressure altitude exceeds 10,000 feet but does not exceed 12,000 feet
(d) 30% of passengers	Whenever the cabin pressure altitude exceeds 12,000 feet but does not exceed 15,000 feet
(e) All passengers	If the cabin pressure altitude exceeds 15,000 feet, the duration shall be the period when the cabin pressure altitude exceeds 15,000 feet or 10 minutes, whichever is the greater
(f) 2% of passengers or 2 passengers, whichever is the greater, being a supply of first aid oxygen which must be available for simultaneous first aid treatment of 2% or 2 passengers wherever they are seated in the aircraft	Whenever, after decompression, the cabin pressure altitude exceeds 8,000 feet

A. The flying machine is capable, at the time when a failure to maintain cabin pressurisation occurs of descending in accordance with the emergency descent procedure specified in the relevant flight manual and without flying below the minimum altitudes for safe flight specified in the operations manual relating to the aircraft, to flight level 120 within 5 minutes and of continuing at or below that flight level to its place of intended destination or any other place at which a safe landing can be made.

Scale L

Equipment to prevent the impairment through ice formation of the functioning of the controls, means of propulsion, lifting surfaces, windows or equipment of the aircraft so as to endanger the safety of the aircraft.

Scale M

Safety harness for every seat in use:

Provided that in the case of an aircraft carrying out aerobatic manoeuvres consisting only of erect spinning, the Minister may permit a safety belt with one diagonal shoulder strap to be fitted if he is satisfied that such restraint is sufficient for the carrying out of erect spinning in that aircraft and that it is not reasonably practicable to fit a safety harness in that aircraft.

Scale N

An intercommunication system for use by all members of the flight crew and including microphones, not of a hand-held type, for use by the pilot and flight engineer (if any).

Scale O

A radar set capable of giving warning to the pilot in command of the aircraft and to the co-pilot of the presence of cumulo-nimbus clouds and other potentially hazardous weather conditions:

Provided that a flight may commence if the set is unserviceable or continue if the set becomes unserviceable thereafter:

(a) so as to give the warning only to one pilot, so long as the aircraft is flying only to the place at which it first becomes reasonably practicable for the set to be repaired; or

(b) when the weather reports or forecasts available to the commander of the aircraft indicate that cumulo-nimbus clouds or other potentially hazardous weather conditions which can be detected by the set when in working order are unlikely to be encountered on the intended route or any planned diversion therefrom or the commander has satisfied himself that any such weather conditions will be encountered in daylight and can be seen and avoidedand the aircraft is in either case operated throughout the flight in accordance with any relevant instructions given in the operations manual.

Scale P

A flight data recorder which is capable of recording, by reference to a time-scale, the following data —

(a) indicated air speed;
(b) indicated altitude;
(c) vertical acceleration;
(d) magnetic heading;
(e) pitch attitude, if the equipment provided in the aeroplane is of such a nature as to enable this item to be recorded;

(f) engine power, if the equipment provided in the aeroplane is of such a nature as to enable this item to be recorded;

(g) flap position;

(h) roll attitude, if the equipment provided in the aeroplane is of such a nature as to enable this item to be recorded:

Provided that any aeroplane having a maximum total weight authorised not exceeding 11,400 kg. may be provided with:

(a) a flight data recorder capable of recording the data described in sub-paragraphs *(a)* to *(h)* of this Scale; or

(b) a 4 channel cockpit voice recorder.

In addition, a four channel cockpit voice recorder shall be provided -

(a) on all flights by turbine-powered aeroplanes having a maximum total weight authorised exceeding 27,000 kg.,

(b) on all flights beginning on or after 1st January 1991 by turbine-powered aeroplanes having a maximum total weight authorised exceeding 11,400 kg.

The flight data recorder and cockpit voice recorder referred to above shall be so constructed that the record would be likely to be preserved in the event of an accident to the aeroplane:

Provided that an aeroplane shall not be required to carry the said equipment, if before take-off the equipment is found to be unserviceable and the aircraft flies in accordance with arrangements approved by the Minister.

