

## 1985 No. 122

## CIVIL AVIATION

**The Rules of the Air and Air Traffic Control (Third Amendment)  
Regulations 1985**

*Made - - - - - 30th January 1985*

*Coming into Operation*

*for the purpose of Regulations*

*2(4), 2(5), 2(8) and 2(9) 28th February 1985*

*for all other purposes 26th April 1985*

The Secretary of State for Transport, in exercise of his powers under Article 61(1) of the Air Navigation Order 1980<sup>(a)</sup>, 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 (Third Amendment) Regulations 1985 and shall come into operation for the purpose of Regulations 2(4), 2(5), 2(8) and 2(9) on 28th February 1985 and for all other purposes on 26th April 1985.

2. The Schedule to the Rules of the Air and Air Traffic Control Regulations 1981<sup>(b)</sup> shall be amended as follows—

- (1) In Rule 17 for paragraph (5) there shall be substituted the following new paragraph:

“(5) *Flight in the vicinity of an aerodrome*

Without prejudice to the provisions of Rule 35, a flying machine, glider or airship while flying in the vicinity of what the commander of the aircraft knows or ought reasonably to know to be an aerodrome or moving on an aerodrome shall unless in the case of an aerodrome having an air traffic control unit that unit otherwise authorises—

- (a) conform to the pattern of traffic formed by other aircraft intending to land at that aerodrome, or keep clear of the airspace in which the pattern is formed;
- (b) make all turns to the left unless ground signals otherwise indicate;”.

<sup>(a)</sup> S.I. 1980/1965, to which there are amendments not relevant to these Regulations.

<sup>(b)</sup> S.I. 1981/34, as amended by S.I. 1981/1669 and 1983/1884.

- (2) In Rule 17 for paragraph (6) there shall be substituted the following new paragraph:

“(6) *Order of landing*

- (a) An aircraft while landing or on final approach to land shall have the right-of-way over other aircraft in flight or on the ground or water;
- (b) in the case of two or more flying machines, gliders or airships approaching any place for the purpose of landing, the aircraft at the lower altitude shall have the right-of-way, but it shall not cut in front of another aircraft which is in final approach to land or overtake that aircraft;

Provided that—

- (i) when an air traffic control unit has communicated to any aircraft an order of priority for landing, the aircraft shall approach to land in that order; and
- (ii) when the commander of an aircraft is aware that another aircraft is making an emergency landing, he shall give way to that aircraft, and at night, notwithstanding that he may have received permission to land, shall not attempt to land until he has received further permission to do so.”.

- (3) In Rule 17 after paragraph (6) there shall be added the following new paragraph:

“(7) *Landing and take-off*

- (a) A flying machine, glider or airship shall take-off and land in the direction indicated by the ground signals or, if no such signals are displayed, into the wind, unless good aviation practice demands otherwise.
- (b) A flying machine or glider shall not land on a runway at an aerodrome if the runway is not clear of other aircraft unless, in the case of an aerodrome having an air traffic control unit, that unit otherwise authorises.
- (c) Where take-offs and landings are not confined to a runway—
  - (i) a flying machine or glider when landing shall leave clear on its left any aircraft which has landed or is already landing or about to take-off; if such a flying machine or glider is about to turn it shall turn to the left after the commander of the aircraft has satisfied himself that such action will not interfere with other traffic movements; and
  - (ii) a flying machine about to take-off shall take up position and manoeuvre in such a way as to leave clear on its left any aircraft which has already taken-off or is about to take-off.

- (d) A flying machine after landing shall move clear of the landing area as soon as it is possible to do so unless, in the case of an aerodrome having an air traffic control unit, that unit otherwise authorises.”.

- (4) In Rule 19 for the proviso there shall be substituted:

“Provided that this rule shall not apply to an aircraft flying within controlled airspace notified for the purposes of Rule 21 or airspace notified for the purposes of Rule 36 of these Rules in accordance with instructions given by the appropriate air traffic control unit.”.

- (5) In Rule 20 after paragraph (3) there shall be added the following paragraph:

“(4) Without prejudice to the provisions of Rules 20(3), 27 and 39(2) of these Rules the commander of an aircraft who intends to fly or who flies across any boundary of airspace notified as either the London or Scottish Flight Upper Information Region other than the boundary common to each, shall, before so flying, cause a flight plan, containing such particulars of the intended flight as may be necessary for search and rescue purposes, to be communicated to the appropriate air traffic control unit within the London or Scottish Flight Upper Information Region.”.

- (6) In Rule 30 for the words “traffic zone of” there shall be substituted the words “pattern of traffic at”.

- (7) For Rule 35 there shall be substituted the following Rule:

“(1) Paragraphs (2) and (3) of this Rule shall apply only in relation to such of the aerodromes described in Column 1 of the following Table as are notified for the purposes of this Rule and at such times as are specified in Column 2 thereof.

