
STATUTORY INSTRUMENTS

1968 No. 1090

CIVIL AVIATION

The Colonial Air Navigation (Amendment) Order 1968

<i>Made</i> - - - -	12th July 1968
<i>Laid before Parliament</i>	18th July 1968
<i>Coming into Operation—</i>	
<i>Articles 2(3) and 2(10)</i>	
<i>to (14)</i> - - -	1st November 1968
<i>Article 2(4)</i> - - -	1st March 1969
<i>Articles 2(5)(a)(b)(d)</i>	
<i>(e)(f)(g) and (h) and</i>	
7 - - - -	<i>On a date to be ap- pointed by the Governor</i>
<i>Articles 5(a) and</i>	
5(b)(iii) - - -	1st June 1969
<i>Remainder</i> - - -	1st September 1968

At the Court at Buckingham Palace, the 12th day of July 1968

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of the powers conferred upon Her by the Civil Aviation Act 1949(a), the Colonial Civil Aviation (Application of Act) Orders 1952 to 1965(b) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Colonial Air Navigation (Amendment) Order 1968 and shall be construed as one with the Colonial Air Navigation Order 1961(c), which Order, as amended by the Colonial Air Navigation (Amendment) Order 1962(d), the Colonial Air Navigation (Amendment) Order 1963(e) and the Colonial Air Navigation (Amendment) Order 1965(f), is hereinafter referred to as “the principal Order”.

(2) This Order and the Colonial Air Navigation Orders 1961 to 1965 may be cited together as the Colonial Air Navigation Orders 1961 to 1968.

(3) This Order shall come into operation as follows—

Articles 2(3) and 2(10) to (14), inclusive, on 1st November 1968 ;
Article 2(4), on 1st March 1969 ;

Articles 2(5)(a)(b)(d)(e)(f)(g) and (h) and 7 on a date to be appointed by the Governor by notice in the Gazette, being a date not earlier than 1st March 1969 ;

Articles 5(a) and 5(b)(iii), on 1st June 1969 ; and
the remainder, on 1st September 1968.

(a) 1949 c. 67.

(b) S.I. 1952/868, 1959/1052, 1961/2317, 1965/980 (1952 I, p. 565; 1959 I, p. 684; 1961 III, p. 4271; 1965 I, p. 2419).

(c) S.I. 1961/2316 (1961 III, p. 4146).

(d) S.I. 1962/2597 (1962 III, p. 3485).

(e) S.I. 1963/1966 (1963 III, p. 3831).

(f) S.I. 1965/588 (1965 I, p. 1845).

Amendment
of certain
Articles of
the principal
Order.

2. The principal Order shall be amended as follows:—

- (1) In Article 2, the following words shall be inserted in paragraph (2)(a) after the words “the Colony”—
“and that such registration does not cease by operation of law upon the aircraft being registered in the Colony”.
- (2) In Article 10(4), after the figure (4) there shall be inserted the words—
“Subject to such exceptions as may be prescribed.”.
- (3) In Article 14(3)—
(a) the following words shall be inserted at the beginning of the paragraph, “Unless the Governor otherwise prescribes,”; and
(b) for the words and figures “more than 22,500 lb.” there shall be substituted the words and figures “12,500 lb. or more”.
- (4) In Article 15—
(a) in paragraph (4)(b)(i), after the word “tests” there shall be inserted the words “or to conduct the aforesaid tests”, and after the word “trained” there shall be inserted the words “or tested”;
(b) in paragraph (4)(b)(ii), the words “either the holder of a pilot’s licence (other than a student pilot’s licence) granted under this Order or was” shall be omitted;
- (c) the following shall be added after paragraph (7)—
“(8) Notwithstanding anything in this Article—
(i) the holder of a licence granted or rendered valid under this Order, 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 Colony in or over the territory of a Contracting State other than the United Kingdom, except in accordance with permission granted by the competent authorities of that State;
(ii) the holder of a licence granted or rendered valid under the law of a Contracting State other than the United Kingdom, being a licence endorsed as aforesaid, shall not act as a member of the flight crew of any aircraft in or over the Colony except in accordance with permission granted by the Governor, whether or not the licence is or is deemed to be rendered valid under this Order.”.
- (5) In Article 16—
(a) in paragraph (1), after the flying machine pilot’s licences in the list of licences, there shall be inserted the following—
“Private pilot’s licence (aeroplanes),
Commercial pilot’s licence (aeroplanes),
Senior commercial pilot’s licence (aeroplanes),
Airline transport pilot’s licence (aeroplanes),
Private pilot’s licence (helicopters and gyroplanes),
Commercial pilot’s licence (helicopters and gyroplanes),
Airline transport pilot’s licence (helicopters and gyroplanes),”;
(b) at the end of paragraph (1), the following shall be added—
“Provided that the Governor shall not grant any flying machine pilot’s licences after the coming into force in the Colony of Article 2(5)(a) of the Colonial Air Navigation (Amendment) Order 1968.”;

(c) in paragraph (2), proviso (a), for the words and figures " paragraph (10) " there shall be substituted the words and figures " paragraphs (10) and (11) " ;

(d) the following shall be added after proviso (b) to paragraph (2)—

" (c) on and after such date as the Governor may for any class of licence by notice in the Gazette appoint, the holder of a licence of that class, other than a flight radiotelephony operator's licence, shall not be entitled to perform any of the functions to which his licence relates unless it includes a medical certificate issued and in force under paragraph (6A) of this Article ;

(d) on and after such date as the Governor may for any class of pilot's licence by notice in the Gazette appoint, the holder of a pilot's licence of that class shall not be entitled to perform functions 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 the said Schedule and shall otherwise comply with that Part ;

(e) a person shall not be entitled to perform the functions to which an instrument rating (aeroplanes), flying instructor's rating or assistant flying instructor's rating relates unless his licence bears a certificate, signed by a person authorised by the Governor to sign such certificates, indicating that the holder of the licence has, within the period of 13 months in the case of an instrument rating (aeroplanes) and an assistant flying instructor's rating, and 25 months in the case of a flying instructor's rating, preceding the day on which he performs those functions, passed a test of his ability to perform the functions to which the rating relates, being a test carried out in flight in the case of the two last-named ratings, and in the case of the first-named rating, either in flight or by means of apparatus approved by the Governor in which flight conditions are simulated on the ground ;

(f) a person who, on the last occasion when he took a test for the purposes of sub-paragraph (d) or (e) of this paragraph, failed that test shall not be entitled to fly in the capacity for which that test would have qualified him had he passed it." ;

(e) in paragraph (3), the second and third sentences shall be omitted ;

(f) in paragraph (4), the words " and a rating " shall be deleted ;

(g) the following shall be substituted for paragraph (6)—

" (6) Every applicant for and holder of a licence granted under this Article other than a flight radiotelephony operator's licence shall upon such occasions as the Governor may require submit himself to medical examination by a person approved by the Governor either generally or in a particular case, who shall make a report to the Governor in such form as the Governor may require.

(6A) On and after the dates respectively appointed by the Governor for any class of licence under sub-paragraph (c) in Article 2(5)(d) of the Colonial Air Navigation (Amendment) Order 1968—

(a) where the medical examination referred to in paragraph (6) of this Article is conducted in the Colony, the Governor

or any person approved by him as competent to do so may, after receiving the report made by the person conducting the medical examination, 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 proviso (b) to paragraph (2) of this Article, be valid for such period as is therein specified, and shall be deemed to form part of the licence ;

(b) where the medical examination is conducted outside the Colony the person conducting the examination shall, in addition to making a report to the Governor in accordance with the preceding paragraph, 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 Governor to be a medical certificate for the purposes of this Article, and if so shall be valid for such period as may be specified therein in writing by the person conducting the examination.” ;

(h) in paragraph (10), the words “ flying machines ” where they appear in parentheses shall be deleted and for the words “ a flying machine ” there shall be substituted the words “ an aircraft ” ;

(i) after paragraph (10), there shall be added the following—

“(11) Nothing in this Order shall prohibit the holder of a pilot’s licence from acting as pilot of an aircraft not exceeding 12,500 lb. maximum total weight authorised when with the authority of the Governor he is testing any person in pursuance of Article 16(1) or (3) of this Order, notwithstanding that the type of aircraft in which the test is conducted is not specified in the aircraft rating included in his licence.”.