Scale Q

If the maximum total weight authorised of the flying machine exceeds 5,700 kg. and it was first registered, whether in the Territory or elsewhere, on or after 1st June 1965, a door between the flight crew compartment and any adjacent compartment to which passengers have access, which door shall be fitted with a lock or bolt capable of being worked from the flight crew compartment.

Scale R1

(i) Equipment sufficient to protect the eyes, nose and mouth of the pilot in command of the aircraft from the effects of smoke and noxious gases for a period of not less than 15 minutes; and

(ii) Portable equipment sufficient to protect the eyes, nose and mouth of one other member of the crew of the aircraft from the effects of smoke and noxious gases for a period of not less than 8 minutes; and

(iii) Equipment sufficient to protect from the effects of smoke and noxious gases the eyes of all members of the flight crew of the aircraft whose eyes are not adequately protected by other equipment.

Scale R2

(i) *(a)* In respect of aeroplanes having a maximum total weight authorised exceeding 5700 kg. equipment sufficient to protect the eyes, nose and mouth of all members of the flight crew required to be carried by virtue of Regulation 18 for a period of not less than 15 minutes and, in addition, where the minimum flight crew required as aforesaid is more than 1 and a cabin attendant is not required to be carried by virtue of Regulation 18 portable equipment sufficient to protect the eyes, nose and mouth of one member of the flight crew for a period of not less than 15 minutes.

(b) In respect of aeroplanes having a maximum total weight authorised not exceeding 5700 kg, the equipment specified in (i) *(a)* of this Scale provided that in the case of such aeroplanes restricted by virtue of the operator's operations manual to flight at or below flight level 250 and capable of descending as specified at A hereunder such equipment shall be sufficient to protect the eyes only.

(ii) *(a)* In respect of aeroplanes having a maximum total weight authorised exceeding 5700 kg, portable equipment to protect the eyes, nose and mouth of all cabin attendants required to be carried by virtue of Regulation 18 for a period of not less than 15 minutes.

(b) In respect of aeroplanes having a maximum total weight authorised not exceeding 5700 kg, the equipment specified in (ii) *(a)* of this Scale provided that this requirement shall not apply to such aeroplanes restricted by virtue of the operator's operations manual to flight at or below flight level 250 and capable of descending as specified at A hereunder.

A. The aeroplane is capable of descending in accordance with the emergency descent procedure specified in the relevant flight manual and without flying below the minimum altitudes for safe flight specified in the operations manual relating to the aeroplane, to flight level 100 within 4 minutes and of continuing at or below that flight level to its place of intended destination or any other place at which a safe landing can be made.

Scale S

A flight recording system comprising —

(i) in respect of aeroplanes having a maximum total weight authorised not exceeding 11,400 kg., either a 4 channel cockpit voice recorder or a flight data recorder capable of recording by reference to a time scale data from which the following information can be ascertained: the flight path of the aeroplane; the attitude of the aeroplane; and the basic lift, thrust and drag forces acting upon the aeroplane;

(ii) in respect of aeroplanes having a maximum total weight authorised exceeding 11,400 kg., but not exceeding 27,000 kg., a 4 channel cockpit voice recorder and a flight data recorder capable of recording by reference to a time scale data from which the information specified in paragraph (i) can be ascertained;

(iii) in respect of aeroplanes having a maximum total weight authorised exceeding 27,000 kg, a 4 channel cockpit voice recorder and a flight data recorder capable of recording by reference to a time scale data from which the following information can be established: the flight path of the aeroplane; the attitude of the aeroplane; the basic lift, thrust and drag forces acting upon the aeroplane; the selection of high lift devices (if any) and airbrakes (if any); the position of primary flying control and pitch trim surfaces; cockpit warnings relating to engine fire and engine shut-down, cabin pressurisation, presence of smoke and hydraulic/ pneumatic power supply; outside air temperature; instrument landing system deviations; use made of automatic flight control system; radio altitude (if any); and the level of essential AC electricity supply;

(iv) in respect of helicopters on any flight beginning on or after 1st January 1991 and having a maximumtotal weight authorised exceeding 2,700 kg. or a seating capacity exceeding 9 passengers, a 4 channel cockpit voice recorder which has attached to it an under-water sonar location device.