TABLE

| Column 1  | Column 2  |
|---|---|
| (a) A Government aerodrome  | at all times  |
| (b) An aerodrome having an air traffic control unit or an aerodrome flight information unit | during the notified hours of watch of the air traffic control unit or the aerodrome flight information unit |
| (c) A licensed aerodrome having a means of two-way radio communication with aircraft        | during the notified hours of watch of the air/ground radio station  |

- (2) An aircraft shall not fly, take off or land within the aerodrome traffic zone of an aerodrome to which this paragraph applies unless the commander of the aircraft has obtained the permission of the air traffic control unit at the aerodrome or, where there is no air traffic control unit, has obtained from the aerodrome flight information unit at that aerodrome information to enable the flight within the zone to be conducted with safety or, where there is no air traffic control unit nor aerodrome flight information unit, has obtained information from the air/ground radio station at that aerodrome to enable the flight to be conducted with safety.
- (3) The commander of an aircraft flying within the aerodrome traffic zone of an aerodrome to which this paragraph applies shall:
- (a) cause a continuous watch to be maintained on the appropriate radio frequency notified for communications at the aerodrome or, if this is not possible, cause a watch to be kept for such instructions as may be issued by visual means;
  - (b) where the aircraft is fitted with means of communication by radio with the ground, communicate his position and height to the air traffic control unit, the aerodrome flight information unit or the air/ground radio station at the aerodrome (as the case may be), on entering the zone and immediately prior to leaving it.”.
- (8) In Rule 36 on the end of Column 1 below “Sumburgh” there shall be inserted “Tees-side” and at the end of Column 2 adjacent thereto there shall be inserted “(3)(a), (b) and (c)(i)”.
- (9) In Rule 39(1) for the words “as either the Scottish or the London Upper Flight Information Region” shall be substituted the words “as the Upper Airspace Special Rules Area”.
- (10) For Rule 50 there shall be substituted the following Rule:
- “Warning Signals to aircraft in flight*  
In the United Kingdom, by day or by night, a series of projectiles discharged from the ground at intervals of 10 seconds, each showing, on bursting, red and green lights or stars, shall indicate to the commander of an aircraft that his aircraft is flying in or about to enter an active danger area or an area to which regulations made pursuant to Article 66(1)(a)(iii) of the Order relate and that he is required to take such action as may be necessary to leave the area or change course to avoid the area.”.

*Nicholas Ridley,*  
Secretary of State for Transport.

30th January 1985.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations further amend the Rules of the Air and Air Traffic Control Regulations 1981. In addition to minor drafting amendments, the following changes are made:

(1) Collision avoidance rules applicable to all aerodromes are transferred from Rule 35 to Rule 17. (Regulation 2(1), (2) and (3)).

(2) Rule 19 of the Rules of the Air is amended so that it no longer applies to an aircraft flying within airspace notified for the purposes of Rule 21 or Rule 36 of the Rules of the Air and in accordance with instructions given by the appropriate air traffic control unit. The proviso referring to helicopters flying along the route of the M4 from West Drayton to Osterley Lock is deleted. (Regulation 2(4)).

(3) A new sub-paragraph (4) is added to Rule 20 of the Rules of the Air which requires the filing of a flight plan before flying across the boundary of either the London or Scottish Flight Upper Information Region (other than the boundary common to each). (Regulation 2(5)).

(4) The requirement of Rule 30 of the Rules of the Air that the commander of a flying machine shall observe visual signals from an aerodrome now applies when he is flying in the pattern of traffic at the aerodrome instead of when he is flying in the aerodrome traffic zone. (Regulation 2(6)).

(5) Rule 35(2) and (3) of the Rules of the Air, which requires the commander of an aircraft to obtain permission before flying, taking off or landing in the traffic zone of an aerodrome specified in the Rule and to maintain communications with the ground while flying in such a zone, will now only apply to aircraft in the air traffic zone of an aerodrome notified for the purposes of the Rule. Only Government aerodromes, aerodromes with an air traffic control unit or an aerodrome flight information unit and licensed aerodromes with a means of two-way radio communication may be notified. The commander is now required to obtain permission only if there is an air traffic control unit at the aerodrome. In other cases he must obtain information from the aerodrome flight information unit or from the radio station to enable the flight to be conducted with safety. (Regulation 2(7)).

(6) Rule 36 of the Rules of the Air is amended to permit the establishment of Special Rules Airspace at Tees-side Airport. (Regulation 2(8)).

(7) The Upper Airspace Special Rules Area may not extend to the whole of the London and Scottish Upper Flight Information Regions. Rule 39 of the Rules of the Air is amended accordingly to clarify this point. (Regulation 2(9)).

(8) Rule 50 of the Rules of the Air is amended to adopt the signals required by the relevant Standard laid down by the International Civil Aviation Organisation and to extend the application of visual signals to include Danger Areas. The reference to signals requiring an aircraft to land following an unauthorised penetration of a Restricted or Prohibited Area is deleted. (Regulation 2(10)).

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