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THE CIVIL AVIATION ACT

(No. 21 of 2013)

THE CIVIL AVIATION (RULES OF THE AIR) REGULATIONS,
2018

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THE CIVIL AVIATION ACT

(No. 21 of 2013)

IN EXERCISE of powers conferred by section 82 of the Civil Aviation Act, 2013 the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development makes the following Regulations—

THE CIVIL AVIATION (RULES OF THE AIR) REGULATIONS,
2018

PART I-PRELIMINARY PROVISIONS

1. These Regulations may be cited as the Civil Aviation (Rules of the Air) Regulations, 2018 and shall come into operation on such date as the Cabinet Secretary may, by notice in the Gazette, appoint.

Citation.

2. In these Regulations, unless the context otherwise requires—

Interpretation.

“acrobatic flight” means manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed;

“ADS-C agreement” means a reporting plan which establishes the conditions of ADS-C data reporting (including data required by the air traffic services unit and frequency of ADS-C reports which have to be agreed to prior to using ADS-C in the provision of air traffic services);

“Act” means the Civil Aviation Act, 2013;

“advisory airspace” means an airspace of defined dimensions, or designated route, within which air traffic advisory service is available;

“advisory route” means a designated route along which air traffic advisory service is available;

“aerodrome” means a defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

“aerodrome control service” means air traffic control service for aerodrome traffic;

“aerodrome control tower” means unit established to provide air traffic control service to aerodrome traffic;

“aerodrome traffic” means all traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome;

“aerodrome traffic zone” means an airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic;

“Aeronautical Information Publication (AIP)” means a publication issued by or with the authority of the State and containing aeronautical information of a lasting character essential to air navigation;

“aeronautical mobile service” means a mobile service between aeronautical stations and aircraft stations, or between aircraft stations, in which survival craft stations may participate;

“aeronautical station” means land station in the aeronautical mobile service. In certain instances, an aeronautical station may be located, for example, on board a ship or on a platform at sea;

“aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

“airborne collision avoidance system” means an aircraft system based on secondary surveillance radar transponder signals which operates independently of ground based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with secondary surveillance radar transponders;

“aircraft” means any machine that can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth surface;

“air-ground control radio station” means an aeronautical telecommunication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area;

“air-taxiing” means movement of a helicopter or vertical take-off and landing above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kts);

“air traffic” means all aircraft in flight or operating on the manoeuvring area of an aerodrome;

“air traffic advisory service” means a service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on instrument flight rules flight plans;

“air traffic control clearance” means authorisation for an aircraft to proceed under conditions specified by an air traffic control unit;

“air traffic control service” means a service provided for the purpose of—

- (a) preventing collisions—
 - (i) between aircraft; and
 - (ii) on the manoeuvring area between aircraft and obstructions;

and

- (b) expediting and maintaining an orderly flow of air traffic;

“air traffic control unit” means an area control centre, approach control unit or aerodrome control tower;

“air traffic service” means flight information service, alerting service, air traffic advisory service, or air traffic control service;

“air traffic services airspaces” means airspaces of defined dimensions, alphabetically designated, within which specific types of

flights may operate and for which air traffic services and rules of operation are specified;

“air traffic services reporting office” means a unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure;

“air traffic services route” means a specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services;

“air traffic services unit” includes an air traffic control unit, flight information centre or air traffic services reporting office;

“airway” means a control area or portion thereof established in the form of a corridor;

“alerting service” means a service provided to notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required;

“alternate aerodrome” means an aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or to land at the aerodrome of intended landing and includes the following—

- (a) “take-off alternate” means an alternate aerodrome at which an aircraft can land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure;
- (b) “en-route alternate” means an aerodrome at which an aircraft would be able to land after experiencing an abnormal or emergency condition while en route;
- (c) “extended Range Operation by Turbine-engined Aeroplanes en-route alternate” means a suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shutdown or other abnormal or emergency condition while en route in an Extended Range Operation by Turbine-engined Aeroplanes operation; and
- (d) “destination alternate” an alternate aerodrome to which an aircraft may proceed should it become either impossible or inadvisable to land at the aerodrome of intended landing;

provided that the aerodrome from which a flight departs may also be an en-route or a destination alternate aerodrome for that flight;

“Altitude” means the vertical distance of a level, a point or an object considered as a point, measured from mean sea level ;

“anti-collision light” means a flashing red or flashing white light showing in all directions for the purpose of enabling the aircraft to be more readily detected by the pilots of distant aircraft;

“approach control service” means air traffic control service for arriving or departing controlled flights;

”approach control unit” means a unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes;

“appropriate air traffic services (ATS) authority” means the relevant authority designated by the State responsible for providing air traffic services in the airspace concerned;

“appropriate authority” —

(a) in relation to flight over the high seas, means the relevant authority of the State of Registry

(b) in relation to flight other than over the high seas, means the relevant authority of the State having sovereignty over the territory being overflown;

“apron” means a defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance;

“area control centre” means a unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction;

”area control service“ means air traffic control service for controlled flights in control areas;

“Area navigation (RNAV)” means a method of navigation which permits aircraft operation on any desired flight path within the coverage of ground- or space-based navigation aids or within the limits of the capability of self-contained aids, or a combination of these.

“ATS route” means a specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services;

“Automatic dependent surveillance — broadcast (ADS-B)” means a means by which aircraft, aerodrome vehicles and other objects can automatically transmit and receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link;

“Automatic dependent surveillance — contract (ADS-C)” means a means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports;

“Authority” means the Kenya Civil Aviation Authority established under section 4 of the Act;

“ceiling” means the height above the ground or water of the base of the lowest layer of cloud below 6 000 metres (20 000 feet) covering more than half the sky;

“changeover point” means the point at which an aircraft navigating on an air traffic services route segment defined by reference to very high frequency omni-directional radio ranges is expected to

transfer its primary navigational reference from the facility behind the aircraft to the next facility ahead of the aircraft;

“clearance limit” means the point to which an aircraft is granted an air traffic control clearance;

“command and control (C2) link” means the data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight;

“competent authority” in relation to Kenya, means the Authority and, in relation to any other state, the authority responsible under the law of that state for promoting the safety of civil aviation;

“control area” means a controlled airspace extending upwards from a specified limit above the earth;

“controlled aerodrome” means an aerodrome at which air traffic control service is provided to aerodrome traffic;

“controlled airspace” means an airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification;

“controlled flight” means any flight which is subject to an air traffic control clearance;

“Controller-pilot data link communications (CPDLC)” means a means of communication between controller and pilot, using data link for Air Traffic Control communications;

“control zone” means a controlled airspace extending upwards from the surface of the earth to a specified upper limit;

“Cruise climb” means an aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decreases;

“cruising level” means a level maintained during a significant portion of a flight;

“current flight plan” means the flight plan, including changes, if any, brought about by subsequent clearances;

“danger area” means an airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times;

“data link communications” means a form of communication intended for the exchange of messages via a data link;

“Detect and avoid” means the capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action;

“estimated off-block time” means the estimated time at which the aircraft will commence movement associated with departure;

“estimated time of arrival” —

- (a) for instrument flight rules flights means the time at which it is estimated that the aircraft will arrive over that designated

point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome;

- (b) for visual flight rules flights means the time at which it is estimated that the aircraft will arrive over the aerodrome;

“expected approach time” means the time at which air traffic control expects that an arriving aircraft, following a delay, will leave the holding fix to complete its approach for a landing;

“filed flight plan” means the flight plan as filed with an air traffic services unit by the pilot or a designated representative, without any subsequent changes;

“flight“ means in the case of—

- (a) an aeroplane or glider, from the moment it first moves for the purpose of taking off until the moment when it next comes to rest after landing;
- (b) an airship or free balloon, from the moment when it first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;

“flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

“flight information centre“means a unit established to provide flight information service and alerting service;

“flight information region” means an airspace of defined dimensions within which flight information service and alerting service are provided;

“flight information service” means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;

“flight level” means a surface of constant atmospheric pressure which is related to a specific pressure datum, 1013.2 hectopascals (hPa), and is separated from other such surfaces by specific pressure intervals;

“flight plan” means specified information provided to air traffic service units, relative to an intended flight or portion of a flight of an aircraft;

“flight visibility“ means the visibility forward from the cockpit of an aircraft in flight;

”glider” means a non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces, which remain, fixed under given conditions of flight;

“ground visibility” means the visibility at an aerodrome, as reported by an accredited observer;

“heading” means the direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid);

“heavier-than-air aircraft” means any aircraft deriving its lift in flight chiefly from aerodynamic forces;

“height” means the vertical distance of a level, a point or an object considered as a point, measured from a specified datum;

“helicopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axis;

“IFR” means the symbol used to designate the instrument flight rules;

“IFR flight” means a flight conducted in accordance with the instrument flight rules;

“IMC” means the symbol used to designate instrument meteorological conditions;

“instrument approach operations” means an approach and landing using instruments for navigation guidance based on an instrument approach procedure and there are two methods for executing instrument approach operations—

- (a) a two-dimensional (2D) instrument approach operation, using lateral navigation guidance only; and
- (b) a three-dimensional (3D) instrument approach operation, using both lateral and vertical navigation guidance.