The cockpit voice recorder or flight data recorder, as the case may be, shall be so constructed that the record would be likely to be preserved in the event of an accident.

Provided that an aircraft shall not be required to carry the said equipment, if before take-off the equipment is found to be unserviceable and the aircraft flies in accordance with arrangements approved by the Minister.

Scale SS

(i) A 4 channel cockpit voice recorder capable of recording and retaining the data recorded during at least the last 30 minutes of its operation and a flight data recorder capable of recording and retaining the data recorded during at least the last eight hours of its operation being the data required to determine by reference to a time scale the following matters accurately in respect of the helicopter or gyroplane:

(a) flight path;
(b) speed;
(c) attitude;
(d) engine power;
(e) main rotor speed;
(f) outside air temperature;
(g) position of pilot's primary flight controls;
(h) use of VHF transmitters;
(j) use of automatic flight controls (if any);
(k) use of stability augmentation system (if any);
(l) cockpit warnings relating to the master warning system; and
(m) selection of hydraulic system and cockpit warnings of failure of essential hydraulic systems.

(ii) A 4 channel cockpit voice recorder capable of recording and retaining the data recorded during at least the last 30 minutes of its operation and a flight data recorder capable of recording and retaining the data recorded during at least the last eight hours of its operation being the data required to determine by reference to a time scale the information specified in paragraph (i) of this Scale together with the following matters accurately in respect of the helicopter or gyroplane;

(n) landing gear configuration;

(p) indicated sling load force if an indicator is provided in the helicopter or gyroplane of such a nature as to enable this information to be recorded with reasonable practicability;

(q) radio altitude;

(r) instrument landing system deviations;

(s) marker beacon passage;

(t) ground speed/drift angle or latitude/longitude if the navigational equipment provided in the helicopter or gyroplane is of such a nature as to enable this information to be recorded with reasonable practicability; and

(u) main gear box oil temperature and pressure.

(iii) (a) A combined cockpit voice recorder/flight data recorder which meets the following requirements —

(aa) in respect of a helicopter or gyroplane which is otherwise required to carry a flight data recorder specified at paragraph (i) of this Scale the flight data recorder shall be capable of recording the data specified therein and retaining it for the duration therein specified;

(bb) in the case of a helicopter or gyroplane which is otherwise required to carry a flight data recorder specified at paragraph (ii) of this Scale, the flight data recorder shall be capable of recording the data specified therein and retaining it for the duration therein specified;

(cc) the cockpit voice recorder shall be capable of recording and retaining at least the last hour of cockpit voice recording information on not less than three separate channels.

(b) In any case when a combined cockpit voice recorder/flight data recorder specified at paragraph (iii)(a) of this Scale is required to be carried by or under these Regulations, the flight data recorder shall be capable of retaining as protected data the data recorded during at least the last five hours of its operation or the maximum duration of the flight, whichever is the greater. It shall also be capable of retaining additional data as unprotected data for a period which together with the period for which protected data is required to be retained amounts to a total of eight hours:

Provided that the flight data recorder need not be capable of retaining the said additional data if additional data is retained which relates to the period immediately preceding the period to which the required protected data relates or for such other period or periods as the Minister may permit pursuant to Regulation 37 and the additional data is retained in accordance with arrangements approved by the Minister.

With the exception of flight data which is expressly stated above may be unprotected, the cockpit voice recorder, flight data recorder or combined cockpit voice recorder and flight data recorder, as the case may be, shall be so constructed and installed that the record (herein referred to as protected data) would be likely to be preserved in the event of an accident and each cockpit

ing the failure of the lighting systems specified in paragraph (ii) of Scale G:

Provided that if the equipment becomes unserviceable the aircraft may fly or continue to fly in accordance with arrangements approved by the Minister.

SCHEDULE 5 Regulation 14

RADIO AND RADIO NAVIGATION EQUIPMENT TO BE CARRIED IN AIRCRAFT

1. Every aircraft shall be provided, when flying in the circumstances specified in the first column of the Table set forth in paragraph 2, with the scales of equipment respectively indicated in that Table.