(6) In Article 21, for paragraph (2)(a)(ii) there shall be substituted the following—

“(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.”.

(7) In Article 22, in paragraph (1)(c), after the word “ equipped ” there shall be inserted the words in parentheses “ (including such manning and equipment as may be prescribed) ”.

(8) In Article 29A, in paragraph (2), for the figure “ 60 ” there shall be substituted the figure “ 30 ”.

(9) In paragraph (b) of the proviso to Article 35, there shall be substituted for the word “ designated ” the word “ designed ”.

(10) In the heading to Part V and in Articles 43 (except sub-paragraph (2)(a)), 44 (including the heading), 45(4) and (7), and 48, there shall be substituted for the words “ flight crew ” the word “ crew ” wherever those words appear.

(11) At the end of Article 44, there shall be added the words “ or of the persons therein.”.

(12) In Article 45—

(a) the following shall be substituted for paragraph (1)—

“(1) Without prejudice to the provisions of Article 44 of this Order, and for the purposes of securing that the requirements of those provisions are complied with, every operator of an aircraft to which this Article applies shall establish—

(a) for every person flying in that aircraft as a member of the crew thereof—

(i) limits on his flying duty periods, and

(ii) minimum rest periods which he is to have immediately before any duty period in the course of which he flies as aforesaid ; and

(b) for every person flying in that aircraft as a member of the flight crew thereof, limits on the aggregate of all his flight times during every period of 28 consecutive days,

being limits and minimum rest periods which the operator is satisfied, after taking into account the matters mentioned in paragraph (2) of this Article, are such that, if every member of the crew observes such of those limits as are applicable to him and has those minimum rest periods, the safety of neither the aircraft nor of the persons therein is likely to be endangered on the flight by reason of any fatigue which may be caused by the work or other duties which the members of the crew are required or permitted by the operator to carry out. Different limits and different minimum rest periods may be established either for different persons or for different classes of persons and for different circumstances.” ;

(b) the following shall be substituted for sub-paragraph (2)(e)—

“(e) for every person who is to fly in that aircraft as a member of the flight crew thereof, the number of consecutive occasions on which he will be required to fly for the maximum period permitted under this Part of this Order.” ;

(c) in paragraph (5), after the words “ makes any flight in an aircraft to which this Article applies ” shall be inserted the words “ as a member of the crew thereof ” ;

(d) the following shall be substituted for condition (b) in the proviso to paragraph (6)—

“(b) that the commander is satisfied that the safety of neither the aircraft nor the persons therein will be endangered on that flight if he or that other person makes that flight.”.

(13) In Article 47, for the last line of the Table there shall be substituted—

“ 32 ”	23 ”	”	”	24 ”
an additional 1½ hours ...		for every hour and every fraction			of an hour in excess of 24
		hours.”.			

(14) In Article 49, there shall be substituted for the figures “ 115 ” the figures “ 100 ” wherever those figures occur.

(15) In Article 55, the following shall be substituted for paragraph (5)—

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

(16) The following Article shall be inserted after Article 61 as Article 61A—

“ Records at Aerodromes

61A.—(1) Unless it is otherwise specified in the licence granted for an aerodrome, the licensee of every aerodrome licensed under this Order which is provided with means of two-way radio communication with aircraft and either with radar equipment or with very high frequency direction finding apparatus for the purpose of providing holding aid, let-down aid or approach aid, shall provide at the aerodrome 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 at the aerodrome.

(2) The apparatus provided in compliance with this Article shall—

- (a) be of a type approved by the Governor in relation to the aerodrome ;
- (b) be installed in a manner so approved ;
- (c) always be maintained in serviceable condition ; and
- (d) be in use at all times when any navigation services are being provided by the air traffic control unit at the aerodrome to any aircraft flying for the purpose of the public transport of passengers.

(3) The licensee of the aerodrome shall ensure that each record made by the apparatus provided in compliance with this Article includes—

- (a) the date or dates on which the record was made ;
- (b) a means of identifying the person at the aerodrome by whom the message or signal was transmitted, the aircraft to or from which and the frequency on which the message or signal was transmitted or received, and the time at which each message or signal transmitted from the aerodrome was transmitted ;
- (c) the time (if any) at which the radio station at the aerodrome opened or closed as the case may be within the period covered by each such record.

(4) If at any time the apparatus provided in compliance with this Article ceases to be capable of recording the matters required by this Article to be included in the record, the licensee of the aerodrome shall ensure that those matters are recorded in writing.

(5) The licensee of the aerodrome shall preserve any record made in compliance with this Article for a period of 30 days from the date on which the message or signal was recorded or for such longer period as the Governor may in a particular case direct, and shall, within a reasonable time after being requested to do so by an authorised person, cause it to be produced to that person.”

(17) In Article 73, the following shall be substituted for paragraph (3)—

“ (3) If the Governor is of the opinion that, owing to special circumstances existing in the Colony—

- (a) any fee prescribed by the Thirteenth Schedule to this Order is not an appropriate fee to be charged in the Colony ; or

(b) a fee in connection with any of the matters set out in paragraph (1) of this Article, being a fee not provided for in the Thirteenth Schedule, should be charged in the Colony,

he may by regulation substitute such other fee as may to him appear appropriate or make provision for the charging of an additional fee, as the case may be, and, on and after such date as may be appointed by the regulation, the said Thirteenth Schedule shall have effect in the Colony as if for the fee therein prescribed there were substituted such other fee and as if provision for any such additional fee were contained therein."

(18) In Article 78—

(a) in paragraph (1), the words "which are registered in the Colony or are capable of being so registered" shall be deleted;

(b) in paragraph (2), after the word "force" where it occurs for the second time, there shall be inserted the words "and any international headquarters and the members thereof" and after that word where it occurs for the third and fourth times there shall be inserted the words "or headquarters";

(c) in paragraph (4), after the words "visiting force" there shall be inserted the words "or international headquarters".

(19) Article 80 and the heading thereto shall be omitted.

(20) In Article 81—

(a) in paragraph (1)—

(i) in the definition of "Air traffic control unit" after the words "an aerodrome" there shall be inserted the words "or place";

(ii) the definition of "The Authority" shall be omitted together with the proviso thereto;

(iii) the definition of "The East African Territories" shall be omitted;

(iv) in the definition of "Governor" the words "and in relation to the Protectorate of South Arabia means the person for the time being performing the functions of the High Commissioner for Aden and the Protectorate of South Arabia," shall be omitted;

(v) the definition of "The High Commission" shall be omitted;

(vi) after the definition of "Instrument Flight Rules" there shall be inserted the following definition—

" "International headquarters" means an international headquarters designated by Order in Council under section 1 of the International Headquarters and Defence Organisations Act 1964(a); "

(vii) in the definition of "Maximum total weight authorised", after the words "take off" there shall be inserted the words "anywhere in the world, in the most favourable circumstances,";

(viii) in the definition of "Military aircraft" for the words "Admiralty or the Secretary of State" there shall be substituted the words "Secretary of State for Defence" and for the words "Air Navigation Order, 1960" there shall be substituted the words "Air Navigation Order 1966(a)";

(ix) after the definition of "Nautical mile" there shall be inserted the following definition—

" "Navigation services" includes information directions and other facilities furnished, issued or provided for the purposes of or in connection with the navigation or movement of aircraft ; "

(x) in the definition of "Notified", for the words "Notams (Notices to Airmen)" shall be substituted the words "Notams (Notices to Airmen)";

(xi) the definition of "The Organization" shall be omitted, together with the proviso thereto ;

(xii) for the definition of "Record" there shall be substituted the following definition—

" "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, and 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 these paragraphs, such transcript together with such still reproduction ; "

(b) in paragraph (7), in sub-paragraph (a)(ii), for the words "Air Corporations Act 1949"(b) there shall be substituted the words "Air Corporations Act 1967"(c) ;

(c) in paragraph (10), there shall be added at the end the following words—

" and to make such incidental and supplementary provisions as are necessary or expedient for carrying out the purposes of the regulations."