“instrument approach procedure” means a series of pre-determined manoeuvres by reference to flight instruments, with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply and is classified as follows—

- (a) non-precision approach (NPA) procedure - an instrument approach procedure designed for 2D instrument approach Type A.
- (b) approach procedure with vertical guidance (APV) – a performance-based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A.
- (c) precision approach procedure (PA) - an instrument approach procedure based on navigation systems (ILS, MLS, GLS and SBAS Cat I) designed for 3D instrument approach operations Type A or B;

“instrument meteorological conditions” means meteorological conditions expressed in terms of visibility, distance from cloud, and

ceiling, less than the minima specified for visual meteorological conditions;

“landing area” means that part of a movement area intended for the landing or take-off of aircraft;

“level” means a generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level;

“manoeuvring area” means that part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons;

“movement area” means that part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s);

“night” means the time between fifteen minutes after sunset and fifteen minutes before sunrise, sunrise and sunset being determined at surface level, and includes any time between sunset and sunrise when an unlighted aircraft or other unlighted prominent object cannot clearly be seen at a distance of 4,572 metres;

“operator” means a person, organization or enterprise engaged in or offering to engage in an aircraft operation;

“overtaking aircraft” means an aircraft that approaches another from the rear on a line forming an angle of less than 70 degrees with the plane of symmetry of the latter, so that it is in such a position with reference to the other aircraft that at night it should be unable to see either of the aircraft left (port) or right (starboard) navigation lights;

“parascending parachute” means a parachute which is towed by cable in such a manner as to cause it to ascend;

“pilot-in-command” means the pilot designated by the operator, or in the case of general aviation, the owner as being in command and charged with the safe conduct of a flight;

“pressure-altitude” means an atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere;

“problematic use of substances” means the use of one or more psychoactive substances by aviation personnel in a way that—

- (a) constitutes a direct hazard to the user or endangers the lives, health or welfare of others; or
- (b) causes or worsens an occupational, social, mental or physical problem or disorder;

“prohibited area” means an airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited;

“psychoactive substances” means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded;

“radiotelephony” means a form of radio communication primarily intended for the exchange of information in the form of speech;

“remote pilot” means a person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during flight time;

“remote pilot station” means the component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft;

“remotely piloted aircraft (RPA)” means an unmanned aircraft which is piloted from a remote pilot station;

“remotely piloted aircraft system (RPAS)” means a remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design;

“repetitive flight plan” means a flight plan related to a series of frequently recurring, regularly operated individual flights with identical basic features, submitted by an operator for retention and repetitive use by air traffic services units;

“reporting point” means a specified geographical location in relation to which the position of an aircraft can be reported;

“restricted area” means an airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions;

“RPA observer” means a trained and competent person designated by the operator who, by visual observation of the remotely piloted aircraft, assists the remote pilot in the safe conduct of the flight;

“runway” means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft;

“runway-holding position” means a designated position intended to protect a runway, an obstacle limitation surface, or an Instrument Landing System or Microwave Landing System critical area or sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorized by the aerodrome control tower;

“safety-sensitive personnel” means persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers;

“signal area” means an area on an aerodrome used for the display of ground signals;

“simulated instrument flight” means a flight during which mechanical or optical devices are used in order to reduce the field of vision or the range of visibility from the cockpit of the aircraft;

“special visual flight rules (VFR) flight ” means a visual flight rules flight authorized by air traffic control to operate within a control zone in meteorological conditions below the Visual Meteorological Conditions (VMC) or at night;

“secondary surveillance radar” means a surveillance radar system which uses interrogators and transponders;

“taxiing” means movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing;

“taxiway” means a defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including —

- (a) aircraft stand taxiway - a portion of an apron designated as a taxiway and intended to provide access to aircraft stands only;
- (b) apron taxiway - a portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron;
- (c) rapid exit taxiway - a taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways thereby minimizing runway occupancy times;

“terminal control area” means a control area normally established at the confluence of air traffic services routes in the vicinity of one or more major aerodromes;

“total estimated elapsed time” —

- (a) for instrument flight rules flights means the estimated time required from take-off to arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the destination aerodrome, to arrive over the destination aerodrome;
- (b) for visual flight rules flights means the estimated time required from take-off to arrive over the destination aerodrome;

“track” means the projection on the earth’s surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid);

“traffic avoidance advice” means advice provided by an air traffic services unit specifying manoeuvres to assist a pilot to avoid a collision;

“traffic information” means information issued by an air traffic services unit to alert a pilot to other known or observed air traffic which may be in proximity to the position or intended route of flight and to help the pilot avoid a collision;

“transition altitude” means the altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes;

“tribunal” means the National Civil Aviation Administrative Review Tribunal established under section 66 of the Civil Aviation Act, 2013;

“unmanned free balloon” means a non-power-driven, unmanned, lighter-than-air aircraft in free flight;

“VFR” means a symbol used to designate the visual flight rules;

“visual flight rules flight” means a flight conducted in accordance with the visual flight rules;

“visibility” for aeronautical purposes means the greater of—

- (a) the greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognized when observed against a bright background;
- (b) the greatest distance at which lights in the vicinity of 1000 candelas can be seen and identified against an unlit background;

“visual line-of-sight (VLOS) operation” means an operation in which the remote pilot or RPA observer maintains direct unaided visual contact with the remotely piloted aircraft;

“visual meteorological conditions” means meteorological conditions expressed in terms of visibility distance from cloud, and ceiling, equal to or better than specified minima; and

“VMC” means the symbol used to designate visual meteorological conditions.

3. (1) These Regulations shall apply—

- (a) to every person and every aircraft, including state aircraft;
- (b) to all aircraft bearing the nationality and registration marks of Kenya, wherever they may be, to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown: and
- (c) in full, to all aircraft flying over the high seas.

Application of the rules of the air.

(2) For purposes of flight over those parts of the high seas where another Contracting State has accepted, pursuant to a regional air navigation agreement, the responsibility of providing air traffic services, the appropriate ATS Provider designated by that State shall be responsible for providing those services to aircraft registered in Kenya.

(3) Subject to the provisions of sub-regulation (1), it shall be an offence to contravene, to permit the contravention of, or to fail to comply with, these Regulations.

(4) If any departure from these Regulations is made for the purpose of avoiding immediate danger or in an emergency situation, the pilot-in-command shall cause written particulars of the departure, and of the circumstances giving rise to it, to be given without delay, and in any case within ten days thereafter, to the competent authority of the State in whose territory the departure was made with a copy of it to the Authority and the State of the Operator, and in the case of a State aircraft, if the departure was made over the high seas, to the Authority.

(5) Nothing in these Regulations shall exonerate any person from the consequences of any neglect in the use of lights or signals or of the neglect of any precautions required by ordinary aviation practice or by the special circumstances of the case.

(6) The Authority may, for the purpose of promoting the safety of aircraft, make rules as to special signals and other communications to be made by or on an aircraft, as to the course on which and the height at which an aircraft shall fly and as to any other precautions to be observed in relation to the navigation and control of aircraft which the Authority may consider expedient for the purpose aforesaid and no aircraft shall fly in contravention of any such rules.

4. (1) A pilot in command of an aircraft either in flight or on the movement area of an aerodrome shall comply with the general rules and, in addition, when in flight, shall comply with either the—

Compliance with the rules of the air.

- (a) visual flight rules; or
- (b) instrument flight rules.

(2) A pilot in command of an aircraft shall, when operating under visual flight rules or instrument flight rules in classified air traffic services airspaces, comply with the requirements specified for such airspaces.

(3) A pilot in command of an aircraft may elect to fly in accordance with instrument flight rules in visual meteorological conditions or may be required to do so by the appropriate air traffic services authority.

5. The pilot-in-command of an aircraft shall whether manipulating the controls or not, be responsible for the operation of the aircraft in accordance with these Regulations, except that the pilot-in-command may depart from these Regulations in the interest of safety to the extent necessary to—

Responsibility for compliance with the rules of the air.

- (a) avoid immediate danger or in an emergency situation; or
- (b) comply with the law of any State other than Kenya within which the aircraft then is.

6. (1) The pilot-in-command of an aircraft shall before commencing a flight, become familiar with all available information appropriate to the intended operation.

Pre-flight information.

(2) The pilot-in-command shall in addition to sub-regulation (1) include a careful study of available current weather reports and forecasts, for flights away from the vicinity of an aerodrome and for all flights flying in accordance with instrument flight rules, taking into consideration fuel requirements and an alternative course of action if the flight cannot be completed as planned.

7. The pilot-in-command of an aircraft shall have final authority as to the disposition of the aircraft while in command.

Authority of the pilot-in-command of an aircraft.

PART II—GENERAL RULES OF THE AIR

8. (1) A safety-sensitive person whose function is critical to the safety of aviation shall not undertake that function while under the influence of any psychoactive substance, by reason of which human performance is impaired.

Problematic use of psychoactive substance.

(2) A person referred to in sub-regulation (1) shall not engage in any kind of problematic use of substances.

9. A person shall not wilfully operate an aircraft, negligently or recklessly in a manner so as to endanger life or property.

Negligent or reckless operation of aircraft.

10. (1) A person shall not fly an aircraft over the congested areas of cities, towns or settlements or over an open-air assembly of persons, unless at such a height as will permit, in the event of an emergency arising, a landing to be made without undue hazard to persons or property on the surface, except when necessary for take-off or landing, or except by permission from the appropriate authority.

Minimum heights.