Provided that, if the aircraft is flying in a combination of such circumstances, the scales of equipment shall not on that account be required to be duplicated.

2. **TABLE**

Aircraft and Circumstances of Flight	Scale of Equipment Required							
	A	B	C	D	E	F	G	H
(1) All aircraft within the Territory:								
(a) when flying under Instrument Flight Rules within controlled airspace.....	A*				E*	F*		
(b) when flying within any airspace in respect of which special rules are prescribed by the Rules of the Air and Air Traffic Control in relation to a particular aerodrome, so as to require two-way radio communication with that aerodrome.....	A*							

2. **TABLE**

Aircraft and Circumstances of Flight	Scale of Equipment Required							
	A	B	C	D	E	F	G	H
(c) when making an approach to landing at an aerodrome notified for the purpose of this sub-paragraph.....							G*	
(2) All aircraft (other than gliders) within the Territory:								
(a) when flying at or above level 245.....	A*				E*	F*		
(b) when flying within such airspace as may be notified for the purposes of this sub-paragraph, being airspace in respect of which special rules are prescribed by the said Rules.....	A*				E*			
(c) when flying at or above flight level 100.....					E*			
(3) All aircraft registered in the Territory wherever they may be:								
(a) when flying for the purpose of public transport under Instrument Flight Rules:								
(i) while making an approach landing.....	A		C	D				H
(ii) on all other occasions	A		C					H
(b) multi-engined aircraft when flying for the purpose of public transport under Visual Flight Rules.....	A				E			H

2. **TABLE**

Aircraft and Circumstances of Flight	Scale of Equipment Required							
	A	B	C	D	E	F	G	H
(c) single-engined aircraft when flying for the purpose of public transport under Visual Flight Rules:								
(i) over a route on which navigation is effected solely by visual reference to landmarks.....	A							
(ii) on all other occasions Provided that aircraft which come within paragraphs (3) *(b)* and (3) *(c)* solely by virtue of the provisions of regulation 2 (4) *(a)* (iii) may carry instead of the requirements of the said paragraphs (3) *(b)* and 3 *(c)*	A	B			E			
(aa) over a route on which navigation is not effected solely by visual reference to landmarks	A	B						
(bb) over water, beyond gliding distance from any land.....	A							
(d) when flying under Instrument Flight Rules within controlled airspace and not required to comply with paragraph (3) *(a)*	A*							

*Unless the appropriate air traffic control unit otherwise permits in relation to the particular flight and provided that the aircraft complies with any instructions which the air traffic control unit may give in the particular case.

3. The scales of radio and radio navigation equipment indicated in the foregoing Table shall be as follows:

Scale A

Radio equipment capable of maintaining two-way communication with the appropriate aeronautical radio stations.

Scale B

Radio navigation equipment capable of enabling the aircraft to be navigated on the intended route including such equipment as may be prescribed.

Scale C

Radio equipment capable of receiving from the appropriate aeronautical radio stations meteorological broadcasts relevant to the intended flight.

Scale D

Radio navigation equipment capable of receiving signals from one or more aeronautical stations on the surface to enable the aircraft to be guided to a point from which a visual landing can be made at the aerodrome at which the aircraft is to land.

Scale E

Secondary surveillance radar equipment.

Scale F

Radio and radio navigation equipment capable of enabling the aircraft to be navigated along the intended route including either —

(a) (i) automatic direction finding equipment; and

(ii) distance measuring equipment; and

(iii) VHF omni-range equipment; or

(b) equipment, including the Decca Flight Log, which will enable the aircraft to be navigated by means of signals received from radio navigation land stations forming part of the Decca radio navigation system and which provides the pilot with a visual indication of the aircraft's position relative to the intended route.

Scale G

Radio navigation equipment capable of enabling the aircraft to make an approach to landing using the Instrument Landing System.