(21) Article 82 and the heading thereto shall be omitted.

3. In Part B of the First Schedule to the principal Order—Amendment
of First
Schedule to
the principal
Order.

(a) in paragraph 2. I(a)(i), for the first two sentences there shall be substituted the following—

“(i) *Wings*: Except on aircraft having no 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.”;

(b) in paragraph 2. II(a)(ii), for the last sentence there shall be substituted the following—

“The height of the marks shall be at least 12 inches:

Provided that—

(a) where the aircraft has been registered in the Colony before 1st September 1968, a height of 6 inches shall be sufficient until 1st June 1971; and

(b) where owing to the structure of the aircraft a height of 12 inches is not reasonably practicable, the height shall be the greatest height reasonably practicable in the circumstances, but not less than 6 inches.”.

4. In the Second Schedule to the principal Order, for paragraph (5) of the B Conditions, there shall be substituted the following—Amendment
of Second
Schedule to
the principal
Order.

“(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 the engine) who carry out during the flight duties in connection with the purposes so specified;

(c) persons approved by the Governor under Article 5(8) of this Order as qualified to furnish reports for the purposes of that Article;

(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.”.

5. In the Fifth Schedule to the principal Order—Amendment
of Fifth
Schedule to
the principal
Order.

(a) in the Table in paragraph 4 a column headed “R” shall be inserted after column Q and the letter “R” shall be inserted in that column opposite the following sub-paragraph, which shall be inserted after sub-paragraph (iii) of paragraph (2) in the first column of the Table—

“(iii) on all flights if the flying machine is provided with means for maintaining in the flight crew compartment or in the compartments in which any passengers or cargo are carried a pressure greater than that of the surrounding atmosphere”;

(b) in paragraph 5—

(i) in paragraph (ii) of Scale I there shall be substituted for the words “the Thirteenth Schedule to the Merchant Shipping

(Life Saving Appliances) Rules, 1958" the words "Schedule 14 to the Merchant Shipping (Life-Saving Appliances) Rules 1965"(a) ;

(ii) in Scale J, for the words "dinghies" and "dinghy", wherever they appear, there shall be substituted respectively the words "liferrafts" and "liferaft".

(iii) after Scale Q there shall be inserted the following—

" Scale R

(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."

Amendment of Sixth Schedule to the principal Order.

6. In the Sixth Schedule to the principal Order—

(a) for sub-paragraph (2) of the Table in paragraph 2 there shall be substituted the following—

- " (2) All aircraft when flying for the purpose of public transport under Instrument Flight Rules—*
- (i) while making an approach to landing..... A B C D
 - (ii) on all other occasions..... A B C
- (3) *All aircraft over 5,000 lb. maximum total weight authorised when flying for the purpose of public transport under Visual Flight Rules..... A B*
- (4) *All aircraft not over 5,000 lb. maximum total weight authorised when flying for the purpose of public transport under Visual Flight Rules—*
- (i) over a route on which navigation is not effected solely by visual reference to landmarks A B
 - (ii) over water, beyond gliding distance from any land A";

(b) in paragraph 4, sub-paragraph (ii) and the definition of "visual/aural radio range" shall be omitted.

Amendment of Ninth Schedule to the principal Order.

7. In the Ninth Schedule to the principal Order—

(a) in Part A—

(i) in paragraph 2, all the entries under the heading "Maximum Period of Validity", including the footnotes thereto, shall be deleted, and the figure and word "5 years" shall be substituted therefor ;

(ii) after paragraph 2 there shall be inserted the following—

(a) S.I. 1965/1105 (1965 II, p. 2940).

*"2A. Aeroplane Pilots**Private Pilot's Licence (Aeroplanes)**Minimum age—17 years**Maximum Period of Validity—5 years**Privileges : The licence—*

- (i) shall entitle the holder to fly as pilot in command or co-pilot of an aeroplane of any of the types specified in the aircraft rating included in the licence, except when—
 - (a) the aeroplane is flying for the purpose of public transport or aerial work ; or
 - (b) the holder of the licence receives any remuneration in respect of the flight, not being remuneration for the giving of instruction in an aeroplane owned, or operated under arrangements entered into, by a flying club of which the person giving and the person receiving the instruction are members ;
- (ii) shall not entitle the holder to act as pilot in command at night on a flight on which any passenger is carried unless—
 - (a) his licence includes a night rating (aeroplanes) ; and
 - (b) his licence includes an instrument rating (aeroplanes) or he has within the immediately preceding 6 months carried out as pilot in command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon.

*Commercial Pilot's Licence (Aeroplanes)**Minimum age—18 years**Maximum Period of Validity—5 years**Privileges : In addition to the privileges given above for the Private Pilot's Licence (Aeroplanes), the holder of the licence shall be entitled to fly as—*

- (i) pilot in command of any aeroplane of a type specified in Part 1 of the aircraft rating included in the licence when the aeroplane is engaged in a flight for any purpose whatsoever:

Provided that—

- (a) he shall not, unless his licence includes an instrument rating, fly such an aeroplane on any scheduled journey ;
- (b) he shall not fly such an aeroplane at night on a flight on which any passenger is carried unless his licence includes an instrument rating or he has within the immediately preceding 90 days carried out as pilot in command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon ;
- (c) he shall not, unless his licence includes an instrument rating, fly any such aeroplane of which the

maximum total weight authorised exceeds 5,000 lb. on any flight for the purpose of public transport, except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome ;

(d) he shall not fly such an aeroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 12,500 lb. ;

(ii) co-pilot of any aeroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the aeroplane is engaged in a flight for any purpose whatsoever.

Senior Commercial Pilot's Licence (Aeroplanes)

Minimum age—21 years

Maximum Period of Validity—5 years

Privileges: In addition to the privileges given above for the Private Pilot's Licence (Aeroplanes), the holder of the licence shall be entitled to fly as—

(i) pilot in command of any aeroplane of a type specified in Part 1 of the aircraft rating included in the licence when the aeroplane is engaged in a flight for any purpose whatsoever :

Provided that—

(a) he shall not, unless his licence includes an instrument rating, fly such an aeroplane on any scheduled journey ;

(b) he shall not fly such an aeroplane at night on a flight on which any passenger is carried unless his licence includes an instrument rating or he has within the immediately preceding 90 days carried out as pilot in command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon ;

(c) he shall not, unless his licence includes an instrument rating, fly any such aeroplane of which the maximum total weight authorised exceeds 5,000 lb. on any flight for the purpose of public transport, except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome ;

(d) he shall not fly such an aeroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 45,000 lb. ;

(ii) co-pilot of any aeroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the aeroplane is engaged in a flight for any purpose whatsoever.