(2) Subject to sub-regulations (3), (4) and (5) —

(a) a person shall not fly an aircraft over any congested area of a city, town or settlement or over an open air assembly of persons below —

(i) such height as will permit the aircraft to alight clear of the area and without danger to persons or property on the surface, in the event of failure of a power unit; or

(ii) a height of 1,000 feet above the highest fixed object within 600 metres of the aircraft, whichever is the higher;

(b) a person shall not fly a helicopter below such height as would enable it to alight without danger to persons or property on the surface, in the event of failure of a power unit;

(c) except with the permission in writing of the Authority and in accordance with any condition therein specified, a person shall not fly a helicopter over a congested area of a city, town or settlement below a height of 1,000 feet above the highest fixed object within 600 metres of the helicopter;

(d) a person shall not fly an aircraft —

(i) over, or within one thousand metres of any assembly in the open air of more than one thousand persons assembled for the purpose of witnessing or participating in any organised event, except with the permission in writing of the Authority and in accordance with any conditions therein specified and with the consent in writing of the organizers of the event; or

(ii) below such height as would enable it to land clear of the assembly in the event of the failure of a power unit or if

such an aircraft is towing a banner the height shall be calculated on the basis that the banner shall not be dropped within one thousand metres of the assembly:

Provided that where a person is charged with an offence under these Regulations by reason of a contravention of this sub-regulation, it shall be a good defence to prove that the flight of the aircraft over, or within one thousand metres of the assembly was made at a reasonable height and for a reason not connected with the assembly or with the event which was the occasion for the assembly; and

(e) an aircraft shall not fly less than 500 feet above ground or water.

(3) The provisions of sub-regulation (1) (d) and (e) shall not apply-

- (a) to an aircraft which is being used for police purposes;
- (b) to the flight of an aircraft over or within 1,000 metres of an assembly of persons gathered for the purpose of witnessing an event which consists wholly or principally of an aircraft race contest or an exhibition of flying, if the aircraft is taking part in such a race, contest or exhibition or is engaged in a flight arranged by, or made with the consent in writing of, the organizers of the event, and the races, contest, exhibition or flight is approved by the Authority.

(4) The provisions of sub-regulation (1)(e) shall not apply to an aircraft which is being used for aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating provisions of the Civil Aviation (Aerial Work) Regulations.

(5) The provisions of sub-regulation 1(a) shall not apply to—

- (a) an aircraft while it is landing or taking-off in accordance with normal aviation practice; or
- (b) a glider while it is hill-soaring.

(6) Nothing in this regulation shall prohibit any aircraft from —

- (a) taking off, landing or practising approaches to landing; or
- (b) flying for the purpose of checking navigational aids or procedures in accordance with normal aviation practice at a licensed or certificated aerodrome in Kenya or at any aerodrome in any other state; or
- (c) flying in such a manner as may be necessary for the purpose of saving life:

Provided that in the case of practising approaches to landing, such practising is confined to the airspace customarily used by aircraft when landing or taking off in accordance with normal aviation practice at the aerodrome concerned.

(7) The provisions of this regulation shall not apply to any captive balloon or kite.

11. (1) Cruising levels at which a flight or a portion of a flight is to be conducted shall be in terms of — Cruising levels.

- (a) flight levels, for flights at or above the lowest usable flight level or, where applicable, above the transition altitude;
- (b) altitudes for flights below the lowest usable flight level or, where applicable, at or below the transition altitude.

(2) Subject to sub-regulation (4), in order to comply with instrument flight rules, an aircraft when in level flight at or above 1,000 feet over land or water within controlled airspace shall be flown at a level appropriate to its magnetic track as specified in the First Schedule.

(3) Except where otherwise indicated in air traffic control clearances or specified by the Authority, flights conducted under visual flight rules in cruising flight when operated at or above 1000 feet from the ground or water shall be conducted at a flight level appropriate to its magnetic track as described in the First Schedule.

(4) The level of flight shall be measured by an altimeter set according to the system notified, or in the case of flight over a state other than Kenya, otherwise published by the competent authority, in relation to the area over which the aircraft is flying.

(5) An aircraft may be flown in conformity with instructions given by an air traffic control unit or in accordance with notified en-route holding patterns or in accordance with holding procedures notified in relation to an aerodrome.

12. A person shall not—

- (a) drop anything or spray any substance from an aircraft in flight;
- (b) tow an aircraft or other object; or
- (c) make a parachute descent other than an emergency descent, except in accordance with conditions prescribed by the Authority and as indicated by relevant information, advice and clearance from the appropriate air traffic service unit.

Dropping,
spraying, towing
and parachute
descents.

13. (1) A person shall not fly an aircraft acrobatically except under conditions prescribed by the Authority and as indicated by relevant information, advice or clearance from the appropriate air traffic services unit. Acrobatic flight.

(2) A person shall not operate an aircraft—

- (a) in acrobatic flight—
 - (i) over any city, town or settlement;
 - (ii) over an open air assembly of persons;

- (iii) below an altitude of 1,500 feet above the surface; or
- (iv) when the flight visibility is less than five kilometres; or

- (b) in manoeuvres exceeding a bank of sixty degrees or pitch of thirty degrees from level flight attitude unless all occupants of the aircraft are wearing parachutes packed by a qualified parachute rigger in the past twelve months.

14. A person shall not fly an aircraft in a formation flight except by pre-arrangement among the pilots-in-command of the aircraft taking part in the flight and, for a formation flight in controlled airspace, in accordance with the conditions prescribed by the appropriate air traffic services authority, and these conditions include—

Formation flights.

- (a) the formation operates as a single aircraft with regard to navigation and position reporting;
- (b) separation between aircraft in the flight shall be the responsibility of the flight leader and the pilots-in-command of the other aircraft in the flight and shall include periods of transition when aircraft are manoeuvring to attain their own separation within the formation flight and during join-up and break-away; and
- (c) a distance not exceeding 1 kilometre (0.5 nautical miles) laterally and longitudinally and 30 metres (100 feet) vertically from the flight leader shall be maintained by each aircraft.

15. A person shall operate a remotely piloted aircraft in such a manner as to minimise hazards to persons, property or other aircraft, and in accordance with the conditions specified in the Second schedule and the Civil Aviation (Remotely Piloted Aircraft Systems) Regulations, 2018.

Remotely piloted aircraft.

16. A person shall operate an unmanned free balloon in such a manner as to minimize hazards to persons, property or other aircraft and in accordance with the conditions specified in the Third Schedule.

Unmanned free balloons.

17. A person shall not operate an aircraft in a prohibited area or a restricted area or a danger area, the particulars of which have been duly published in the Kenya Aeronautical Information Publication, except in accordance with the conditions of the restrictions or by permission granted by the Government of Kenya.

Prohibited areas, restricted areas and danger areas.

18. The pilot in command of aircraft is responsible for taking avoidance action and such other action including manoeuvres based on resolution advisories provided by ACAS equipment to avert collision.

Avoidance of collisions.

19. A person shall not operate an aircraft in such proximity to other aircraft as to create a collision hazard.

Proximity to other aircraft.

20. (1) The pilot-in-command of an aircraft that has the right-of-way shall maintain the aircraft heading and speed. Right-of-way.
- (2) An aircraft that is obliged to keep out of way for another aircraft in regulations 21, 22, 23, 24 and 25 shall avoid passing over, under or in front of the other, unless it passes well clear and taking into account the effect of aircraft wake turbulence.
21. When two aircraft are approaching head-on or approximately so and there is danger of collision, each aircraft shall alter its heading to the right. Approaching head-on.
22. When two aircraft are converging at approximately the same level, the aircraft that has the other on its right shall give way, except as follows — Converging.
- (a) power-driven heavier-than-air aircraft shall give way to airships, gliders and balloons;
 - (b) airships shall give way to gliders and balloons;
 - (c) gliders shall give way to balloons; or
 - (d) power-driven aircraft shall give way to aircraft which are seen to be towing other aircraft or objects.
23. An aircraft that is being overtaken has 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 its heading to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the overtaking aircraft from this obligation until it is entirely past and clear. Overtaking.
24. (1) An aircraft in flight, or operating on the ground or water, shall give way to aircraft landing or in the final stages of an approach to land. Landing.
- (2) When two or more heavier-than-air aircraft are approaching an aerodrome for the purpose of landing, aircraft at the higher level shall give way to aircraft at the lower level, but the latter shall not take advantage of this rule to cut in front of another which is in the final stages of an approach to land, or to overtake that aircraft and power-driven heavier-than-air aircraft shall give way to gliders.
25. An aircraft that is aware that another aircraft is compelled to land shall give way to that aircraft. Emergency landing.
26. An aircraft taxiing on the manoeuvring area of an aerodrome shall give way to aircraft taking off or about to take off. Taking off.
27. (1) In case of danger of collision between two aircraft taxiing on the movement area of an aerodrome the following shall apply — Surface movement of aircraft.
- (a) when two aircraft are approaching head-on, each aircraft shall stop or where practicable alter its course to the right so as to keep well clear;

(b) when two aircraft are on a converging course, the one which has the other on its right shall give way;

(c) an aircraft which is being overtaken by another aircraft shall have the right-of-way and the overtaking aircraft shall keep well clear of the other aircraft.

(2) An aircraft taxiing on the manoeuvring area shall stop and hold at all runway-holding positions unless otherwise authorised by the aerodrome control tower.

(3) An aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may proceed further when the lights are switched off.

28. (1) This regulation shall apply to aeroplanes and vehicles on the movement area of a land aerodrome.

Surface movement of aircraft and vehicular traffic.

(2) Notwithstanding any air traffic control clearances, it shall remain the duty of the pilot-in-command of an aircraft to take all possible measures to ensure that his aircraft does not collide with any other aircraft or with any vehicle.

(3) Emergency vehicles proceeding to the assistance of aircraft in distress shall be afforded priority over all other surface movement traffic.

(4) Subject to sub-regulations (2) and (3), in case of danger of collision between two aircraft taxiing or other vehicular traffic moving on the movement area of an aerodrome—

(a) aircraft and vehicles shall give way to aircraft which are taking off or landing;

(b) vehicles towing aircraft shall give way to aircraft which are landing, taking off or taxiing;

(c) vehicles which are not towing aircraft shall give way to aircraft; and

(d) vehicles shall give way to other vehicles towing aircraft.

