

1972 No. 699**CIVIL AVIATION****The Rules of the Air and Air Traffic Control (Amendment)
Regulations 1972***Made - - - - - 3rd May 1972**Coming into Operation 25th May 1972*

The Secretary of State in exercise of his powers under Article 61(1) of the Air Navigation Order 1972(a), 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 (Amendment) Regulations 1972 and shall come into operation on 25th May 1972.

2. The Interpretation Act 1889(b) 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(c) shall be amended as follows:

(1) In Rule 14:

(a) in sub-paragraph (1)(c) for “surfade” there shall be substituted “surface”;

(b) in paragraph (3) for “ot” there shall be substituted “to” and in sub-paragraph (b) for “alterate” there shall be substituted “alternate”;

(2) Rule 16 shall be deleted;

(3) In Rule 28(5) for “flight” there shall be substituted “flight”;

(4) In Rule 37:

(a) in paragraph (2) for “and Prestwick Airports” there shall be substituted “Airport”;

(b) in paragraph (5) for “02°39’00”W” there shall be substituted “02°38’20”W”;

(a) S.I. 1972/129 (1972 I, p. 366).

(b) 1889 c. 63.

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

(c) in paragraph (9):

(i) in sub-paragraph (a) for sub-paragraphs (i), (ii) and (iii) there shall be substituted:

“(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°26'16"N 02°14'56"W 51°27'16"N 02°14'30"W 51°36'05"N 01°49'45"W 51°35'49"N 01°48'04"W 51°30'09"N 01°42'53"W 51°29'08"N 01°43'22"W 51°22'22"N 02°02'30"W 51°23'09"N 02°12'05"W 51°26'16"N 02°14'56"W; and

(ii) from 3,500 feet above mean sea level to flight level 65 within a circle radius 6 nautical miles centred on 51°30'25"N 01°59'20"W.”;

(ii) in sub-paragraph (b) for the proviso there shall be substituted:

“Provided that this sub-paragraph shall not apply to a glider flying within the relevant airspace which 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.”;

(d) in paragraph (10) for “53 46'45"N” there shall be substituted “53°46'45"N”;

(e) in paragraph (11)(b) for “this” there shall be substituted “the”;

(f) after paragraph (11) there shall be added:

“(12) In relation to Prestwick 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 fly at less than 2,000 feet above the notified elevation of the aerodrome within five nautical miles of the notified aerodrome reference point, 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 at less than 2,000 feet above the notified elevation of the aerodrome and within five nautical miles of the notified aerodrome reference point, 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 the aerodrome may give in the particular case:

Provided that this paragraph shall not apply to:

- (i) flights made outside the notified hours of watch of the air traffic control unit at the aerodrome; or
- (ii) an aircraft which remains (aa) 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 and (bb) on a route notified for the purposes of this sub-paragraph.

(13)(a) In relation to Brize Norton Aerodrome, the special rules set forth in sub-paragraph (b) of this paragraph shall apply to the airspace (in this paragraph called the "relevant airspace") from the surface to 3,500 feet above mean sea level within the area defined by straight lines joining successively the following points 51°47'31"N 01°44'00"W to 51°50'04"N 01°29'20"W; thence by that part of the arc of a circle radius 5.5 nautical miles centred on 51°45'12"N 01°33'29"W to 51°47'36"N 01°25'32"W to 51°48'33"N 01°19'52"W to 51°44'44"N 01°18'10"W to 51°43'32"N 01°25'04"W; thence by that part of the arc of a circle radius 5.5 nautical miles centred on 51°45'12"N 01°33'29"W to 51°42'22"N 01°25'56"W to 51°39'50"N 01°40'26"W; thence by that part of the arc of a circle radius 5.5 nautical miles centred on 51°44'42"N 01°36'26"W to 51°42'17"N 01°44'22"W to 51°41'18"N 01°49'56"W to 51°45'09"N 01°51'41"W to 51°46'20"N 01°44'53"W; thence by that part of the arc of a circle radius 5.5 nautical miles centred on 51°44'42"N 01°36'26"W to 51°47'31"W 01°44'00"W.

(b) Unless it is otherwise authorised by the air traffic control unit at the 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.

(14)(a) In relation to Edinburgh Airport, the special rules set forth in sub-paragraph (b) of this paragraph shall apply to the airspace (in this paragraph called the "relevant airspace") from the surface to 4,000 feet above mean sea level within the area of a circle radius 8 nautical miles centred on 55°56'48"N 03°20'52"W (Edinburgh Airport) excluding (i) that part of the circle north of a straight line joining 56°04'50"N 03°20'55"W and 56°00'54"N 03°08'34"W and (ii) that part of the circle south of a straight line joining 55°52'40"N 03°33'02"W and 55°49'45"N 03°14'05"W.

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

- (i) 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;
- (ii) 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 the aerodrome may give in the particular case:

Provided that:

(a) this sub-paragraph shall not apply to an aircraft flying within the relevant airspace which remains (i) 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 and (ii) on a route notified for the purposes of this sub-paragraph;

(b) an aircraft which is not equipped with radio capable of operating on the notified radio frequency shall not fly within the relevant airspace on a route notified for the purposes of this sub-paragraph unless, before so flying, it obtains the permission of the air traffic control unit at the aerodrome."

- (5) In Rule 39(4)(b) for "1013 '2" there shall be substituted "1013.2";
- (6) In Rule 47 for "marchaller" there shall be substituted "marshaller";
- (7) In Rule 48(2)(b) for "repeated swtiching" and "aireraft" there shall be substituted "repeated switching" and "aircraft" respectively.

3rd May 1972.

James E. Barnes,
An Under Secretary,
Department of Trade and Industry.

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 1972. In addition to some minor and drafting amendments the following changes are made:

The special rules for Prestwick Airport will not now apply to aircraft flying in accordance with specified flight conditions and on a notified route. The relevant airspace within which the special rules for Lyneham Aerodrome apply is now re-defined and only gliders flying in accordance with specified flight conditions are not required to comply with the special rules. Special rules are introduced for Brize Norton and Edinburgh Aerodromes (Rule 37).

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