Airline Transport Pilot's Licence (Aeroplanes)

Minimum age—21 years

Maximum Period of Validity—5 years

Privileges: In addition to the privileges given above for the

Private Pilot's Licence (Aeroplanes), the holder of the licence shall be entitled to fly as—

- (i) pilot in command of any aeroplane of a type specified in Part 1 of the aircraft rating included in the licence when the aeroplane is engaged in a flight for any purpose whatsoever:

Provided that—

- (a) he shall not, unless his licence includes an instrument rating, fly such an aeroplane on any scheduled journey;
- (b) he shall not fly such an aeroplane at night on a flight on which any passenger is carried unless his licence includes an instrument rating or he has within the immediately preceding 90 days carried out as pilot in command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon;
- (c) he shall not, unless his licence includes an instrument rating, fly any such aeroplane of which the maximum total weight authorised exceeds 5,000 lb. on any flight for the purpose of public transport, except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome;
- (d) he shall not at any time after he attains the age of 60 years fly such an aeroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 45,000 lb.;
- (ii) co-pilot of any aeroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the aeroplane is engaged in a flight for any purpose whatsoever.

2B. Helicopter and Gyroplane Pilots.

Private Pilot's Licence (Helicopters and Gyroplanes)

Minimum age—17 years

Maximum Period of Validity—5 years

Privileges: The licence—

- (i) shall entitle the holder to fly as pilot in command or co-pilot of a helicopter or gyroplane of any of the types specified in the aircraft rating included in the licence, except when—
- (a) the helicopter or gyroplane is flying for the purpose of public transport or aerial work; or
- (b) the holder of the licence receives any remuneration in respect of the flight, not being remuneration for the giving of instruction in a helicopter or gyroplane owned, or operated under arrangements entered into, by a flying club of which the person giving and the person receiving the instruction are members;
- (ii) shall not entitle the holder to act as pilot in command at night on a flight on which any passenger is carried

unless his licence includes a night rating (helicopters and gyroplanes) and he has within the preceding 90 days carried out as pilot in command not less than 5 flights, each consisting of a take-off, a transition from hover to forward flight, a climb to at least 500 ft., and a landing, at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon.

Commercial Pilot's Licence (Helicopters and Gyroplanes)

Minimum age—18 years

Maximum Period of Validity—5 years

Privileges: In addition to the privileges given above for the Private Pilot's Licence (Helicopters and Gyroplanes), the holder of the licence shall be entitled to fly as—

- (i) pilot in command of any helicopter or gyroplane of a type specified in Part 1 of the aircraft rating included in the licence when the helicopter or gyroplane is engaged on a flight for any purpose whatsoever:

Provided that—

- (a) he shall not fly such a helicopter or gyroplane at night on a flight on which any passenger is carried unless he has within the preceding 90 days carried out as pilot in command not less than 5 flights, each consisting of a take-off, a transition from hover to forward flight, a climb to at least 500 ft., and a landing, at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon ;
 - (b) he shall not fly a helicopter or gyroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 12,500 lb. ;
- (ii) co-pilot of any helicopter or gyroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the helicopter or gyroplane is engaged in a flight for any purpose whatsoever.

Airline Transport Pilot's Licence (Helicopters and Gyroplanes)

Minimum age—21 years

Maximum Period of Validity—5 years

Privileges: In addition to the privileges given above for the Private Pilot's Licence (Helicopters and Gyroplanes), the holder of the licence shall be entitled to fly as—

- (i) pilot in command of any helicopter or gyroplane of a type specified in Part 1 of the aircraft rating included in the licence when the helicopter or gyroplane is engaged in a flight for any purpose whatsoever :

Provided that he shall not fly such a helicopter or gyroplane at night on a flight on which any passenger is carried unless he has within the immediately preceding 90 days carried out as pilot in command not less than 5 flights, each consisting of a take-off, a transition from hover to forward flight, a climb to at least 500 ft., and

- a landing, at a time when the depression of the centre of the sun was not less than 12 degrees below the horizon ;
- (ii) co-pilot of any helicopter or gyroplane of a type specified in Part 1 or Part 2 of such aircraft rating when the helicopter or gyroplane is engaged in a flight for any purpose whatsoever.” ;
- (iii) in paragraph 5 under the headings “ Flight Radiotelephony Operator’s General Licence ” and “ Flight Radiotelephony Operator’s Restricted Licence ”, all the entries headed “ Maximum Period of Validity ” shall be deleted and the figure and word “ 5 years ” shall be substituted therefor.
- (b) In Part B—
- (i) after the item headed “ *Instrument Rating (Flying Machines)* ”, there shall be inserted the following—
- “ *Instrument Rating (Aeroplanes)* shall entitle the holder of the licence to act as pilot of an aeroplane flying in controlled airspace in accordance with the instrument flight rules. ” ;
- (ii) after the item headed “ *Night Rating (Private Pilot’s Licence—Flying Machines)* ” there shall be inserted the following—
- “ *Night Rating (Aeroplanes)* shall entitle the holder of a Private Pilot’s Licence (Aeroplanes) to act as pilot in command at night of an aeroplane in which any passenger is carried.
- “ *Night Rating (Helicopters and Gyroplanes)* shall entitle the holder of a Private Pilot’s Licence (Helicopters and Gyroplanes) to act as pilot in command at night of a helicopter or gyroplane in which any passenger is carried.” ;
- (iii) under the headings “ *Flying Instructor’s Rating* ” and “ *Assistant Flying Instructor’s Rating* ” the final sentence shall in each case be omitted.
- (c) The following shall be added to the Ninth Schedule as Part C thereof—

“ PART C—CERTIFICATE OF TEST OR EXPERIENCE (AIRCRAFT RATING)—

Person who may sign Certificate

1. A certificate of test or a certificate of experience required by proviso (d) to Article 16(2) of this Order shall be signed by a person authorised by the Governor to sign certificates of that kind and shall comply with the following provisions of this Part of this Schedule.

Matters to be certified

2. The certificate shall certify the following particulars—

- (a) the date on which it was signed ;
- (b) (i) in the case of a certificate of test, that the person signing the certificate is satisfied that on a date specified in the certificate the holder of the licence of which the certificate forms part passed a flying test ;
- (ii) in the case of a certificate of experience, that on the date on which the certificate was signed the holder of the licence of which it forms part produced his personal flying

log book to the person signing the certificate and satisfied him that he had five hours' experience as a pilot of aircraft within the period of 6 months or 13 months preceding that date, whichever is the case ;

(c) the type of aircraft or apparatus in or by means of which the test was conducted, or the type or types of aircraft in which the experience was gained ;

(d) whether the test or experience was in the capacity of pilot in command or co-pilot.

Nature of flying test

3. The flying test referred to in paragraph 2 of this Part of this Schedule shall be a test of the pilot's competence to fly the aircraft as pilot in command or co-pilot and may, at the discretion of the Governor, be conducted either in an aircraft in flight or by means of apparatus approved by the Governor in which flight conditions are simulated on the ground.

Classification of flights into Groups

4. For the purposes of this Part of this Schedule, flights shall be divided into Groups according to the following Table—

Group	Circumstances of flight		
	Aircraft flown	Remuneration of licence-holder in respect of flight	Other circumstances
A	Single-engined aircraft below 12,500 lb.*	Unremunerated ...	Not public transport or aerial work
B	Multi-engined aircraft below 12,500 lb.*	Unremunerated ...	Not public transport or aerial work
C	Above 12,500 lb.* ...	Unremunerated ...	Not public transport or aerial work
D	Any aircraft ...	Remunerated ...	Not public transport, aerial work or carriage of passengers
E	Any aircraft ...	Remunerated ...	For the carriage of passengers but not for public transport or aerial work
F	Any aircraft ...	Remunerated or unremunerated	For aerial work
G	Any aircraft ...	Remunerated or unremunerated	For public transport

* Maximum total weight authorised.