29. (1) An aircraft in flight shall display lights as provided by sub-regulation (5) from sunset to sunrise or during any other period which may be prescribed by the authority—

Lights to be displayed by aircraft.

(a) anti-collision lights intended to attract attention to the aircraft; and

(b) navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights.

(2) Except as provided by sub-regulation (5) from sunset to sunrise or during any other period prescribed by the authority—

(a) all aircraft moving on the movement area of an aerodrome shall display navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights;

- (b) unless stationary and otherwise adequately illuminated, all aircraft on the movement area of an aerodrome shall display lights intended to indicate the extremities of their structure;
- (c) all aircraft operating on the movement area of an aerodrome shall display lights intended to attract attention to the aircraft; and
- (d) all aircraft on the movement area of an aerodrome whose engines are running shall display lights which indicate that fact.

(3) Except as provided by sub-regulation (5), all aircraft in flight and fitted with anti-collision lights to meet the requirement of sub-regulation (1) a) shall display such lights outside the period specified in sub-regulation (1).

(4) Except as provided by sub-regulation (5), all aircraft—

- (a) operating on the movement area of an aerodrome and fitted with anti-collision lights to meet the requirement of sub-regulation (2) (c); or
- (b) on the movement area of an aerodrome and fitted with lights to meet the requirement of sub-regulation (2) (d); shall display such lights also outside the period specified in sub-regulation (2).

(5) A pilot shall be permitted to switch off or reduce the intensity of any flashing lights fitted to meet the requirements of subregulations (1), (2), (3) and (4) if they do or are likely to—

- (a) adversely affect the satisfactory performance of duties; or
- (b) subject an outside observer to harmful dazzle.

(6) The lights specified in sub-regulation (1), shall meet the requirements of the Civil Aviation Regulations.

30. A person shall not operate an aircraft in simulated instrument flight conditions unless—

- (a) fully functioning dual controls are installed in that aircraft;
- (b) a qualified pilot occupies a control seat to act as safety pilot for the person who is flying under simulated instrument conditions; and
- (c) the safety pilot has adequate vision forward and to each side of the aircraft, or a competent observer in communication with the safety pilot shall occupy a position in the aircraft from which the observer's field of vision adequately supplements the vision of the safety pilot.

Simulated instrument flight conditions.

31. (1) A pilot in command of an aircraft operating on, or in the vicinity of an aerodrome shall, whether or not within an aerodrome traffic zone—

- (a) observe other aerodrome traffic for the purpose of avoiding collision;

Operation on and in the vicinity of an aerodrome.

- (b) conform with or avoid the pattern of traffic formed by other aircraft in operation;
- (c) make all turns to the left, when approaching for a landing and after taking off, unless otherwise instructed;
- (d) land and take off into the wind unless safety, the runway configuration, or air traffic considerations determine that a different direction is preferable.

(2) A person shall not fly within a zone which the pilot-in-command knows or ought reasonably to know to be the aerodrome traffic zone of an aerodrome which does not have an air traffic control unit, except for the purpose of taking off, landing or observing the signals in the signals area with a view to landing.

(3) An aircraft flying within an aerodrome traffic zone for the purpose of observing signals in the signal area of an aerodrome, shall remain clear of cloud and at least 500 feet above the level of the aerodrome.

(4) A person shall not land an aircraft on a runway at such an aerodrome unless the runway is clear of other aircraft.

(5) Where takeoffs and landings are not confined to a runway—

- (a) an aircraft when landing shall leave clear on its left any aircraft which has already landed or is already landing or is about to take off, and if such aircraft is obliged to turn, it shall turn to the left after the pilot-in-command of the aircraft has satisfied himself that such action will not interfere with other traffic movements; and
- (b) an aircraft about to take off shall take up position and manoeuvre in such a way as to leave clear on its left any aircraft which is already taking off or is about to take off.

(6) An aircraft after landing shall move clear of the landing area in use as soon as it is possible to do so.

32. (1) A pilot-in-command shall not fly the aircraft within a zone which he knows or reasonably ought to know to be an aerodrome having an air traffic control unit, unless he has the permission of the appropriate air traffic control unit.

Operation within
an aerodrome
traffic zone.

(2) A pilot-in-command of an aircraft flying in the aerodrome traffic zone of an aerodrome having an air traffic control unit or moving on the manoeuvring area of such an aerodrome shall—

- (a) cause a continuous watch to be maintained on the appropriate radio frequency notified for air traffic control 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) not taxi, take off or land except with the permission of the air traffic control unit; and

- (c) comply with the provisions of regulation 15 as if the aerodrome did not have an air traffic control unit, unless the pilot-in-command has the permission of the air traffic control unit at the aerodrome, or has been instructed by such unit, to do otherwise.

33. (1) A person shall not operate an aircraft to, from, through, or on an aerodrome having an operational control tower unless two-way communication is maintained between that person and the control tower.

Operations on or in the vicinity of a controlled aerodrome.

(2) When arriving at an aerodrome, a pilot-in-command shall establish communications required by sub-regulation (1), prior to four nautical miles from the aerodrome, when operating from the surface up to and including 2,500 feet.

(3) When departing from an aerodrome, a pilot-in-command shall establish communications with the control tower prior to taxi.

(4) A person shall not at any aerodrome with an operating control tower, operate an aircraft on a runway or taxiway or take-off or land an aircraft, unless an appropriate clearance has been received from the air traffic control unit.

(5) A clearance to —

(a) the take-off runway—

(i) is not a clearance to cross or taxi on to that runway; and

(ii) does not authorize the pilot-in-command to cross other runways during the taxi to the assigned runway;

(b) any other point on the aerodrome is a clearance to cross all runways that intersect the taxi route to the assigned point.

(6) If the radio fails or two-way communication is lost, the pilot-in-command may continue on visual flight rules operation and land if—

(a) the weather conditions are at or above basic visual flight rules minimums; and

(b) clearance to land is received by light signals.

(7) During instrument flight rules operations, the two-way communications failure procedures prescribed in Regulation 45 shall apply.

34. (1) A person shall not enter the manoeuvring area of an aerodrome or drive a vehicle on the manoeuvring area of an aerodrome without the permission of the aerodrome control tower in the case of a controlled aerodrome, or in the case of an uncontrolled aerodrome, the person in charge of the aerodrome, and in accordance with any conditions subject to which that permission may have been granted.

Access to and movement in the manoeuvring area.

(2) A person shall not move, or move a vehicle on the manoeuvring area of an aerodrome having an air traffic control unit without the permission of that unit and in accordance with any conditions subject to which that permission may have been granted.

(3) Any permission granted for the purpose of this regulation may be granted either in respect of persons or vehicles generally or in respect of any particular person or vehicle or any class of persons or vehicles.

35. (1) An aircraft shall proceed with careful regard to existing circumstances and conditions including limitations of the respective craft when two aircraft or an aircraft and a vessel are approaching one another and there is a risk of collision.

Water operations.

(2) A person operating an aircraft on the water shall, in so far as possible, keep clear of all vessels and avoid impeding their navigation, and shall give way to any vessel or other aircraft that is given the right-of-way by this regulation.

(3) When two aircraft, or an aircraft and a vessel are approaching one another and there is a risk of collision, the aircraft shall proceed with careful regard to existing circumstances and conditions, including the limitations of the respective craft.

(4) Where aircraft, or an aircraft and a vessel, are converging the aircraft or vessel which has another to its right shall give way so as to keep well clear.

(5) Where aircraft, or an aircraft and a vessel, are approaching head-on, or approximately so, each shall alter its heading to the right to keep well clear.

(6) An aircraft or vessel that is being overtaken has the right-of-way, and the one overtaking shall alter its heading to keep well clear.

(7) An aircraft landing on or taking off from water shall, in so far as practicable, keep well clear of all vessels and avoid impeding their navigation.

(8) Aircraft operating on water between sunset and sunrise, shall display lights as required by the International Regulations for Preventing Collisions at Sea unless it is impractical for them to do so, in which case they shall display lights as closely similar as possible in characteristics and position to those required by the International Regulations.

Flight plans

36. (1) Information relative to an intended flight or portion of a flight, to be provided to air traffic services units, shall be in the form of a flight plan.

Submission of a flight plan.

(2) A flight plan shall be submitted by a competent person prior to operating—

- (a) any flight or portion thereof to be provided with air traffic control service;
- (b) any IFR flight within advisory airspace;
- (c) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to

facilitate the provision of flight information, alerting and search and rescue services;

- (d) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to facilitate coordination with appropriate military units or with air traffic services units in adjacent States in order to avoid the possible need for interception for the purpose of identification;
- (e) any flight across international borders.

(3) A flight plan shall be submitted to an air traffic services reporting office before departure, or, through digital means, or, during flight, transmitted to the appropriate air traffic services unit or air-ground control radio station, unless arrangements have been made for submission of repetitive flight plans.

(4) A flight plan for a flight to be provided with air traffic control service or air traffic advisory service shall be submitted at least sixty minutes before departure, or, if submitted during flight, at a time which will ensure its receipt by the appropriate air traffic services unit at least ten minutes before the aircraft is estimated to reach —

- (a) the intended point of entry into a control area or advisory area; or
- (b) the point of crossing an airway or advisory route, unless otherwise prescribed by the appropriate ATS authority

(5) Where a Through Flight Plan, containing such particulars as may be notified is submitted to and accepted by an air traffic services unit in respect of a flight through a number of intermediate aerodromes, this regulation shall be deemed to have been satisfied in respect of each sector of the flight.

