
 STATUTORY INSTRUMENTS

1972 No. 1917

CIVIL AVIATION

**The Rules of the Air and Air Traffic Control (Fourth
Amendment) Regulations 1972**

Made - - - - 8th December 1972

Coming into Operation 4th January 1973

The Secretary of State, in exercise of his powers under Article 61(1) of the Air Navigation Order 1972(a), as amended (b) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Rules of the Air and Air Traffic Control (Fourth Amendment) Regulations 1972 and shall come into operation on 4th January 1973.

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 1972(d) as amended (e), shall be further amended as follows:

(1) After Rule 37(1) there shall be inserted the following new paragraph:

“1(A). For purposes of any paragraph of this Rule in which the term, “special VFR clearance” is used, it means a clearance given by the appropriate air traffic control unit to an aircraft for flight within the relevant airspace as defined for purposes of that paragraph if the aircraft remains clear of cloud, within sight of the surface and is flown in accordance with any special instructions given by that unit.”.

(2) In Rule 37(10) after sub-paragraph (b) there shall be inserted:

“and (c) while the aircraft is flying within the relevant airspace during the said hours of watch,

(i) save as provided in sub-paragraph (ii) and (iii) hereof, the aircraft 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, unless the commander of the aircraft holds a licence which includes a valid instrument rating or a valid instrument meteorological conditions rating;

(a) S.I. 1972/129 (1972 I, p. 336).

(c) 1889 c. 63.

(e) S.I. 1972/699 (1972 II, p. 2232).

(b) There are no relevant amendments.

(d) S.I. 1972/321 (1972 I, p. 1258).

- (ii) if the commander of the aircraft holds a Commercial Pilot's Licence, a Senior Commercial Pilot's Licence or an Airline Transport Pilot's Licence which does not include a valid instrument rating and he intends to take off or land within the relevant airspace, the aircraft shall be flown in accordance with special VFR clearance given to the aircraft;
- (iii) if the commander of the aircraft holds a Private Pilot's Licence which includes a valid instrument meteorological conditions rating and he intends to take off or land within the relevant airspace, the aircraft shall be flown in accordance with special VFR clearance given to the aircraft and remain in a flight visibility of at least $1\frac{1}{2}$ nautical miles";

and for the proviso there shall be substituted:

"Provided that except at night the special rules (a) and (b) shall not apply to:

- (i) a glider which remains 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; or
- (ii) a mechanically driven aircraft without radio equipment which remains 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, if the commander of the aircraft has previously obtained the permission of the air traffic control unit at the aerodrome to enter the relevant airspace."

(3) At the end of Rule 37 there shall be added:

"(15) In relation to Bournemouth (Hurn) Airport the following special rules shall apply:

Unless it is otherwise authorised by the air traffic control unit at the aerodrome,

- (a) an aircraft shall not, during the notified hours of watch of the air traffic control unit at the aerodrome, 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
- (b) while the aircraft is within the relevant airspace at any time during the said hours of watch the commander of the aircraft shall cause a continuous watch to be maintained on that frequency and comply with any instructions which the air traffic control unit at that aerodrome may give in the particular case; and
- (c) while the aircraft is flying within the relevant airspace during the said hours of watch,
 - (i) save as provided in sub-paragraphs (ii) and (iii) hereof, the aircraft 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, unless the commander of the aircraft holds a licence which includes a valid instrument rating or a valid instrument meteorological conditions rating;

- (ii) if the commander of the aircraft holds a Commercial Pilot's Licence, a Senior Commercial Pilot's Licence or an Airline Transport Pilot's Licence which does not include a valid instrument rating and he intends to take off or land within the relevant airspace, the aircraft shall be flown in accordance with special VFR clearance given to the aircraft;
- (iii) if the commander of the aircraft holds a Private Pilot's Licence which includes a valid instrument meteorological conditions rating and he intends to take off or land within the relevant airspace, the aircraft shall be flown in accordance with special VFR clearance given to the aircraft and remain in a flight visibility of at least $1\frac{1}{2}$ nautical miles:

Provided that except at night the special rules (a) and (b) shall not apply to:

- (i) a glider which remains 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; or
- (ii) a mechanically driven aircraft without radio equipment which remains 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, if the commander of the aircraft has previously obtained the permission of the air traffic control unit at the aerodrome to enter the relevant airspace.