Requirement of test or experience

5. A certificate shall not be appropriate to the functions to be performed on flights in Group E or G unless it is a certificate of test, but in the case of Groups A, B, C, D and F it may be either a certificate of test or a certificate of experience.

Type or Class of Aircraft

6.—(1) A certificate of test shall not be appropriate to the functions to be performed unless it certifies that the test was conducted as follows—

For the purposes of Group A: in an aircraft of the same class as that in which the functions are to be performed ;

For the purposes of Group B: in a multi-engined aircraft of the same class as that in which the functions are to be performed ;

For the purposes of Groups C to G: in an aircraft of the same type as that in which the functions are to be performed or by means of apparatus approved by the Governor in which flight conditions in such an aircraft are simulated on the ground.

(2) A certificate of experience shall not be appropriate to the functions to be performed unless it certifies that the experience was gained as follows:

For the purposes of Group A: 5 hours' experience in an aircraft of the same class as that in which the functions are to be performed ;

For the purposes of Group B: 5 hours' experience in an aircraft of the same class as that in which the functions are to be performed, of which at least one flight shall have been in a multi-engined aircraft ;

For the purposes of Groups C, D and F: 5 hours' experience in an aircraft of the same class as that in which the functions are to be performed of which at least one flight shall have been in an aircraft of the same type as that in which the functions are to be performed.

(3) For the purposes of this paragraph the class to which an aircraft belongs shall be determined according to column 4 of the Table in Part A of the First Schedule to this Order.

Capacity in which functions are performed

7. A certificate of test or of experience in the capacity of pilot in command shall be appropriate to functions performed in the capacity of pilot in command or co-pilot. A certificate of test or of experience in the capacity of co-pilot shall be appropriate to functions performed in the capacity of co-pilot.

Period of experience

8. A certificate of experience shall have no effect unless the experience certified was gained within the period of 13 months preceding the signing of the certificate in the case of Groups A to D, and 6 months preceding the signing of the certificate in the case of Group F.

Period of validity of certificate

9.—(a) A certificate of test shall not be valid in relation to a flight made more than 13 months in the case of Groups A to E, or 6 months in the case of Groups F and G, after the date of the flying test which it certifies:

Provided that in the case of Groups F and G two certificates of test shall together be deemed to constitute a valid certificate if they certify flying tests conducted on two occasions within the period of 13 months preceding the flight on which the functions are to be performed, such occasions being separated by an interval of not less than 4 months, and if both certificates are appropriate to those functions.

(b) A certificate of experience shall not be valid in relation to a flight made more than 6 months after it was signed in the case of Group F or more than 13 months after it was signed in the case of any other Group."

Amendment
of Tenth
Schedule to
the principal
Order.

8. In the Tenth Schedule to the principal Order—

- (a) in sub-paragraph (ix) of Part A, the word "instrument" shall be omitted; and
- (b) in the proviso to Part A, for the word and figures "(ix), (xi) and (xii)" there shall be substituted the word and figures "(ix) and (xi)".

Amendment
of Eleventh
Schedule to
the principal
Order.

9. In the Eleventh Schedule to the principal Order in the definition of "H" for the word and figures "Article 21(2)(a)(ii)" there shall be substituted the word and figures "Article 21(2)(a)(iii)".

Amendment
of Twelfth
Schedule to
the principal
Order.

10. In the Twelfth Schedule to the principal Order—

(a) in paragraph (1) of Rule 23—

(i) the following shall be substituted for sub-paragraph (a)—

"(a) Outside controlled airspace

An aircraft flying outside controlled airspace shall remain at least one nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least five nautical miles:

Provided that at or below 3,000 feet above mean sea level or at or below 1,000 feet above the surface, whichever is the higher, this paragraph shall be deemed to be complied with if the aircraft is flown clear of cloud and in sight of the surface." ; and

(ii) the following shall be substituted for that part of sub-paragraph (b) ending with the words "at least three nautical miles:"—

"(b) Within controlled airspace

An aircraft flying within controlled airspace shall remain at least one nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least five nautical miles:" ;

(b) in Rule 23, the following paragraph shall be added after paragraph (2)—

"(3) Visual Flight Rules shall be deemed not to apply for flights between sunset and sunrise or above 20,000 feet unless authorised by the appropriate air traffic control unit." ;

(c) the following new Rule shall be added in Section V immediately after Rule 23—

“Semi-Circular Rule

23A.—(1) In order to comply with the Visual Flight Rules, an aircraft when in level flight above a height of 3,000 feet above the surface outside controlled airspace, and within controlled airspace unless otherwise notified by the competent authority or instructed by the appropriate air traffic control unit, and on a magnetic track between the limits shown at the head of one of the columns in the Table set forth in this Rule shall be flown only at levels shown in that column. The level of flight shall be measured by an altimeter set according to the system notified, or, in the case of flight over a country other than the Colony, otherwise published by the competent authority, in relation to the area over which the aircraft is flying.

(2) Where the Governor has notified a different Rule in place of the Rule contained in paragraph (1) of this Rule, then such different Rule shall be deemed to be substituted for the Rule mentioned in that paragraph for so long as the notification concerned is in force.

TABLE

Column 1		Column 2	
<i>Magnetic Track*</i> From 000°—179°†		<i>Magnetic Track*</i> From 180°—359°†	
<i>Feet</i>	<i>Flight Level</i>	<i>Feet</i>	<i>Flight Level</i>
3,500	35	4,500	45
5,500	55	6,500	65
7,500	75	8,500	85
9,500	95	10,500	105
11,500	115	12,500	125
13,500	135	14,500	145
15,500	155	16,500	165
17,500	175	18,500	185
19,500	195	20,500	205
21,500	215	22,500	225
23,500	235	24,500	245
25,500	255	26,500	265
27,500	275	28,500	285
30,000	300	32,000	320
34,000	340	36,000	360
38,000	380	40,000	400
42,000	420	44,000	440
46,000	460	48,000	480
50,000	500	52,000	520
etc.	etc.	etc.	etc.

* or, in polar areas at latitudes higher than 70° and within such extensions to those areas as may be prescribed by the appropriate authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the grid North.

† except when, on the basis of regional air navigation agreements, from 090° to 269° and from 270° to 089° is prescribed to accommodate predominant traffic directions, and appropriate transition procedures to be associated therewith are prescribed.”

(d) The following shall be substituted for Rule 26, and the Table thereto—

"Semi-Circular Rule

26.—(1) In order to comply with the Instrument Flight Rules an aircraft when in level flight outside controlled airspace and on a magnetic track between the limits shown at the head of one of the columns in the Table set forth in this Rule shall be flown only at levels shown in that column. The level of flight shall be measured by an altimeter set according to the system notified, or, in the case of a flight over a country other than the Colony, otherwise published by the competent authority, in relation to the area over which the aircraft is flying:

Provided that an aircraft may be flown at a level other than the level required by this Rule if it is flying at or below 3,000 feet above mean sea level and in conformity with instructions from the appropriate air traffic control unit.

(2) Where the Governor has notified a different Rule in place of the rule contained in paragraph (1) of this Rule or a change in the height mentioned in the proviso thereto, then such different Rule or such changed height shall be deemed to be substituted for that Rule or, as the case may be, that height, for so long as the relevant notification is in force.