(6) Subject to subregulations (2), (3), (4) and (5), a flight plan shall be accepted by the receiving Air Traffic Service unit/Reporting office before it is activated

(7) An air traffic control unit may exempt the pilot-in-command from the requirements of this regulation in respect of an intended flight which is to be made in a notified local flying area and in which the aircraft will return to the aerodrome of departure without making an intermediate landing.

(8) In order to comply with the instrument flight rules, before an aircraft either takes off from a point within any controlled airspace, or enters any controlled airspace, or in other circumstances prescribed for this purpose, the pilot-in-command shall cause a flight plan to be communicated to the appropriate air traffic control unit and shall obtain an air traffic control clearance based on such flight plan.

(9) The pilot-in-command after he has flown in controlled airspace shall, unless he has requested the appropriate air traffic control unit to cancel his flight plan, forthwith inform that unit when the aircraft lands within or leaves that controlled airspace.

37. A flight plan shall comprise information regarding the following items as are considered relevant by the appropriate ATS authority—

Contents of a flight plan.

- (a) Aircraft identification
- (b) Flight rules and type of flight
- (c) Number and type(s) of aircraft and wake turbulence category
- (d) Equipment
- (e) Departure aerodrome
- (f) Estimated off-block time
- (g) Cruising speed(s)
- (h) Cruising level(s)
- (i) Route to be followed
- (j) Destination aerodrome and total estimated elapsed time
- (k) Alternate aerodrome(s)
- (l) Fuel endurance
- (m) Total number of persons on board
- (n) Emergency and survival equipment
- (o) Other information.

38. (1) A flight plan shall contain information, as applicable, on relevant items up to and including “Alternate aerodrome(s)” regarding the whole route or the portion thereof for which the flight plan is submitted, whatever the purpose for which it is submitted.

Completion of a flight plan.

(2) It shall, in addition, contain information, as applicable, on all other items when so prescribed by the appropriate ATS authority or when otherwise deemed necessary by the person submitting the flight plan.

39. (1) Subject to the provisions of regulation 45 sub-regulation (1), all changes to a flight plan submitted for an IFR flight, or a VFR flight operated as a controlled flight, shall be reported as soon as practicable to the appropriate air traffic services unit.

Changes to a flight plan.

(2) Significant changes to a flight plan shall be reported as soon as practicable to the appropriate air traffic services unit for other VFR flights.

(3) Any information submitted prior to departure regarding fuel endurance or total number of persons carried on board, if incorrect at the time of departure, constitutes a significant change to the flight plan and as such shall be reported.

40. (1) A pilot-in-command shall make a report of arrival in person, by radiotelephony or via data link at the earliest possible moment after landing, to the appropriate air traffic services unit at the arrival aerodrome, by any flight for which a flight plan has been

Closing a flight plan.

submitted covering the entire flight or the remaining portion of a flight to the destination aerodrome unless otherwise prescribed by the appropriate ATS authority.

(2) When a flight plan has been submitted only in respect of a portion of a flight, other than the remaining portion of a flight to destination, it shall, when required, be closed by an appropriate report to the relevant air traffic services unit.

(3) When no air traffic services unit exists at the arrival aerodrome, the arrival report, when required, shall be made as soon as practicable after landing and by the quickest means available to the nearest air traffic services unit.

(4) When communication facilities at the arrival aerodrome are known to be inadequate and alternate arrangements for the handling of arrival reports on the ground are not available, the following action shall be taken—

- (a) Immediately prior to landing the aircraft shall, if practicable, transmit to the appropriate air traffic services unit, a message comparable to an arrival report, where such a report is required.
- (b) Normally, this transmission shall be made to the aeronautical station serving the air traffic services unit in charge of the flight information region in which the aircraft is operated.

(5) Arrival reports made by aircraft shall contain the following elements of information—

- (a) aircraft identification;
- (b) departure aerodrome;
- (c) destination aerodrome (only in the case of a diversionary landing); arrival aerodrome;
- (d) time of arrival.

(6) A pilot-in-command of an aircraft who has caused notice of the aircraft intended arrival at any aerodrome to be given to the air traffic services unit or other authority at that aerodrome shall ensure that the air traffic services 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 forty five minutes or more.

41. (1) Upon observing or receiving any of the signals given in Fourth Schedule, aircraft shall take such action as may be required by the interpretation of the signal given in that schedule.

Universal aviation
Signals.

(2) The signals given in the Fourth schedule shall, when used, have the meaning indicated therein and be used only for the purpose indicated.

(3) No other signals likely to be confused with the signals in the Fourth Schedule shall be used.

(4) A marshaller shall be responsible for providing standard marshalling signals to aircraft in a clear and precise manner using the signals shown in Fourth Schedule.

(5) No person shall marshal an aircraft unless trained, qualified and approved by the aerodrome operator to carry out the functions of a marshaller.

(6) The marshaller shall wear a distinctive fluorescent identification vest to allow the flight crew to identify that he or she is the person responsible for the marshalling operation.

(7) Daylight-fluorescent wands, table-tennis bats or gloves shall be used for all signalling by all participating ground staff during daylight hours.

(8) Illuminated wands shall be used at night or in low visibility.

42. The following signals, used either together or separately, mean that grave and imminent danger threatens, and immediate assistance is requested—

Distress signals.

- (a) a signal made by radiotelegraphy or by any other signalling method consisting of the group SOS in the Morse Code;
- (b) a radiotelephony distress signal consisting of the spoken word MAYDAY;
- (c) a distress message sent via data link which transmits the intent of the word MAYDAY;
- (d) rockets or shells showing red lights, fired one at a time at short intervals;
- (e) a parachute flare showing a red light.

43. (1) The following signals, used either together or separately, mean that an aircraft wishes to give notice of difficulties which compel it to land without requiring immediate assistance—

Urgency signals.

- (a) the repeated switching on and off of the landing lights; or
- (b) the repeated switching on and off of the navigation lights in such manner as to be distinct from flashing navigation lights.

(2) The following signals, used either together or separately, mean that an aircraft has a very urgent message to transmit concerning the safety of a ship, aircraft or other vehicle, or of some person on board or within sight—

- (a) a signal made by radiotelegraphy or by any other signalling method consisting of the group XXX;
- (b) a signal sent by radiotelephony consisting of the spoken words PAN, PAN;
- (c) an urgency message sent via data link which transmits the intent of the words PAN, PAN.

44. (1) Coordinated Universal Time (UTC) shall be used and be expressed in hours and minutes and, when required, seconds of the 24-hour day beginning at midnight. Time.

(2) A time check shall be obtained prior to operating a controlled flight and at such other times during the flight as may be necessary.

(3) Wherever time is utilized in the application of data link communications, it shall be accurate to within 1 second of UTC.

AIR TRAFFIC CONTROL SERVICE

45. (1) An air traffic control clearance shall be obtained prior to operating a controlled flight, or a portion of a flight as a controlled flight. Air traffic control clearances.

(2) Air traffic control clearance shall be requested through the submission of a flight plan to an air traffic control unit.

(3) Whenever an aircraft has requested a clearance involving priority, a report explaining the necessity for such priority shall be submitted, if requested by the appropriate air traffic control unit.

(4) The appropriate air traffic control units shall be so notified by the insertion in the flight plan of information concerning the revised route, where known, and the revised destination if prior to departure it is anticipated that depending on fuel endurance and subject to re-clearance in flight, a decision may be taken to proceed to a revised destination aerodrome.

(5) An aircraft operated on a controlled aerodrome shall not taxi on the manoeuvring area without clearance from the aerodrome control tower and shall comply with any instructions given by that unit.

(6) The pilot-in-command of an aircraft shall fly in conformity with the air traffic control clearance issued for the flight as amended by any further instructions given by an air traffic control unit, and with the holding and instrument approach procedures, notified in relation to the aerodrome of destination, unless the pilot-in-command—

- (a) is able to fly in uninterrupted visual meteorological conditions for so long as he remains in controlled airspace; and
- (b) has informed the appropriate air traffic control unit of his intention to continue the flight in compliance with visual flight rules and has requested that unit to cancel his instrument flight rules flight plan:

Provided that if an emergency arises which requires an immediate deviation from an air traffic control clearance, the pilot-in-command of the aircraft shall, as soon as possible, inform the appropriate air traffic control unit of the deviation.

46. (1) An aircraft shall adhere to the current flight plan or the applicable portion of a current flight plan submitted for a controlled flight unless— Adherence to current flight plan.

- (a) a request for a change has been made and clearance obtained from the appropriate air traffic control unit, or;
 - (b) an emergency situation arises which necessitates immediate action by the aircraft, in which event as soon as circumstances permit, after such emergency authority is exercised, the appropriate air traffic services unit shall be notified of the action taken and that this action has been taken under emergency authority, except as provided for in subregulation (2) and regulation 47
- (2) Unless otherwise authorized by the appropriate ATS authority, or directed by the appropriate air traffic control unit, controlled flights shall, in so far as practicable—
- (a) when on an established ATS route, operate along the defined centre line of that route; or
 - (b) when on any other route, operate directly between the navigation facilities and points defining that route.
- (3) Subject to the overriding requirement in subregulation (2), an aircraft operating along an ATS route segment defined by reference to very high frequency omni-directional radio ranges shall change over for its primary navigation guidance from the facility behind the aircraft to that ahead of it at, or as close as operationally feasible to, the changeover point, where established.
- (4) Deviation from the requirements in subregulation (2), shall be notified to the appropriate air traffic services unit.

47. (1) In the event that a controlled flight inadvertently deviates from its current flight plan, the following action shall be taken—

Deviations from the current flight plan.

