
STATUTORY INSTRUMENTS

1994 No. 1444

CIVIL AVIATION

The Rules of the Air (Third Amendment) Regulations 1994

Made - - - - - *26th May 1994*

Coming into force - - - - - *1st July 1994*

The Secretary of State, in exercise of the powers conferred by article 69(1) of the Air Navigation Order 1989(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Rules of the Air (Third Amendment) Regulations 1994 and shall come into force on 1st July 1994.

2. The Schedule to the Rules of the Air Regulations 1991(2) shall be amended as follows:

(1) For rule 5(2)(a) there shall be substituted:

(a) “(2) The provisions of paragraphs (1)(a)(ii) and (1)(c)(i) of this rule shall not apply to an aircraft flying:

(i) on a route notified for the purposes of this rule; or

(ii) on a special VFR flight;

unless the aircraft is landing or taking off.”

(2) At the beginning of rule 25(b)(ii) there shall be inserted “Subject to sub-paragraph (iii),” and after rule 25(b)(ii) there shall be added:

“(iii) sub-paragraph (ii) shall be deemed to be complied with if:

(aa) the aircraft is not a helicopter and is flying at or below 3,000 feet above mean sea level at a speed which, according to its airspeed indicator, is 140 knots or less and it remains clear of cloud, in sight of the surface and in a flight visibility of at least 5 km; or

(bb) the aircraft is a helicopter flying at or below 3,000 feet above mean sea level and it remains clear of cloud and in sight of the surface.”

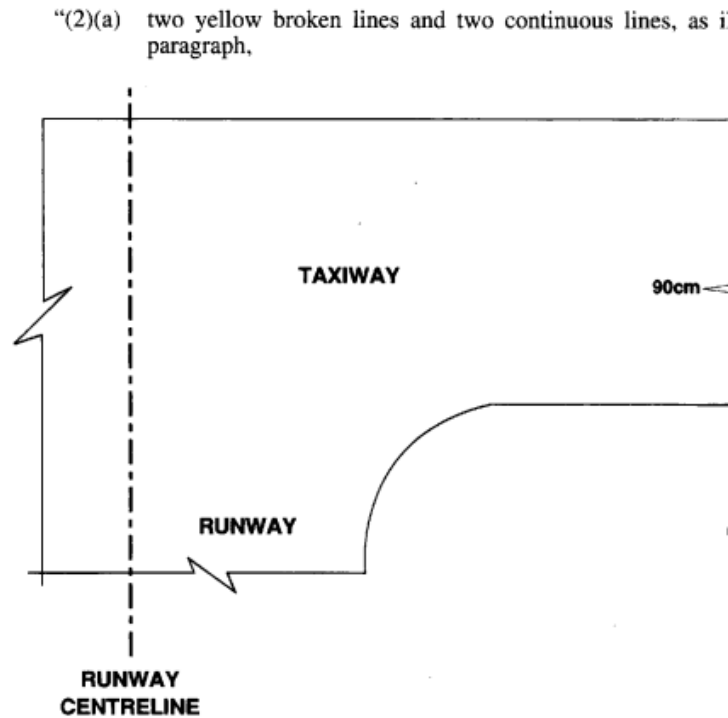
(3) Rule 40 shall be omitted.

(4) For rule 44(2) there shall be substituted:

(1) S.I.1989/2004; the relevant amending instrument is S.I. 1990/2154.
(2) S.I. 1991/2437, to which there are amendments not relevant to these Regulations.

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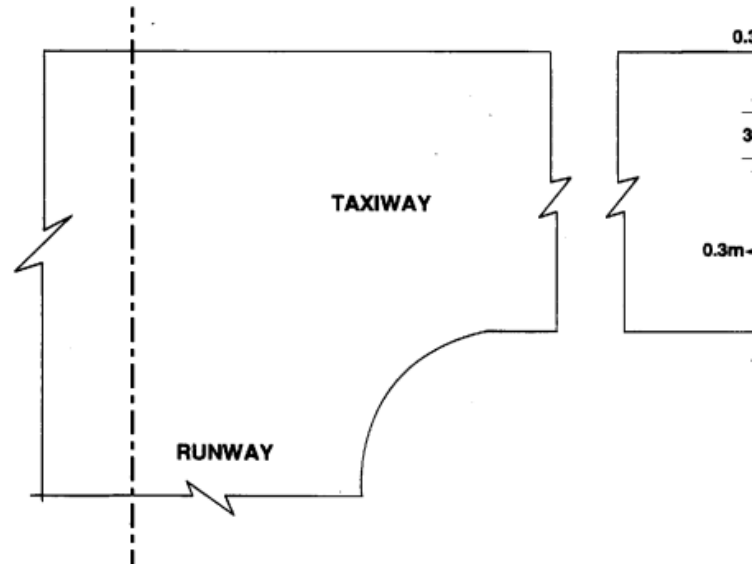
- (a) “(2) two yellow broken lines and two continuous lines, as illustrated in this paragraph,



signifies the holding position closest to the runway beyond which no part of a flying machine or vehicle shall project in the direction of the runway without permission from the air traffic control unit at the aerodrome during the notified hours of watch of that unit. Outside the notified hours of watch of that unit or where there is no air traffic control unit at the aerodrome the markings signify the position closest to the runway beyond which no part of a flying machine or vehicle shall project in the direction of the runway when the flying machine or vehicle is required by virtue of rule 37(3)(a) of these Rules to give way to aircraft which are taking off from or landing on that runway.

- (b) a yellow marking, as illustrated in this paragraph,

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signifies a holding position other than that closest to the runway beyond which no part of a flying machine or vehicle shall project in the direction of the runway without permission from the air traffic control unit at the aerodrome during the notified hours of watch of that unit. Outside the notified hours of watch of that unit or where there is no air traffic control unit at the aerodrome the marking may be disregarded.”

(5) Rule 51 shall be omitted.

Signed by authority of the Secretary of State for Transport

26th May 1994

Mackay of Ardbrecknish
Parliamentary Under Secretary of State,
Department of Transport

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Rules of the Air Regulations 1991. The changes are:

(1) An aircraft flying on a route notified for the purposes of Rule 5(2)(a) or on a special VFR flight must nevertheless comply with Rules 5(1)(a)(ii) and (1)(c)(i) if it is landing or taking off (Regulation 2(1)).

(2) An aircraft may fly in accordance with the Visual Flight Rules within Class C, Class D or Class E airspace at or below 3,000 feet above mean sea level if, in the case of a helicopter it remains clear of cloud and in sight of the surface and in the case of any other aircraft it flies at 140 knots or less and remains clear of cloud, in sight of the surface and in a flight visibility of at least 5 km (Regulation 2(2)).

(3) Special Rules for the Upper Heyford Mandatory Radio Area are revoked (Regulation 2(3)).

(4) New markings are introduced identifying taxi-holding positions (Regulation 2(4)).

(5) There are no longer specified projectile warning signals to indicate that an aircraft is flying in or near an active danger area or prohibited airspace (Regulation 2(5)).