For the purposes of this paragraph the "relevant airspace" means the airspace:

- (aa) from the surface to 2,000 feet above mean sea level within the area defined by straight lines joining successively the following points:

50° 51' 06" N	01° 43' 37" W to
50° 52' 08" N	01° 37' 46" W to
50° 48' 16" N	01° 36' 12" W to
50° 47' 27" N	01° 40' 51" W

thence clockwise along the arc of a circle radius six nautical miles centred on 50° 46' 49" N 01° 50' 16" W (Bournemouth (Hurn) Airport) to 50° 51' 06" N 01° 43' 37" W; and

- (bb) from 1,500 feet above mean sea level to flight level 65 within the area defined by a straight line joining 50° 56' 00" N 01° 40' 00" W to 51° 06' 44" N 01° 21' 10" W thence by the northern arc of a circle radius three nautical miles centred on 51° 04' 30" N 01° 18' 00" W to 51° 04' 28" N 01° 13' 13" W thence by straight lines joining successively 50° 56' 22" N 01° 13' 14" W to 50° 49' 00" N 01° 16' 45" W to 50° 41' 16" N 01° 46' 42" W thence by the western arc of a circle radius six nautical miles centred on 50° 46' 49" N 01° 50' 16" W (Bournemouth (Hurn) Airport) to 50° 52' 22" N 01° 53' 56" W to 50° 56' 00" N 01° 40' 00" W;

Provided that:

- (i) the upper limit of the said airspace shall be 3,500 feet above mean sea level in that part of the aforesaid area which lies north of a straight line joining 51° 00' 35" N 01° 32' 00" W to 51° 03' 16" N 01° 13' 13" W;
- (ii) the lower limit of the said airspace shall be 2,000 feet above mean sea level in that part of the aforesaid area which is defined by a straight line joining 50° 53' 44" N 01° 14' 30" W to 50° 53' 58" N 01° 18' 56" W

thence anti clockwise along the arc of a circle radius two nautical miles centred on 50° 52' 00" N 01° 19' 15" W to 50° 51' 36" N 01° 22' 20" W to 50° 47' 53" N 01° 21' 12" W to 50° 49' 00" N 01° 16' 45" W to 50° 53' 44" N 01° 14' 30" W.

(16) In relation to Southampton Airport the following special rules shall apply: Unless it is otherwise authorised by the air traffic control unit at the aerodrome,

- (a) an aircraft shall not, during the notified hours of watch of the air traffic control unit at the aerodrome, 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
- (b) while the aircraft is within the relevant airspace at any time during the said hours of watch the commander of the aircraft shall cause a continuous watch to be maintained on that frequency and comply with any instructions which the air traffic control unit at that aerodrome may give in the particular case; and
- (c) while the aircraft is flying within the relevant airspace during the said hours of watch,
 - (i) save as provided in sub-paragraphs (ii) and (iii) hereof, the aircraft 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, unless the commander of the aircraft holds a licence which includes a valid instrument rating or a valid instrument meteorological conditions rating;
 - (ii) if the commander of the aircraft holds a Commercial Pilot's Licence, a Senior Commercial Pilot's Licence or an Airline Transport Pilot's Licence which does not include a valid instrument rating and he intends to take off or land within the relevant airspace, the aircraft shall be flown in accordance with special VFR clearance given to the aircraft;
 - (iii) if the commander of the aircraft holds a Private Pilot's Licence which includes a valid instrument meteorological conditions rating and he intends to take off or land within the relevant airspace, the aircraft shall be flown in accordance with special VFR clearance given to the aircraft and remain in a flight visibility of at least $1\frac{1}{2}$ nautical miles:

Provided that except at night the special rules (a) and (b) shall not apply to:

- (i) a glider which remains 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; or
- (ii) a mechanically driven aircraft without radio equipment which remains 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, if the commander of the aircraft has previously obtained the permission of the air traffic control unit at the aerodrome to enter the relevant airspace.

For the purposes of this paragraph the "relevant airspace" means the airspace

from the surface to 2,000 feet above mean sea level within the area defined by straight lines joining successively the following points:

51° 02' 05" N 01° 21' 47" W to 51° 06' 13" N 01° 19' 32" W to 51° 04' 55" N 01° 13' 32" W to 51° 00' 46" N 01° 15' 47" W thence clockwise along the arc of a circle radius five nautical miles centred on 50° 57' 06" N 01° 21' 07" W (Southampton Airport) to 51° 02' 05" N 01° 21' 47" W, excluding the airspace from the surface to 2,000 feet above mean sea level within the area defined by a straight line joining 50° 53' 47" N 01° 15' 15" W to 50° 53' 58" N 01° 18' 56" W thence anti clockwise along the arc of a circle radius two nautical miles centred on 50° 52' 00" N 01° 19' 15" W to 50° 52' 10" N 01° 22' 24" W thence anti clockwise along the arc of a circle radius five nautical miles centred on 50° 57' 06" N 01° 21' 07" W (Southampton Airport) to 50° 53' 47" N 01° 15' 15" W."

8th December 1972.

J. R. Steele,
An assistant Secretary,
Department of Trade and Industry.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Schedule to the Rules of the Air and Air Traffic Control Regulations 1972 by amending the special rules applicable in relation to Leeds and Bradford Airport and introducing special rules applicable in relation to Bournemouth (Hurn) and Southampton Airports.

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