- (a) Deviation from track: if the aircraft is off track, action shall be taken forthwith to adjust the heading of the aircraft to regain track as soon as practicable.
- (b) Deviation from ATC assigned Mach number/indicated airspeed: the appropriate air traffic services unit shall be informed immediately.
- (c) Deviation from Mach number or true airspeed: if the sustained Mach number or true airspeed at cruising level varies by plus or minus Mach 0.02 or more, or plus or minus 19 km/h (10 kts) true airspeed or more from the current flight plan, the appropriate air traffic services unit shall be so informed.
- (d) Change in time estimate: except where ADS-C is activated and serviceable in airspace where ADS-C services are provided, if the time estimate for the next applicable reporting point, flight information region boundary or destination aerodrome, whichever comes first, changes in excess of 2 minutes from that previously notified to air traffic services, or such other period of time as is prescribed by the appropriate ATS authority or on the basis of regional air navigation

agreements, the flight crew shall notify the appropriate air traffic services unit as soon as possible.

(2) When ADS-C services are provided and ADS-C is activated, the air traffic services unit shall be informed automatically via data link whenever changes occur beyond the threshold values stipulated by the ADS event contract.

(3) Requests for current flight plan changes shall include the following information—

- (a) Change of cruising level:
 - (i) aircraft identification;
 - (ii) requested new cruising level and cruising Mach number or true airspeed at this level;
 - (iii) revised time estimates at subsequent reporting points or flight information region boundaries.
- (b) Change of Mach number or true airspeed—
 - (i) aircraft identification;
 - (ii) requested Mach number or true airspeed.

48. The pilot-in-command of a VFR flight operated as a controlled flight shall, when it becomes evident that flight in VMC in accordance with its current flight plan will not be practicable—

Weather deterioration below the VMC.

- (a) request an amended clearance enabling the aircraft to continue in VMC to destination or to an alternative aerodrome, or to leave the airspace within which an ATC clearance is required; or
- (b) if no clearance in accordance with a) can be obtained, continue to operate in VMC and notify the appropriate ATC unit of the action being taken either to leave the airspace concerned or to land at the nearest suitable aerodrome; or
- (c) if operated within a control zone, request authorization to operate as a special VFR flight; or
- (d) request clearance to operate in accordance with the instrument flight rules.

49. (1) A pilot-in-command of a controlled flight shall report to the appropriate air traffic services unit, as soon as possible—

Position reports.

- (a) the time and level of passing each designated compulsory reporting point, together with any other required information unless exempted by the appropriate ATS authority or by the appropriate air traffic services unit under conditions specified by that authority;
- (b) any unforecasted weather conditions encountered; and
- (c) any other information relating to the safety of flight, such as hazardous weather or abnormal radio station indications.

(2) Position reports shall be made in relation to additional points when requested by the appropriate air traffic services unit.

(3) Position reports shall be made at intervals prescribed by the appropriate ATS authority or specified by the appropriate air traffic services unit in the absence of designated reporting points.

(4) Controlled flights providing position information to the appropriate air traffic services unit via data link communications shall only provide voice position reports when requested.

50. A controlled flight shall, advise the appropriate ATC unit as soon as it ceases to be subject to air traffic control service except when landing at a controlled aerodrome.

Termination of control.

51. (1) An aircraft operated as a controlled flight shall maintain continuous air-ground voice communication watch on the appropriate communication channel of, and establish two-way communication as necessary with, the appropriate air traffic control unit, except as may be prescribed by the appropriate ATS authority in respect of aircraft forming part of aerodrome traffic at a controlled aerodrome.

General Communications.

(2) Aircraft shall comply with the voice communication failure procedures of the Civil Aviation (Communication Procedures) Regulations.

(3) Aircraft shall attempt to establish communications with the appropriate air traffic control unit using all other available means.

(4) Aircraft forming part of the aerodrome traffic at a controlled aerodrome, shall keep a watch for such instructions as may be issued by visual signals.

(5) An aircraft in visual meteorological conditions shall—

- (a) continue to fly in visual meteorological conditions; land at the nearest suitable aerodrome; and report its arrival by the most expeditious means to the appropriate air traffic services unit;
- (b) complete an IFR flight in accordance with sub regulations (6) if considered advisable.

(6) Aircraft shall, if in instrument meteorological conditions or when the pilot of an IFR flight considers it inadvisable to complete the flight in accordance with sub regulation (5) (a):

- (a) maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of 20 minutes following the aircraft's failure to report its position over a compulsory reporting point and thereafter adjust level and speed in accordance with the filed flight plan unless otherwise prescribed on the basis of regional air navigation agreement, in airspace where radar is not used in the provision of air traffic control;
- (b) in airspace where radar is used in the provision of air traffic control, maintain the last assigned speed and level, or

minimum flight altitude if higher, for a period of 7 minutes following—

- (i) the time the last assigned level or minimum flight altitude is reached; or
 - (ii) the time the transponder is set to Code 7600; or
 - (iii) the aircraft's failure to report its position over a compulsory reporting point; whichever is later, and thereafter adjust level and speed in accordance with the filed flight plan;
- (c) rejoin the current flight plan route no later than the next significant point, taking into consideration the applicable minimum flight altitude when being radar vectored or having been directed by ATC to proceed offset using area navigation (RNAV) without a specified limit;
 - (d) proceed according to the current flight plan route to the appropriate designated navigation aid or fix serving the destination aerodrome and, when required to ensure compliance with (e) below, hold over this aid or fix until commencement of descent;
 - (e) commence descent from the navigation aid or fix specified in (d) at, or as close as possible to, the expected approach time last received and acknowledged; or, if no expected approach time has been received and acknowledged, at, or as close as possible to, the estimated time of arrival resulting from the current flight plan;
 - (f) complete a normal instrument approach procedure as specified for the designated navigation aid or fix; and
 - (g) land within 30 minutes after the estimated time of arrival specified in (e) or the last acknowledged expected approach time.

(7) Where an aeronautical station has been unable to establish contact with a pilot-in-command after calls on the frequencies on which the pilot-in-command is believed to be listening, the station shall—

- (a) request other aeronautical stations to render assistance by calling the pilot-in-command and relaying traffic information, if necessary;
 - (b) request pilot-in-command of other aircraft on the route to attempt to establish communication with the aircraft and relay traffic information, if necessary.
- (8) The provisions of sub-regulation (7) shall also be applied—
- (a) on request of the air traffic service unit concerned;
 - (b) when an expected communication from a pilot-in-command has not been received within a time period such that the occurrence of a communication failure is suspected.

(9) The time period referred to in subregulation (8) (b) shall be prescribed by the Authority.

(10) Where the attempts specified in subregulation (7) fail, the aeronautical station shall transmit messages addressed to the pilot-in-command, other than messages containing air traffic control clearances, by blind transmission on the frequency on which the Pilot-in-command is believed to be listening.

52. (1) An aircraft which is being subjected to unlawful interference shall endeavour to notify the appropriate ATS unit of this fact, any significant circumstances associated therewith and any deviation from the current flight plan necessitated by the circumstances, in order to enable the ATS unit to give priority to the aircraft and to minimize conflict with other aircraft.

Unlawful
interference.

(2) The pilot-in-command of an aircraft subjected to unlawful interference, shall attempt to land as soon as practicable at the nearest suitable aerodrome or at a dedicated aerodrome assigned by the appropriate authority unless considerations aboard the aircraft dictate otherwise.

(3) A pilot-in-command shall, when and if possible, operate the secondary surveillance radar Mode A Code 7500 to indicate that the aircraft is being subjected to unlawful interference or secondary surveillance radar Mode A, Code 7700 to indicate that it is threatened by grave and imminent danger and requires immediate assistance.

(4) When an air traffic service unit knows or believes that an aircraft is being subjected to unlawful interference, no reference shall be made in air traffic services air-ground communications to the nature of the emergency unless it has first been referred to in communications from the aircraft involved and it is certain that such reference will not aggravate the situation.

(5) The pilot-in-command of an aircraft subjected to unlawful interference shall when unable to notify an air traffic service unit shall attempt to continue flying on the assigned track and at the assigned cruising level at least until able to notify an air traffic service unit or until within radar or ADS-B coverage.

(6) The pilot-in-command of an aircraft subjected to unlawful interference and which must depart from its assigned track or its assigned cruising level without being able to notify an air traffic service unit shall—

- (a) attempt to broadcast warnings on the VHF channel in use or on the designated emergency frequency unless considerations aboard the aircraft dictate otherwise;
- (b) proceed at a level which differs from the cruising levels normally used for IFR flight by—
 - (i) 500 ft when flying in an area where vertical separation minimum of 1000 ft is applied
 - (ii) 1000 ft in an area where vertical separation minimum of 2000 ft is applied

53. (1) Interception of civil aircraft shall be governed by these regulations and any other administrative directives issued by the Authority.

Interception of Civil Aircraft.

(2) Subject to subregulation (1), the Authority shall undertake, due regard for the safety of navigation of civil aircraft.

(3) The pilot-in-command of a civil aircraft, when intercepted, shall comply with the requirements prescribed in the Fifth Schedule, interpreting and responding to visual signals as specified in Fourth Schedule

54. VMC visibility and distance from cloud minima shall be as shown in below described in the Sixth Schedule.

Visual meteorological conditions, visibility and distance from cloud minima.

PART III—VISUAL FLIGHT RULES

55. (1) VFR flights shall be conducted so that the aircraft is flown in conditions of visibility and distance from clouds equal to or greater than those specified in regulation 54 except when operating as a special VFR flight,

Visual flight rules within a control zone.