TABLE

Column 1 <i>Magnetic Track*</i> From 000°—179°†		Column 2 <i>Magnetic Track*</i> From 180°—359°†	
<i>Feet</i>	<i>Flight Level</i>	<i>Feet</i>	<i>Flight Level</i>
1,000	10	2,000	20
3,000	30	4,000	40
5,000	50	6,000	60
7,000	70	8,000	80
9,000	90	10,000	100
11,000	110	12,000	120
13,000	130	14,000	140
15,000	150	16,000	160
17,000	170	18,000	180
19,000	190	20,000	200
21,000	210	22,000	220
23,000	230	24,000	240
25,000	250	26,000	260
27,000	270	28,000	280
29,000	290	31,000	310
33,000	330	35,000	350
37,000	370	39,000	390
41,000	410	43,000	430
45,000	450	47,000	470
49,000	490	51,000	510
etc.	etc.	etc.	etc.

* or, in polar areas at latitudes higher than 70° and within such extensions to those areas as may be prescribed by the appropriate authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the grid North.

† except when, on the basis of regional air navigation agreements, from 090° to 269° and from 270° to 089° is prescribed to accommodate predominant traffic directions, and appropriate transition procedures to be associated with them are prescribed."

11. The Thirteenth Schedule to the principal Order is replaced by the following new Schedule—

Replacement of Thirteenth Schedule to the principal Order.

" THIRTEENTH SCHEDULE

Article 73

FEEs

Certificate of Registration (Article 2(8))

1. The fee to be paid for the issue of a certificate of registration of an aircraft pursuant to Article 2(8) of this Order shall be in accordance with the following scale—

Where the maximum total weight—

	£	s.	d.
(a) does not exceed 6,000 lb.	1	10	0
(b) exceeds 6,000 lb. but does not exceed 12,500 lb.	6	0	0
(c) exceeds 12,500 lb. but does not exceed 30,000 lb.	12	10	0
(d) exceeds 30,000 lb. but does not exceed 100,000 lb.	30	0	0
(e) exceeds 100,000 lb.	50	0	0

For the purposes of this paragraph "maximum total weight" means the maximum total weight authorised in the certificate of airworthiness in force in respect of the aircraft, or, if no such certificate is in force, in the certificate of airworthiness last in force in respect of that aircraft. In any other case "maximum total weight" means the maximum total weight authorised of the prototype or modification thereof to which the aircraft in the opinion of the Governor conforms.

Permit for an aircraft to fly without a Certificate of Airworthiness (Article 4(1))

2. The fees to be paid in respect of an application for a permit to fly in pursuance of proviso (e) to Article 4(1) of this Order shall be as follows—

For any investigations required by the Governor in connection with the application, a fee of an amount equivalent to the cost of making such investigations but not exceeding 10s. 0d. per lb. of the maximum total weight of the aircraft for any year, or part of a year, of the period required for carrying out the investigations.

For the permit, a fee of £1.

For the purposes of this paragraph "maximum total weight" means the maximum total weight specified in the application for the permit.

First Issue of Certificate of Airworthiness (Article 5(1))

3. Where an application is made for the first issue of a certificate of airworthiness in respect of an aircraft there shall be paid for the investigations required by the Governor in pursuance of Article 5(1) of this Order (not including the investigation of any aircraft engine) a fee of an amount equal to the cost of making the investigations but not exceeding £1 per lb. of the maximum total weight of the aircraft for any year, or part of the year, of the period required for carrying out the investigations:

Provided that—

(1) in the case of an aircraft which in the opinion of the Governor conforms to a prototype aircraft or to a modification of a prototype aircraft, the fee to be paid shall be—

	£	s.	d.
(a) in the case of a glider of which the maximum total weight does not exceed 2,000 lb. ...	2	0	0
(b) in the case of a glider of which the maximum total weight exceeds 2,000 lb.	5	0	0
(c) in any other case, a fee in accordance with the following table—			
(i) when the maximum total weight does not exceed 2,000 lb., in respect of each 1,000 lb. or part thereof	5	0	0
(ii) when the maximum total weight exceeds 2,000 lb., in respect of each 1,000 lb. or part thereof	7	0	0

(2) in the case of an aircraft which in the opinion of the Governor is a modification of a prototype aircraft the fee shall not be less than that which would have been payable if paragraph (1) of this proviso had applied.

For the purpose of this paragraph "maximum total weight" means the maximum total weight specified in the application for the certificate.

Approval of Engine (Article 5(1))

4. The fees to be paid in respect of an application for the approval of an engine, whether in connection with an application for the issue or renewal of a certificate of airworthiness or for any other of the purposes of this Order (including any investigations required for the purpose) shall be in accordance with the following scale—

	£	s.	d.
(a) When the power output of the engine as determined by the Governor—			
(i) does not exceed 200 B.H.P. or 500 lb. thrust	2	0	0
(ii) exceeds 200 B.H.P. or 500 lb. thrust but does not exceed 500 B.H.P. or 1,250 lb. thrust	4	0	0
(iii) exceeds 500 B.H.P. or 1,250 lb. thrust but does not exceed 1,000 B.H.P. or 2,500 lb. thrust	6	0	0
(iv) exceeds 1,000 B.H.P. or 2,500 lb. thrust but does not exceed 2,000 B.H.P. or 5,000 lb. thrust	8	0	0

(b) When the power output as so determined exceeds 2,000 B.H.P. or 5,000 lb. thrust, in respect of the first 2,000 B.H.P. or 5,000 lb. thrust ...	8 0 0
and in respect of each additional 100 B.H.P. or 250 lb. thrust	10 0

Second or Subsequent Issue or Renewal of Certificate of Airworthiness (Article 5(1) and (6))

5. When an application is made for the second or subsequent issue or the renewal of a certificate of airworthiness in pursuance of Article 5(1) or (6) of this Order, the fee to be paid in respect thereof (including any investigations required in connection with the application) shall be £3 Os. Od. in the case of a glider where the maximum total weight authorised of the glider does not exceed 2,000 lb., and in any other case shall be in accordance with the following sub-paragraphs—

	£ s. d.
(a) When the maximum total weight authorised for the aircraft does not exceed 2,000 lb., in respect of each 1,000 lb. or part thereof	5 0 0
(b) When the maximum total weight authorised for the aircraft exceeds 2,000 lb., but does not exceed 5,000 lb., in respect of each 1,000 lb. or part thereof	7 0 0
(c) When the maximum total weight authorised for the aircraft exceeds 5,000 lb., in respect of each 1,000 lb. or part thereof	9 0 0

Validation of Certificate of Airworthiness (Article 5(5) and (6))

6. The fee to be paid in respect of an application for—

- (1) the first issue of a certificate of validation of a certificate of airworthiness in respect of any aircraft in pursuance of Article 5(5) of this Order (including any investigation required in connection with the application) shall be the same as the fee which would be paid under paragraph 3 of this Schedule in respect of an application for the first issue of a certificate of airworthiness in respect of that aircraft, assuming it to be an aircraft which in the opinion of the Governor was a modification of a prototype aircraft ;
- (2) the second or subsequent issue or the renewal of such certificate of validation in pursuance of Article 5(5) and (6) of this Order shall be the same as the fee which would be paid under paragraph 5 of this Schedule in respect of the second or subsequent issue or the renewal of a certificate of airworthiness in respect of that aircraft.

Approval of Persons (Articles 5(8) and 7(4)(c))

7. The fee to be paid by a person for the making of inspections of his organisation for the purposes of Articles 5(8) and 7(4)(c) of this Order shall be £50 Os. Od. per annum for each branch of the organisation which is separately inspected.

