

1970 No. 479

CIVIL AVIATION

**The Rules of the Air and Air Traffic Control (Third Amendment)
Regulations 1970**

<i>Made</i>	- - - -	<i>23rd March 1970</i>
<i>Coming into Operation</i>	-	
<i>(a) for all purposes of Regulation 3(1)</i>	-	<i>2nd April 1970</i>
<i>(b) for all other purposes</i>		<i>28th May 1970</i>

The Board of Trade, in exercise of their powers under Article 59(1) of the Air Navigation Order 1966(a), as amended(b), and of all other powers enabling them in that behalf, hereby make the following Regulations.

1. These Regulations may be cited as the Rules of the Air and Air Traffic Control (Third Amendment) Regulations 1970 and shall come into operation on 2nd April 1970 for the purposes of Regulation 3(1) and on 28th May 1970 for all other purposes.

2. The Interpretation Act 1889(c) applies for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

3. The Schedule to the Rules of the Air and Air Traffic Control Regulations 1969(d), as amended(e), shall be further amended as follows:—

(1) After paragraph (10) of Rule 37, the following paragraph shall be added:

“(11)(a) In relation to Luton Airport, the special rules set forth in sub-paragraph (c) of this paragraph shall subject to the provisions of sub-paragraph (b) of this paragraph, apply to the airspace (in this paragraph called “the relevant airspace”)—

(i) from the surface to 3,500 feet above mean sea level within the area defined by straight lines joining successively the following points:

51°57'31"N	00°21'20"W;	51°55'30"N	00°16'32"W;
51°55'57"N	00°13'33"W;	51°52'03"N	00°11'50"W;
51°51'40"N	00°14'10"W		

(a) S.I. 1966/1184 (1966 III, p. 3073).

(b) There is no relevant amending instrument.

(c) 1889 c. 63.

(d) S.I. 1969/216 (1969 I, p. 557).

(e) There is no relevant amending instrument.

thence by that part of the arc of a circle radius 5 nautical miles centred on 51°52'27"N 00°22'13"W (Luton Airport) to 51°49'20"N 00°28'30"W and thence by straight lines joining successively the following points:

51°49'00"N 00°30'40"W; 51°51'27"N 00°31'46"W;
51°52'10"N 00°27'30"W; 51°57'31"N 00°21'20"W;

and

- (ii) from 2,000 feet above mean sea level to 3,500 feet above mean sea level within the areas defined by straight lines joining successively the following points:

51°56'27"N 00°10'22"W; 51°52'32"N 00°08'45"W;
51°52'03"N 00°11'50"W; 51°55'57"N 00°13'33"W;
51°56'27"N 00°10'22"W and
51°51'27"N 00°31'46"W; 51°49'00"N 00°30'40"W;
51°48'30"N 00°33'50"W; 51°50'56"N 00°34'50"W;
51°51'27"N 00°31'46"W.

(b) The relevant airspace shall not include that part of a circle radius 2 nautical miles centred on 51°52'07"N 00°32'50"W (at Dunstable Downs Aerodrome) south of a straight line joining 51°51'48"N 00°29'36"W and 51°50'56"N 00°34'50"W but nevertheless the special rules set forth in sub-paragraph (c) shall be complied with by an aircraft as if was in the relevant airspace whenever the commander of that aircraft has reason to believe that any other aircraft is, at the time, in the course of landing on runway 08 at Luton Airport.

(c) Unless it is otherwise authorised by the air traffic control unit at Luton aerodrome,

- (i) an aircraft shall not fly within the relevant airspace unless the commander of the aircraft, before so flying, obtains the permission of the air traffic control unit at the aerodrome and informs the air traffic control unit, on the notified radio frequency appropriate to the circumstances, of the aircraft's position, level and track; and
- (ii) while the aircraft is within the relevant airspace the commander of the aircraft shall cause a continuous watch to be maintained on the notified radio frequency appropriate to the circumstances and comply with any instructions which the air traffic control unit at the aerodrome may give in the particular case:

Provided that sub-paragraphs (i) and (ii) shall not apply to a glider on a flight to or from Dunstable Downs Aerodrome or to an aeroplane which is towing or has released a glider in the course of such a flight, if the following conditions are complied with:

- (aa) the commander of the glider or of the aeroplane, as the case may be, has reason to believe that at the time no aircraft is in the course of landing on runway 08 at Luton Airport; and

(bb) the glider or aeroplane, as the case may be, flies within that part of the relevant airspace specified in sub-paragraph (a)(i) of this paragraph north of a straight line joining 51°49'55"N 00°31'05"W, 51°50'18"N 00°29'30"W, 51°52'10"N and 00°27'30"W, and specified in sub-paragraph (a)(ii) of this paragraph north of a straight line joining 51°49'08"N 00°34'05"W, 51°49'55"N and 00°31'05"W, and remains at least one nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least 5 nautical miles."

- (2) After Section VIII, Rule 38, the following Section and Rule shall be added:

“SECTION VIIIA

SPECIAL RULES FOR AIR TRAFFIC IN THE UPPER FLIGHT INFORMATION REGIONS

38A.—(1) Subject to the provisions of Rule 2 of these Rules, the following special rules shall apply to the airspace (in this Rule called “the relevant airspace”) from flight level 250 to flight level 460 within the area defined by straight lines joining successively the following points:—

61°00'00"N	06°00'00"W;	61°00'00"N	00°00'00" ;
60°00'00"N	00°00'00" ;	57°00'00"N	05°00'00"E;
55°00'00"N	05°00'00"E;	52°30'00"N	02°48'30"E;
51°30'00"N	02°00'00"E;	51°07'00"N	02°00'00"E;
51°00'00"N	01°28'00"E;	50°40'00"N	01°28'00"E;
50°00'00"N	00°15'00"W;	50°00'00"N	02°00'00"W;
48°50'00"N	08°00'00"W;	51°00'00"N	08°00'00"W;
52°20'00"N	05°30'00"W;	53°55'00"N	05°30'00"W;
54°57'30"N	05°30'00"W;	55°00'00"N	05°00'00"W;
54°45'00"N	03°42'00"W;	54°50'00"N	03°16'00"W;
55°35'00"N	03°12'00"W;	58°15'00"N	06°00'00"W;
61°00'00"N	06°00'00"W.		

(2) The commander of an aircraft who intends to fly within the relevant airspace shall, before so flying, cause to be communicated to the appropriate air traffic control unit a flight plan containing particulars of the time at which and the level and track on which the aircraft is intended to pass through the relevant airspace, and such particulars of the intended flight as may be necessary for search and rescue purposes.

(3) The commander of an aircraft shall, before the aircraft enters the relevant airspace, obtain the permission of the appropriate air traffic control unit.

(4) While flying within the relevant airspace, the commander of an aircraft shall:

- (a) cause a continuous watch to be maintained on the notified radio frequency appropriate to the circumstances; and

(b) measure the flight level by means of an altimeter set to 1013.2 millibars (29.92 inches of mercury); and

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

(5) These special rules shall not apply in relation to any glider flying within the relevant airspace.”

R. R. Goodison,
A Second Secretary
of the Board of Trade.

23rd March 1970.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Schedule to the Rules of the Air and Air Traffic Control Regulations 1969 as previously amended, by introducing special rules for Luton Airport (Rule 37(11)) and for the Upper Flight Information Regions (Rule 38A).

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