(2) VFR flights shall not take off or land at an aerodrome within a control zone, or enter the aerodrome traffic zone or traffic pattern when the—

- (a) ceiling is less than 1 500 ft; or
- (b) ground visibility is less than 5 km; except when a clearance is obtained from an air traffic control unit.

(3) The appropriate ATS authority shall prescribe the conditions that govern the operations of VFR flights between sunset and sunrise, or such other period between sunset and sunrise.

56. (1) VFR flights shall not be operated—

- (a) above FL 145; or
- (b) at night

Operation of Visual flight rules flights.

(2) A VFR flight shall not be flown—

- (a) over the congested areas of cities, towns or settlements or over an open-air assembly of persons at a height less than 300 M (1000 ft) above the highest obstacle within a radius of 600 M (2000 f from the aircraft);
- (b) elsewhere than as specified in sub-regulation 6 (a), at a height less than 150 M (500 ft) above the ground or water; except when necessary for take-off or landing, or except by permission from the appropriate authority.

(3) VFR flights in level cruising flight when operated above 900 M (3 000 ft) from the ground or water, or a higher datum as specified by the appropriate ATS authority, shall be conducted at a cruising level appropriate to the track as specified in the tables of cruising levels in

the *First Schedule* except where otherwise indicated in air traffic control clearances or specified by the appropriate ATS authority.

(4) VFR flights shall comply with the provisions of regulations 45, 46, 47, 48, 49, 50 and 51 when—

- (a) operated within Classes B, C and D airspace;
- (b) forming part of aerodrome traffic at controlled aerodromes; or
- (c) operated as special VFR flights.

(5) A VFR flight operating within or into areas, or along routes, designated by the appropriate ATS authority in accordance with regulation 36 (2) (c) or (2) (d) shall maintain continuous air-ground voice communication watch on the appropriate communication channel of, and report its position as necessary to, the air traffic services unit providing flight information service.

57. A pilot-in-command of an aircraft operated in accordance with the visual flight rules which wishes to change to compliance with the instrument flight rules shall:

- (a) if a flight plan was submitted, communicate the necessary changes to be effected to its current flight plan; or
- (b) when so required by regulation 36, submit a flight plan to the appropriate air traffic services unit and obtain a clearance prior to proceeding IFR when in controlled airspace.

Changing from Visual flight rules to Instrument flight rules.

PART IV—INSTRUMENT FLIGHT RULES

58. A pilot-in-command of an aircraft shall ensure that the aircraft is equipped with suitable instruments and with navigation equipment appropriate to the route to be flown.

Aircraft equipment.

59. (1) An IFR flight shall be flown at a level which is not below the minimum flight altitude established by the Authority or, where no such minimum flight altitude has been established—

Minimum levels for IFR flights.

- (a) over high terrain or in mountainous areas, at a level which is at least 2 000 ft above the highest obstacle located within 8 km of the estimated position of the aircraft;
- (b) elsewhere than as specified in (a), at a level which is at least 1 000 ft above the highest obstacle located within 8 km of the estimated position of the aircraft; except when necessary for take-off or landing, or except when specifically authorized by the appropriate authority,

(2) If unable to communicate with air traffic control and there is need to climb to clear an obstacle, a pilot shall climb to a higher minimum instrument flight rules altitude immediately after passing the point beyond which that minimum altitude applies.

60. (1) A pilot-in-command of an aircraft electing to change the conduct of its flight from compliance with the instrument flight rules to

Change from IFR flight to VFR flight.

compliance with the visual flight rules shall, if a flight plan was submitted, notify the appropriate air traffic services unit specifically that the IFR flight is cancelled and communicate thereto the changes to be made to its current flight plan.

(2) Where a pilot of an aircraft operating under the instrument flight rules is flying in or encounters visual meteorological conditions, he shall not cancel its IFR flight unless it is anticipated, and intended, that the flight will be continued for a reasonable period of time in uninterrupted visual meteorological conditions.

61. (1) IFR flights shall comply with the provisions of regulations 45.46, 47, 48, 49, 50 and 51 when operating in controlled airspace.

Rules applicable to IFR flights within controlled airspace.

(2) An IFR flight operating in cruising flight in controlled airspace shall be flown at a cruising level, or, if authorized to employ cruise climb techniques, between two levels or above a level, selected from—

- (a) the tables of cruising levels in First Schedule; or
- (b) a modified table of cruising levels, when so prescribed in accordance with First Schedule for flight above FL 410.

(3) The correlation of levels to track prescribed in sub-regulation (2) shall not apply whenever indicated in air traffic control clearances or specified by the appropriate ATS authority in Aeronautical Information Publications.

RULES APPLICABLE TO IFR FLIGHTS OUTSIDE CONTROLLED AIRSPACE

62. A pilot-in-command of an IFR flight operating in level cruising flight outside of controlled airspace shall fly the aircraft at a cruising level appropriate to its track as specified in—

Cruising levels outside controlled airspace.

- (a) the tables of cruising levels in the First Schedule, except when specified by the appropriate ATS authority for flight at or below 900 M (3000 ft) above mean sea level; or
- (b) a modified table of cruising levels, when prescribed in accordance with the First Schedule for flight above FL 410.

63. A pilot-in-command of an IFR flight operating outside controlled airspace but within or into areas, or along routes, designated by the appropriate ATS authority in accordance with regulation 36, sub-regulation (2) (c) or (d) shall maintain an air-ground voice communication watch on the appropriate communication channel and establish two-way communication, as necessary, with the air traffic services unit providing flight information service.

Communications for IFR flights outside controlled airspace.

64. A pilot-in-command of an IFR flight operating outside controlled airspace shall report position as specified in regulation 49 for controlled flights when required by the appropriate ATS authority to—

Position report for IFR flights outside controlled airspace.

- (a) submit a flight plan,

- (b) maintain an air-ground voice communication watch on the appropriate communication channel and establish two-way communication, as necessary, with the air traffic services unit providing flight information service,

PART V-GENERAL PROVISIONS

65. The Authority may suspend or revoke the licence, certificate, approval, authorisation, exemption or other document of a person who contravenes any provision of these regulations.

Contravention of Regulations.

66. A person aggrieved with the decision of the Authority under these regulations may within twenty one days of such decision appeal to the tribunal.

Appeals to the tribunal.

67. (1) A person who contravenes any provision of these regulations, commits an offence and is liable on conviction to a fine not exceeding two million shillings, and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.

Offences.

(2) If it is proved that an act or omission of any person, which would otherwise have been a contravention by that person of a provision of these regulations, was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall be deemed not to be a contravention by that person of that provision.

(3) Where a person is charged with contravening a provision of these regulations by reason of his having been a member of the flight crew of an aircraft on a flight for the purpose of commercial air transport operations, the flight shall be treated, without prejudice to the liability of any other person under these Regulations, as not having been for that purpose if he proves that he neither knew nor had reason to know that the flight was for that purpose.

(4) In case an aircraft is involved in a contravention and the contravention is by the owner or operator of the aircraft, the aircraft shall be subject to a lien for the penalty.

(5) Any aircraft subject to alien for the purpose of sub-regulation (5) may be seized by and placed in the custody of the Authority;

(6) The aircraft shall be released from custody of the Authority upon—

- (a) payment of the penalty or the amount agreed upon in compromise;
- (b) deposit of a bond in such amount as the Authority may prescribe, conditioned upon payment of the penalty or the amount agreed upon in compromise;
- (c) receiving an order of the court to that effect.

(8) A person who contravenes any provision specified in Part A of the Fifth Schedule to these regulations commits an offence and is liable on conviction to a fine not exceeding one million shillings for

each offence or to imprisonment for a term not exceeding one year or to both.

(9) A person who contravenes any provision specified in Part B of the Fifth Schedule to these regulations commits an offence and is liable on conviction to a fine not exceeding two million shillings for each offence and/or to imprisonment for a term not exceeding three years or to both.

68. The Civil Aviation (Rules of the Air) Regulations, 2013 are hereby revoked. Revocation.

69. (1) A licence, certificate, permit or authorization issued or granted by the Authority before the commencement of these Regulations shall remain operational until it expires or is revoked, annulled or replaced Transitional.

(2) Notwithstanding any other provision of these Regulations, a person who at the commencement of these Regulations, is carrying out any acts, duties or operations affected by these Regulations shall, within one (1) year from the date of commencement, or within such longer time that the Cabinet Secretary may, by notice in the *Gazette* prescribe, comply with the requirements of these Regulations or cease to carry out such acts, duties or operations.