Approval in respect of Aircraft and Equipment including modification, repair, etc. (excluding Engines and Radio Apparatus) (Articles 5(7), 7(3) and 9(2))

8. The fee to be paid in respect of an application for approval pursuant to any requirement of Articles 5(7), 7(3) or 9(2) of this Order (other than for approval of an engine) shall be an amount equivalent to the cost of making the investigations which the Governor deems necessary for the purpose but not exceeding £1,000 for any year, or part of a year, of the period required for carrying out the investigations.

Approval of type, etc., of Radio Apparatus (Article 10(5))

9. The fee to be paid in respect of an application for the approval by the Governor of radio apparatus or the manner of the installation thereof, or of any modification of the apparatus or the manner of its installation, for the purpose of Article 10(5) of this Order shall be an amount equivalent to the cost of making the investigations which the Governor deems necessary for the purpose but not exceeding £1,000 for any year, or part of a year, of the period required for carrying out the investigations.

Licences for Aircraft Maintenance Engineers and Aircraft Radio Maintenance Engineers (Article 8)

10. The fees to be paid in respect of a licence as an aircraft maintenance engineer or aircraft radio maintenance engineer in pursuance of Article 8 of this Order shall be as follows—

	£	s.	d.
In respect of an application for a licence	5	0	0
In respect of an application for the extension of a rating included in a licence	3	10	0
In respect of an application for the renewal of a licence:—			
if the applicant is not required to pass an examination	2	10	0
if the applicant is required to pass an examination	5	0	0

Provided that the fees specified above shall cover only one examination in respect of the inclusion or extension of a rating in a licence and, if an additional examination is required in respect of such inclusion or extension, the fee to be paid for such additional examination shall be £3 10s. 0d.

Licences for Flight Crew (Article 15) and Ratings therein (Article 16(3) and (4))

11.—(1) The following fees shall be paid on application for the grant or renewal of a licence to act as—

	£	s.	d.
(a) a professional pilot	5	0	0
(b) a flight navigator, or a flight engineer, or a flight radiotelegraphy operator (except when the applicant is the holder of a flight radiotelegraphy operator's temporary licence), or a private pilot	3	0	0
(c) a flight radiotelephony operator, whether the licence is general or restricted (except where the applicant is the holder of a licence to act as a pilot, flight navigator, flight engineer or flight radiotelegraphy operator) or a student pilot	2	0	0

(2) The following fees shall be paid on application for the grant or renewal of any licence to act as a member of the flight crew of an aircraft or for the inclusion or renewal of a rating in such a licence, in respect of such of the following examinations as may be required—

	£	s.	d.
(a) For an official general examination on aircraft—			
(i) for the full examination	3	0	0
(ii) for a part of the examination	2	0	0
(b) For an official examination on the performance of aircraft	5	0	0
(c) For an official technical examination on application for the inclusion of an aircraft rating for a single type of aircraft in a licence or for the extension of such a rating to include any additional type of aircraft—			
(i) if the maximum total weight authorised of the aircraft does not exceed 12,500 lb.	6	0	0
(ii) if the maximum total weight authorised of the aircraft exceeds 12,500 lb.	9	0	0
(d) For an official examination in radiotelephony which consists of not more than two parts—			
for each part of the examination, on each occasion when that part is taken	1	0	0
(e) For an official examination on the Morse code ..	1	0	0
(f) For any other official technical examination, which consists of not more than 11 parts—			
for each part of the examination on each occasion when that part is taken	2	0	0
(g) For an official flying test on application for the inclusion in a pilot's licence of a flying instructor's rating or an assistant flying instructor's rating or for the renewal of such a rating	5	0	0
(h) For any other official flying test, by day or by night	10	0	0

(3) For the purposes of this paragraph—

“a licence to act as a professional pilot” means a licence of one of the following classes—

Commercial Pilot's Licence (Aeroplanes)

Senior Commercial Pilot's Licence (Aeroplanes)

Airline Transport Pilot's Licence (Aeroplanes)

Commercial Pilot's Licence (Helicopters and Gyroplanes)

Airline Transport Pilot's Licence (Helicopters and Gyroplanes)

Commercial Pilot's Licence (Balloons)

Commercial Pilot's Licence (Airships)

Commercial Pilot's Licence (Gliders)

Commercial Pilot's Licence (Flying Machines)

Senior Commercial Pilot's Licence (Flying Machines)

Airline Transport Pilot's Licence (Flying Machines);

“a licence to act as a private pilot” means a licence of one of the following classes—

Private Pilot's Licence (Aeroplanes)

Private Pilot's Licence (Helicopters and Gyroplanes)
 Private Pilot's Licence (Balloons and Airships)
 Private Pilot's Licence (Flying Machines).

Official Medical Examination

12. The fees to be paid for an official medical examination, when required, shall be as follows—

	£	s.	d.
(a) On application for the grant of any licence to act as a member of the flight crew of an aircraft (including a student pilot's licence) or as an air traffic controller or student air traffic controller	10	0	0
Provided that where the Governor is satisfied that the applicant has previously been medically examined in connection with an application for a licence for which there is required a standard of medical fitness not inferior to that required for the licence for which the application is made the fee shall be ...	3	0	0
(b) For any other purpose of this Order or any regulations made thereunder	3	0	0

Aerodrome Licences (Article 61)

13. Subject to the provisions of this paragraph, the fees to be paid in respect of aerodrome licences shall be as follows—

	£	s.	d.
For an official inspection of an aerodrome not followed by the grant or renewal of a licence ...	7	10	0
For the grant of a licence for a period not exceeding three days, including official inspection of the aerodrome	7	10	0
For the grant or renewal of a licence for a period exceeding three days, including official inspection of the aerodrome			The fee specified in the table at the foot of this paragraph.
For the variation of a licence	5	0	0 :

Provided that where a licence is granted or renewed for a period which will expire within twelve months from the date on which the grant or renewal becomes operative and an application is made for the renewal of the licence, or for the grant of a further licence to the same person for the same aerodrome, for any subsequent period falling within those twelve months, then—

- (a) if the application is for the renewal of the licence without variation or for the grant of a further licence on the same terms as the previous licence, no fee shall be payable in respect of the renewal or grant; and
- (b) if the application is for the renewal of the licence with variations or for the grant of a further licence on terms different from those of the previous licence, the application shall be treated for the purpose of this paragraph as if it were an application for the variation of a licence.

TABLE

Fee payable

The weight certified in the application for the grant or renewal of the licence as being the maximum total weight authorised of the heaviest aircraft which the applicant expects to use the aerodrome, while the licence is in force, for the purpose of the public transport of passengers or of instruction in flying—

	£	s.	d.
Not exceeding 6,500 lb.	10	0	0
Exceeding 6,500 lb. but not exceeding 15,000 lb.	25	0	0
Exceeding 15,000 lb.	50	0	0

Validation of a Licence (Articles 8(4) and 17)

14. Where an application is made for the issue of a certificate of validation of a licence under this Order the following fees shall be paid—

For an official medical examination (if required)	} In each case the fees appropriate to the grant of a licence equivalent to that for which validation is sought.
For a technical examination (if required)	
For an official flying test (if required)	
For a certificate	£1 10s. 0d.

Copies of Documents

15. The fee to be paid for the issue by the Governor of a copy or replacement of a document issued under this Order or under regulations made thereunder shall be £1:

Provided that for a copy or replacement of a flight manual or performance schedule relating to a certificate of airworthiness the fee shall be an amount equal to the cost of preparing the copy or replacement as the case may be, but shall not exceed £8 0s. 0d.”.