Scale H

Radio navigation equipment capable of enabling the aircraft to be navigated on the intended route including —

(a) automatic direction finding equipment; and
(b) distance measuring equipment; and
(c) duplicated VHF omni-range equipment; and
(d) a 75 MHZ marker beacon receiver;

Except that an aircraft may fly notwithstanding that it does not carry the equipment specified in this scale if it carries alternate radio navigation equipment or navigational equipment approved by the Minister in writing in accordance with the provisions of Regulation 13 (7);

Where not more than one item of equipment specified in this Scale is unserviceable when the aircraft is about to begin a flight, the aircraft may nevertheless take off on that flight if —

(i) it is not reasonably practicable for the repair or replacement of that item to be carried out before the beginning of the flight; and

(ii) the aircraft has not made more than one flight since the item was last serviceable; and

(iii) the commander of the aircraft has satisfied himself that, taking into account the latest information available as to the route and aerodrome to be used (including any planned diversion) and the weather conditions likely to be encountered, the flight can be made safely and in accordance with any relevant requirements of the appropriate air traffic control unit.

4. In this Schedule —

(1) "automatic direction finding equipment" means radio navigation equipment which automatically indicates the bearing of any radio station transmitting the signals received by such equipment; and

(2) "VHF omni-range equipment" means radio navigation equipment capable of giving visual indications of bearings of the aircraft by means of signals received from very high frequency omni-directional radio ranges; and

(3) "distance measuring equipment" means radio equipment capable of providing a continuous indication of the aircraft's distance from the appropriate aeronautical radio stations; and

(4) "secondary surveillance radar equipment" means such type of radio equipment as may be notified as being capable of *(a)* replying to an interrogation from secondary surveillance radar units on the surface and *(b)* being operated in accordance with such instructions as may be given to the aircraft by the appropriate air traffic control unit.

SCHEDULE 6 Regulation 15

AIRCRAFT, ENGINE AND PROPELLER LOG BOOKS

1. ***Aircraft Log Book***

The following entries shall be included in the aircraft log book:

(a) the name of the constructor, the type of the aircraft, the number assigned to it by the constructor and the date of the construction of the aircraft;

(b) the nationality and registration marks of the aircraft;

(c) the name and address of the operator of the aircraft;

(d) the date of each flight and the duration of the period between take-off and landing, or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take-offs and landings on that day;

(e) particulars of all maintenance work carried out on the aircraft or its equipment;

(f) particulars, of any defects occurring in the aircraft or in any equipment required to be carried therein by or under these Regulations, and of the action taken to rectify such defects including a reference to the relevant entries in the technical log required by Regulation 10 (2) and (3);

(g) particulars of any overhauls, repairs, replacements and modifications, relating to the aircraft or any such equipment as aforesaid:

Provided that entries shall not be required to be made under sub-paragraphs *(e)*, *(f)* and *(g)* in respect of any engine or variable pitch propeller.

2. ***Engine Log Book***

The following entries shall be included in the engine log book:

(a) the name of the constructor, the type of the engine, the number assigned to it by the constructor and the date of the construction of the engine;

(b) the nationality and registration marks of each aircraft in which the engine is fitted;

(c) the name and address of the operator of each such aircraft;

(d) either —

(i) the date of each flight and the duration of the period between take-off and landing, or if more than one flight was made on that day, the number of flights and the total duration of the periods between take-offs and landings on that day; or

(ii) the aggregate duration of periods between take-off and landing for all flights made by that aircraft since the immediately preceding occasion that any maintenance, overhaul, repair, replacement, modification or inspection was undertaken on the engine;

(e) particulars of all maintenance work done on the engine;

(f) particulars of any defects occurring in the engine, and of the rectification of such defects, including a reference to the relevant entries in the technical log required by Regulation 10 (2) and (3);

(g) particulars of all overhauls, repairs, replacements and modifications relating to the engine or any of its accessories.

3. ***Variable Pitch Propeller Log Book***

The following entries shall be included in the variable pitch propeller log book:

(a) the name of the constructor, the type of the propeller, the number assigned to it by the constructor and the date of the construction of the propeller;

(b) the nationality and registration marks of each aircraft, and the type and number of each engine, to which the propeller is fitted;

(c) the name and address of the operator of each such aircraft;