

## SCHEDULE 13

### RULES OF THE AIR

#### SECTION IV

#### GENERAL FLIGHT RULES

##### **Weather reports and forecasts**

**16.**—(1) Immediately before an aircraft flies the commander of the aircraft shall examine the current reports and forecasts of the weather conditions on the proposed flight path, being reports and forecasts which it is reasonably practicable for him to obtain, in order to determine whether Instrument Meteorological Conditions prevail or are likely to prevail during any part of the flight.

(2) An aircraft which is unable to communicate by radio with an air traffic control unit at the aerodrome of destination shall not begin a flight to an aerodrome within a control zone if the information which it is reasonably practicable for the commander of the aircraft to obtain indicates that it will arrive at that aerodrome when the ground visibility is less than 10 km or the cloud ceiling is less than 1,500 feet, unless the commander of the aircraft has obtained from an air traffic control unit at that aerodrome permission to enter the aerodrome traffic zone.

##### **Rules for avoiding aerial collisions**

###### *General*

###### *General*

- (a) **17.** (1) (a) Notwithstanding that the flight is being made with air traffic control clearance it shall remain the duty of the commander of an aircraft to take all possible measures to ensure that his aircraft does not collide with any other aircraft.
- (b) An aircraft shall not be flown in such proximity to other aircraft as to create a danger of collision.
- (c) Subject to sub-paragraph (g), aircraft shall not fly in formation unless the commanders of the aircraft have agreed to do so.
- (d) An aircraft which is obliged by these Rules to give way to another aircraft shall avoid passing over or under the other aircraft, or crossing ahead of it, unless passing well clear of it.
- (e) Subject to sub-paragraph (g), an aircraft which has the right-of-way under this rule shall maintain its course and speed.
- (f) For the purposes of this rule a glider and a flying machine which is towing it shall be considered to be a single aircraft under the command of the commander of the towing flying machine.
- (g) Sub-paragraphs (c) and (e) shall not apply to an aircraft flying under and in accordance with the terms of a police air operator's certificate.

###### *Converging*

- (a) (2) (a) Subject to the provisions of paragraphs (3) and (4), an aircraft in the air shall give way to other converging aircraft as follows:
  - (i) flying machines shall give way to airships, gliders and balloons;
  - (ii) airships shall give way to gliders and balloons;

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(iii) gliders shall give way to balloons.

- (b) (i) Subject to the provisions of sub-paragraphs (a) and (b)(ii), when two aircraft are converging in the air at approximately the same altitude, the aircraft which has the other on its right shall give way.
- (ii) Mechanically driven aircraft shall give way to aircraft which are towing other aircraft or objects.

#### *Approaching head-on*

(3) When two aircraft are approaching head-on or approximately so in the air and there is danger of collision, each shall alter its course to the right.

#### *Overtaking*

- (a) (4) (a) Subject to sub-paragraph (b), an aircraft which is being overtaken in the air shall have the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering course to the right, and shall not cease to keep out of the way of the other aircraft until that other aircraft has been passed and is clear, notwithstanding any change in the relative positions of the two aircraft.
- (b) A glider overtaking another glider in the Territory may alter its course to the right or to the left.

#### *Flight in the vicinity of an aerodrome*

(5) Without prejudice to the provisions of rule 39, 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; and
- (b) make all turns to the left unless ground signals otherwise indicate.

#### *Order of landing*

- (a) (6) (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) (i) Subject to sub-paragraph (ii), 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 on final approach to land or overtake that aircraft.
- (ii) (aa) 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.
- (bb) 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 so to do.

#### *Landing and take-off*

- (a) (7) (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.

#### **Aerobatic manoeuvres**

- 18.** An aircraft shall not carry out any aerobatic manoeuvre:
- (a) over the congested area of any city, town or settlement; or
  - (b) within controlled airspace except with the consent of the appropriate air traffic control unit.

#### **Right-hand traffic rule**

**19.—(1)** Subject to paragraph (2), an aircraft which is flying within the Territory in sight of the ground and following a road, railway, canal, or coastline, or any other line of landmarks, shall keep such line of landmarks to its left.

(2) Paragraph (1) shall not apply to an aircraft flying within controlled airspace in accordance with instructions given by the appropriate air traffic control unit.

#### **Notification of arrival and departure**

**20.—(1)** The commander of an aircraft who has caused notice of its intended arrival at any aerodrome to be given to the air traffic control unit or other authority at that aerodrome shall ensure that the air traffic control unit or other authority at that aerodrome is informed as quickly as possible of any change of intended destination and any estimated delay in arrival of 45 minutes or more.

(2) The commander of an aircraft arriving at or departing from an aerodrome in the Territory shall take all reasonable steps to ensure upon landing or prior to departure, as the case may be, that notice of that event is given to the person in charge of the aerodrome, or to the air traffic control unit or aerodrome flight information service unit at the aerodrome.

(3) Without prejudice to the provisions of rules 27 and 31, before taking off on any flight from an aerodrome in the Territory being a flight whose intended destination is more than 40 km from the aerodrome of departure, the commander of an aircraft of which the maximum total weight authorised exceeds 5,700 kg shall 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 air traffic control unit notified for the purpose of this rule.

#### **Flight in Class A airspace**

**21.—(1)** Subject to paragraph (2), in relation to flights in Visual Meteorological Conditions in Class A airspace, the commander of an aircraft shall comply with rules 31 and 32 as if the flights

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were IFR flights but shall not elect to continue the flight in compliance with the Visual Flight Rules for the purposes of rule 31(4).

(2) Paragraph (1) shall not apply to the commander of a glider which is flying in Class A airspace which is notified for the purpose of this paragraph if the glider is flown in accordance with conditions such as may also be notified for the purpose of this paragraph in respect of that airspace.

### **Choice of VFR or IFR**

**22.**—(1) Subject to paragraph (2) and to the provisions of rule 21 an aircraft shall always be flown in accordance with the Visual Flight Rules or the Instrument Flight Rules.

(2) In the Territory an aircraft flying at night:

- (a) outside a control zone shall be flown in accordance with the Instrument Flight Rules;
- (b) in a control zone shall be flown in accordance with the Instrument Flight Rules unless it is flying on a special VFR flight.

### **Speed Limitation**

**23.**—(1) Subject to paragraph (3), an aircraft shall not fly below flight level 100 at a speed which according to its air speed indicator is more than 250 knots unless it is flying in accordance with the terms of a written permission of the Governor.

(2) The Governor may grant a permission for the purpose of this rule subject to such conditions as he thinks fit and either generally or in respect of any aircraft or class of aircraft.

(3) Paragraph (1) shall not apply to:

- (a) flight in Class A airspace;
- (b) VFR flight or IFR flight in Class B airspace;
- (c) IFR flight in Class C airspace;
- (d) VFR flight in Class C airspace or VFR flight or IFR flight in Class D airspace when authorised by the appropriate air traffic control unit;
- (e) the flight of an aircraft taking part in an exhibition of flying for which a permission under article 70 of the Order is required, if the flight is made in accordance with the terms of a permission granted to the organiser of the exhibition of flying under article 70 of the Order, and in accordance with the conditions of a display authorisation granted to the pilot under article 70 of the Order; or
- (f) the flight of an aircraft flying in accordance with the “A Conditions” or the “B Conditions” set forth in Schedule 3 Part A to this Order.