12.—(1) The Fifteenth Schedule to the principal Order is replaced by the following new Schedule—

“ FIFTEENTH SCHEDULE

Article 76

TERRITORIES TO WHICH THIS ORDER APPLIES

Bahamas
 Bermuda
 British Antarctic Territory
 British Honduras
 British Indian Ocean Territory
 British Solomon Islands Protectorate
 Cayman Islands
 Central and Southern Line Islands
 Falkland Islands (Colony and Dependencies)
 Fiji
 Gibraltar
 Gilbert and Ellice Islands Colony
 Hong Kong

Replace-
 ment of
 Fifteenth
 Schedule to
 the principal
 Order.

Montserrat
St. Helena and its Dependencies
St. Vincent
Seychelles
Sovereign Base Areas of Akrotiri and Dhekelia
Turks and Caicos Islands
Virgin Islands”.

(2) The provisions of paragraph (1) of this Article shall apply only to the territories mentioned in the Schedule contained in that paragraph and Article 76 of the principal Order shall be construed accordingly.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Colonial Air Navigation Order 1961 as previously amended. In addition to some minor and drafting amendments, the following changes are made in the Articles and Schedules mentioned below:—

- (1) The Governor is empowered to register an aircraft in the Colony notwithstanding that it is already registered outside the Colony if he is satisfied that the registration outside the Colony will be cancelled by operation of law when the aircraft becomes registered in the Colony (Article 2(2)).
- (2) The Governor is given power to prescribe exceptions to the requirement that radio apparatus in aircraft shall always be maintained in serviceable condition (Article 10(4)).
- (3) Article 14(3) of the Order requires two pilots to be carried by a flying machine registered in the Colony and flying for the purpose of public transport, if it has a maximum total weight authorised of more than 22,500 lb. The requirement will now apply if the maximum total weight authorised is 12,500 lb. or more, unless the Governor otherwise prescribes.
- (4) From 1st March 1969 the holding of a pilot's licence within the previous six months will no longer be a qualification for acting as pilot in command of an aircraft without being the holder of an appropriate licence in the circumstances described in Article 15(4) (Article 15(4)(b)(ii)).
- (5) From 1st March 1969 a new Article 15(8) will provide that if a Colonial licence is endorsed to the effect that the holder does not satisfy the full international standard he is not allowed to fly over foreign territory without permission of the local authorities; a corresponding restriction will be imposed on holders of foreign licences, who will require the Governor's permission for flight over the Colony. This gives effect to Article 40 of the Chicago Convention of 1944.

- (6) Separate licences and night ratings will from dates to be appointed by the Governor be introduced for aeroplane pilots and for helicopter and gyroplane pilots. No further flying machine licences can be issued after the coming into force of Article 2(5)(a) of this Order (Article 16(1) and Ninth Schedule).
- (7) From dates to be appointed by the Governor the holders of flight crew licences (except a flight radiotelephony operator's licence) are required to hold a medical certificate as part of their licence (Article 16).
- (8) From a date to be appointed by the Governor the maximum period of validity for specified types of pilot's licence and for a flight radiotelephony operator's licence will be five years, but the pilot's licence will require a certificate, signed periodically by a person authorised by the Governor, certifying that the holder of the licence has passed a specified flight test or had specified flying experience (Article 16 and Ninth Schedule).
- (9) Examiners conducting tests under Article 16(1) or (3) in aircraft not exceeding 12,500 lb. maximum total weight authorised need no longer have the appropriate aircraft rating (Article 16(11)).
- (10) Only those parts of the operations manual which are relevant to the crew's duties on the flight are required to be carried in the aircraft. Relevant parts must be available to all members of the crew and not only to the flight crew as before (Article 21(2)(a)(ii) and (iii)).
- (11) Power is conferred to prescribe the matters concerning manning and equipment of aerodromes about which the operator of a public transport aircraft must satisfy himself (Article 22).
- (12) The period during which records made by flight recorders are required to be preserved is reduced to 30 days (Article 29A(2)).
- (13) Operators of public transport aircraft must now limit flying duty periods and establish minimum rest periods for cabin staff and not only for flight crew as hitherto (Article 45(1)).
- (14) The Table in Article 47 is amended so as to specify new minimum lengths of sufficient rest periods in relation to immediately preceding duty periods which exceed 24 hours in length (Article 47).
- (15) Operators must now keep records in respect of cabin staff and not only for flight crew as hitherto (Article 48(1)).
- (16) The limit of flight times for flight crew within any 28 days is reduced from 115 hours to 100 hours (Article 49).
- (17) The prohibition on purporting to issue certain certificates without being authorised to do so is extended to include all certificates issued under the Order or Regulations (Article 55(5)).
- (18) Licensed aerodromes equipped with two-way radio and with radar or V.H.F. direction finding apparatus for the purpose of providing holding aid, let-down aid or approach aid are required to be provided with apparatus capable of recording messages transmitted between the aerodrome and aircraft, unless it is otherwise specified in the licence (Article 61A).

- (19) Power is conferred upon the Governor to change the fees set out in the Thirteenth Schedule and to impose fees (Article 73).
- (20) The provisions relating to visiting forces' aircraft are extended to aircraft of an international headquarters designated under s. 1 of the International Headquarters and Defence Organisations Act 1964 (Article 78(2) and (4)).
- (21) The provisions relating to the East African Territories are omitted (Articles 80, 81(1) and 82).
- (22) "Maximum total weight authorised" will now mean the maximum total weight for take-off anywhere in the world in the most favourable circumstances (Article 81(1)).
- (23) A revised definition of "Record" and definitions of "International headquarters" and "Navigation Services" are inserted (Article 81(1)).
- (24) Power is conferred upon the Governor when making Regulations, to make incidental and supplementary provisions (Article 81(10)).
- (25) Nationality and registration marks are no longer required on the upper surface of the wing structure of flying machines and gliders, but the required height of those on the fuselage and vertical tail surfaces of newly registered aircraft is increased to 12 inches. Other aircraft may continue with marks only 6 inches high until 1st June 1971 (First Schedule, Part B).
- (26) The classes of persons who may be carried in aircraft flying under the B Conditions are modified (Second Schedule).
- (27) Parachute distress rocket signals are now required to comply with the Merchant Shipping (Life-Saving Appliances) Rules 1965, which have superseded the former (1958) Rules, with a resulting increase in required luminosity from 10,000 to 15,000 candle power (Fifth Schedule, Scale I).
- (28) Pressurised aircraft flying for the purpose of public transport will be required to carry smoke protection equipment for the flight crew (Fifth Schedule, Scale R).
- (29) All aircraft over 5,000 lb. maximum total weight authorised when flying for the purpose of public transport under Visual Flight Rules are required to carry Scales A and B of radio apparatus at all times (Sixth Schedule).
- (30) Apparatus for receiving signals from visual/aural radio ranges is removed from the list of radio navigation apparatus one of which must be carried, in addition to automatic direction finding apparatus, by aircraft flying to or from Berlin (Sixth Schedule, paragraph 4).
- (31) Subject to certain exceptions, a Private Pilot's Licence will, from a date to be appointed by the Governor, no longer be able to be used for a flight for which the pilot is remunerated (Ninth Schedule).
- (32) Holders of Commercial and Senior Commercial Pilots' Licences will, from a date to be appointed by the Governor, be entitled to act as pilot in command of any aircraft flying for any purpose other than public transport (Ninth Schedule).

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- (33) The distances which an aircraft must remain from cloud when flying under Visual Flight Rules are increased (Twelfth Schedule, Rule 23).
 - (34) Provision is made for the use of the Semi-Circular Rule in place of the Quadrantal Rule for aircraft flying under Visual Flight Rules and under Instrument Flight Rules (Twelfth Schedules, Rules 23A and 26).
 - (35) Fees chargeable for certain certificates, licences, etc., are increased (Thirteenth Schedule).
 - (36) The Territories to which the Order applies are brought up to date (Fifteenth Schedule).