

---

STATUTORY INSTRUMENTS

---

**1997 No. 1746**

**CIVIL AVIATION**

**The Air Navigation (Overseas Territories) (Amendment) Order 1997**

<i>Made</i>	- - - -	<i>22nd July 1997</i>
<i>Laid before Parliament</i>		<i>1st August 1997</i>
<i>Coming into force</i>	- -	<i>22nd August 1997</i>

At the Court at Buckingham Palace, the 22nd day of July 1997

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by sections 8, 41, 57, 58, 59 and 61 of the Civil Aviation Act 1949(1), as extended to certain territories by the Civil Aviation Act 1949 (Overseas Territories) Order 1969(2), as amended by section 62 of the Civil Aviation Act 1971(3) as so extended by the Civil Aviation Act 1971 (Overseas Territories) Order 1976(4), and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**Citation and commencement**

1.—(1) This Order may be cited as the Air Navigation (Overseas Territories) (Amendment) Order 1997.

(2) This Order shall come into force on 22nd August 1997.

**Amendment of the Air Navigation (Overseas Territories) Order 1989**

2. The Air Navigation (Overseas Territories) Order 1989(5) as amended by the Air Navigation (Overseas Territories) (Amendment) Order 1991(6) and by the Air Navigation (Overseas Territories) (Amendment) (No. 2) Order 1991(7) and by the Air Navigation (Overseas Territories) (Amendment)

---

(1) 1949 c. 67.  
(2) S.I. 1969/592.  
(3) 1971 c. 75.  
(4) S.I. 1976/1912.  
(5) S.I. 1989/2395.  
(6) S.I. 1991/189.  
(7) S.I. 1991/1697.

Order 1992<sup>(8)</sup> and by the Air Navigation (Overseas Territories) (Amendment) Order 1995<sup>(9)</sup> shall be further amended as follows:

- (1) For Article 36 of the Order there shall be substituted the following:

**“Minimum navigation and height keeping performance**

**36.**—(1) An aircraft registered in the Territory shall not fly in airspace prescribed for the purposes of this Article by Regulation 17 of Schedule 14 unless it is equipped with navigation systems which enable the aircraft to maintain the prescribed navigation performance capability.

(2) An aircraft registered in the Territory shall not fly in such of the airspace prescribed for the purposes of this Article by Regulation 17 of Schedule 14 which has been notified for the purposes of this paragraph unless it is equipped with height keeping systems which enable the aircraft to maintain the prescribed height keeping performance capability.

- (a) (3) The equipment required by paragraphs (1) and (2) shall be approved by the Governor and installed and maintained in a manner approved by the Governor.
- (b) The operating procedures for the equipment required by paragraphs (1) and (2) shall be approved by the Governor.
- (c) The equipment required by paragraphs (1) and (2) shall be operated in accordance with approved procedures while the aircraft is flying in the said airspace.

(4) An approval granted by the Governor for the purposes of this Article shall be in writing and may be subject to such conditions as the Governor thinks fit.”

- (2) For Regulation 17 of Schedule 14 to the Order there shall be substituted the following:

**“Minimum navigation and height keeping performance capability and prescribed airspace**

**17.**—(1) With reference to Article 36(1) of this Order, the following navigation performance capability is hereby prescribed, that is to say, a capability to ensure that—

- (a) the standard deviation of lateral errors in the track of the aircraft is not more than 6.3 nautical miles; and
- (b) the proportion of flight time of the aircraft during which the actual track of the aircraft is 30 nautical miles or more off the track along which it has been given an air traffic control clearance to fly is less than  $5.3 \times 10^{-4}$  and
- (c) the proportion of flight time of the aircraft during which the actual track of the aircraft is between 50 and 70 nautical miles off the track along which it has been given an air traffic control clearance to fly is less than  $13 \times 10^{-5}$ .

(1A) With reference to Article 36(2) of this Order, the following height keeping performance capability is hereby prescribed, that is to say, a capability to ensure that—

- (a) altimetry system error shall be in compliance with paragraph 2.1.1(2) of Doc 7030/4 – NAT Part 1 Rules of the Air, Air Traffic Services and Search and Rescue (ICAO Regional Procedures Fourth Edition – 1987); and
- (b) (i) in respect of aircraft first registered in a Contracting State on or after 1st January 1997 altitude can be automatically controlled within a tolerance band of  $\pm 65$  ft;

---

<sup>(8)</sup> S.I. 1992/3198.

<sup>(9)</sup> S.I. 1995/2701.

(ii) in respect of aircraft first registered in a Contracting State before 1st January 1997 altitude can be automatically controlled within a tolerance band of +/- 130 ft; and

(2) For the purposes of Article 36 of this Order, the following airspace is hereby prescribed, that is to say, the airspace from flight level 285 to flight level 420 within the area defined by rhumb lines joining successively the following points—

---

34°10'N	17°48'W	65°00'N	60°00'W
36°30'N	15°00'W	64°00'N	63°00'W
42°00'N	15°00'W	61°00'N	63°00'W
43°00'N	13°00'W	57°00'N	59°00'W
45°00'N	13°00'W	53°00'N	54°00'W
45°00'N	08°00'W	49°00'N	51°00'W
51°00'N	08°00'W	45°00'N	51°00'W
51°00'N	15°00'W	45°00'N	53°00'W
54°00'N	15°00'W	43°36'N	60°00'W
54°34'N	10°00'W	41°52'N	67°00'W
61°00'N	10°00'W	39°00'N	67°00'W
61°00'N	00°00'	38°35'N	68°53'W
82°00'N	00°00'	38°30'N	69°15'W
82°00'N	30°00'E	38°30'N	60°00'W
North Pole		27°00'N	60°00'W
82°00'N	60°00'W	27°00'N	25°00'W
78°00'N	75°00'W	30°00'N	25°00'W
76°00'N	76°00'W	30°00'N	20°00'W
65°00'N	57°45'W	31°39'N	17°25'W

---

thence by that part of the arc of a circle radius 100 nautical miles centred on 33°04'N 16°21'W to 34°10'N 17°48'W.”.

*N. H. Nicholls*  
Clerk of the Privy Council

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Air Navigation (Overseas Territories) Order 1989 (S.I.1989/2395) in order to provide that airspace which is prescribed for the purposes of minimum navigation performance may now be notified for the purposes of reduced vertical separation. An aircraft registered in the Territory may not fly within such notified airspace unless it carries appropriate equipment and operates in accordance with approved procedures.