FIRST SCHEDULE

TABLES OF CRUISING LEVELS

(Regulations 11, 56, 61, 62)

The cruising levels to be observed when so required by these regulations are as follows:

RVSM — FEET

a) In areas where feet are used for altitude and where, in accordance with regional air navigation agreements, a vertical separation minimum of 1000 ft is applied between FL 290 and FL 410 inclusive.*

TRACK**											
From 000 degrees to 179 degrees***						From 180 degrees to 359 degrees***					
IFR Flights			VFR Flights			IFR Flights			VFR Flights		
Level			Level			Level			Level		
FL	Feet	Metres	FL	Feet	Metres	FL	Feet	Metres	FL	Feet	Metres
010	1 000	300	—	—	—	020	2 000	600	—	—	—
030	3 000	900	035	3 500	1 050	040	4 000	1 200	045	4 500	1 350
050	5 000	1 500	055	5 500	1 700	060	6 000	1 850	065	6 500	2 000
070	7 000	2 150	075	7 500	2 300	080	8 000	2 450	085	8 500	2 600
090	9 000	2 750	095	9 500	2 900	100	10 000	3 050	105	10 500	3 200
110	11 000	3 350	115	11 500	3 500	120	12 000	3 650	125	12 500	3 800
130	13 000	3 950	135	13 500	4 100	140	14 000	4 250	145	14 500	4 400
150	15 000	4 550	155	15 500	4 700	160	16 000	4 900	165	16 500	5 050
170	17 000	5 200	175	17 500	5 350	180	18 000	5 500	185	18 500	5 650
190	19 000	5 800	195	19 500	5 950	200	20 000	6 100	205	20 500	6 250
210	21 000	6 400	215	21 500	6 550	220	22 000	6 700	225	22 500	6 850
230	23 000	7 000	235	23 500	7 150	240	24 000	7 300	245	24 500	7 450
250	25 000	7 600	255	25 500	7 750	260	26 000	7 900	265	26 500	8 100
270	27 000	8 250	275	27 500	8 400	280	28 000	8 550	285	28 500	8 700
290	29 000	8 850				300	30 000	9 150			
310	31 000	9 450				320	32 000	9 750			
330	33 000	10 050				340	34 000	10 350			
350	35 000	10 650				360	36 000	10 950			
370	37 000	11 300				380	38 000	11 600			
390	39 000	11 900				400	40 000	12 200			
410	41 000	12 500				430	43 000	13 100			
450	45 000	13 700				470	47 000	14 350			
490	49 000	14 950				510	51 000	15 550			
etc.	etc.	etc.				etc.	etc.	etc.			

* Except when, on the basis of regional air navigation agreements, a modified table of cruising levels based on a nominal vertical separation minimum of 1 000 ft (300 m) is prescribed for use, under specified conditions, by aircraft operating above FL 410 within designated portions of the airspace.

** Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.

*** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.

Note.— Guidance material relating to vertical separation is contained in the Manual on Implementation of a 300 m (1 000 ft) Vertical Separation Minimum Between FL 290 and FL 410 Inclusive (Doc 9574).

RVSM — METRES

b) In areas where metres are used for altitude and where, in accordance with regional air navigation agreements, a vertical separation minimum of 300 m is applied between 8 900 m and 12 500 m inclusive:*

TRACK**											
From 000 degrees to 179 degrees***						From 180 degrees to 359 degrees***					
IFR Flights			VFR Flights			IFR Flights			VFR Flights		
Level			Level			Level			Level		
Standard Metric	Metres	Feet	Standard Metric	Metres	Feet	Standard Metric	Metres	Feet	Standard Metric	Metres	Feet
0030	300	1 000	—	—	—	0060	600	2 000	—	—	—
0090	900	3 000	0105	1 050	3 500	0120	1 200	3 900	0135	1 350	4 400
0150	1 500	4 900	0165	1 650	5 400	0180	1 800	5 900	0195	1 950	6 400
0210	2 100	6 900	0225	2 250	7 400	0240	2 400	7 900	0255	2 550	8 400
0270	2 700	8 900	0285	2 850	9 400	0300	3 000	9 800	0315	3 150	10 300
0330	3 300	10 800	0345	3 450	11 300	0360	3 600	11 800	0375	3 750	12 300
0390	3 900	12 800	0405	4 050	13 300	0420	4 200	13 800	0435	4 350	14 300
0450	4 500	14 800	0465	4 650	15 300	0480	4 800	15 700	0495	4 950	16 200
0510	5 100	16 700	0525	5 250	17 200	0540	5 400	17 700	0555	5 550	18 200
0570	5 700	18 700	0585	5 850	19 200	0600	6 000	19 700	0615	6 150	20 200
0630	6 300	20 700	0645	6 450	21 200	0660	6 600	21 700	0675	6 750	22 100
0690	6 900	22 600	0705	7 050	23 100	0720	7 200	23 600	0735	7 350	24 100
0750	7 500	24 600	0765	7 650	25 100	0780	7 800	25 600	0795	7 950	26 100
0810	8 100	26 600	0825	8 250	27 100	0840	8 400	27 600	0855	8 550	28 100
0890	8 900	29 100				0920	9 200	30 100			
0950	9 500	31 100				0980	9 800	32 100			
1010	10 100	33 100				1040	10 400	34 100			
1070	10 700	35 100				1100	11 000	36 100			
1130	11 300	37 100				1160	11 600	38 100			
1190	11 900	39 100				1220	12 200	40 100			
1250	12 500	41 100				1310	13 100	43 000			
1370	13 700	44 900				1430	14 300	46 900			
1490	14 900	48 900				1550	15 500	50 900			
etc.	etc.	etc.				etc.	etc.	etc.			

* Except when, on the basis of regional air navigation agreements, a modified table of cruising levels based on a nominal vertical separation minimum of 1 000 ft (300 m) is prescribed for use, under specified conditions, by aircraft operating above FL 410 within designated portions of the airspace.

** Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.

*** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.

Note.— Guidance material relating to vertical separation is contained in the Manual on Implementation of a 300 m (1 000 ft) Vertical Separation Minimum Between FL 290 and FL 410 Inclusive (Doc 9574).

Non-RVSM — FEET

c) In other areas where feet are the primary unit of measurement for altitude:

TRACK*											
From 000 degrees to 179 degrees**						From 180 degrees to 359 degrees**					
IFR Flights			VFR Flights			IFR Flights			VFR Flights		
Level			Level			Level			Level		
FL	Feet	Metres	FL	Feet	Metres	FL	Feet	Metres	FL	Feet	Metres
010	1 000	300	—	—	—	020	2 000	600	—	—	—
030	3 000	900	035	3 500	1 050	040	4 000	1 200	045	4 500	1 350
050	5 000	1 500	055	5 500	1 700	060	6 000	1 850	065	6 500	2 000
070	7 000	2 150	075	7 500	2 300	080	8 000	2 450	085	8 500	2 600
090	9 000	2 750	095	9 500	2 900	100	10 000	3 050	105	10 500	3 200
110	11 000	3 350	115	11 500	3 500	120	12 000	3 650	125	12 500	3 800
130	13 000	3 950	135	13 500	4 100	140	14 000	4 250	145	14 500	4 400
150	15 000	4 550	155	15 500	4 700	160	16 000	4 900	165	16 500	5 050
170	17 000	5 200	175	17 500	5 350	180	18 000	5 500	185	18 500	5 650
190	19 000	5 800	195	19 500	5 950	200	20 000	6 100	205	20 500	6 250
210	21 000	6 400	215	21 500	6 550	220	22 000	6 700	225	22 500	6 850
230	23 000	7 000	235	23 500	7 150	240	24 000	7 300	245	24 500	7 450
250	25 000	7 600	255	25 500	7 750	260	26 000	7 900	265	26 500	8 100
270	27 000	8 250	275	27 500	8 400	280	28 000	8 550	285	28 500	8 700
290	29 000	8 850	300	30 000	9 150	310	31 000	9 450	320	32 000	9 750
330	33 000	10 050	340	34 000	10 350	350	35 000	10 650	360	36 000	10 950
370	37 000	11 300	380	38 000	11 600	390	39 000	11 900	400	40 000	12 200
410	41 000	12 500	420	42 000	12 800	430	43 000	13 100	440	44 000	13 400
450	45 000	13 700	460	46 000	14 000	470	47 000	14 350	480	48 000	14 650
490	49 000	14 950	500	50 000	15 250	510	51 000	15 550	520	52 000	15 850
etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.

* Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.

** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.

Note.— Guidance material relating to vertical separation is contained in the Manual on Implementation of a 300 m (1 000 ft) Vertical Separation Minimum Between FL 290 and FL 410 Inclusive (Doc 9574).

Non-RVSM — METRES

d) In other areas where metres are the primary unit of measurement for altitude:

TRACK*											
From 000 degrees to 179 degrees**						From 180 degrees to 359 degrees**					
IFR Flights			VFR Flights			IFR Flights			VFR Flights		
Level		Standard	Level		Standard	Level		Standard	Level		Standard
Standard Metric	Metres	Feet	Standard Metric	Metres	Feet	Standard Metric	Metres	Feet	Standard Metric	Metres	Feet
0030	300	1 000	—	—	—	0060	600	2 000	—	—	—
0090	900	3 000	0105	1 050	3 500	0120	1 200	3 900	0135	1 350	4 400
0150	1 500	4 900	0165	1 650	5 400	0180	1 800	5 900	0195	1 950	6 400
0210	2 100	6 900	0225	2 250	7 400	0240	2 400	7 900	0255	2 550	8 400
0270	2 700	8 900	0285	2 850	9 400	0300	3 000	9 800	0315	3 150	10 300
0330	3 300	10 800	0345	3 450	11 300	0360	3 600	11 800	0375	3 750	12 300
0390	3 900	12 800	0405	4 050	13 300	0420	4 200	13 800	0435	4 350	14 300
0450	4 500	14 800	0465	4 650	15 300	0480	4 800	15 700	0495	4 950	16 200
0510	5 100	16 700	0525	5 250	17 200	0540	5 400	17 700	0555	5 550	18 200
0570	5 700	18 700	0585	5 850	19 200	0600	6 000	19 700	0615	6 150	20 200
0630	6 300	20 700	0645	6 450	21 200	0660	6 600	21 700	0675	6 750	22 100
0690	6 900	22 600	0705	7 050	23 100	0720	7 200	23 600	0735	7 350	24 100
0750	7 500	24 600	0765	7 650	25 100	0780	7 800	25 600	0795	7 950	26 100
0810	8 100	26 600	0825	8 250	27 100	0840	8 400	27 600	0855	8 550	28 100
0890	8 900	29 100	0920	9 200	30 100	0950	9 500	31 100	0980	9 800	32 100
1010	10 100	33 100	1040	10 400	34 100	1070	10 700	35 100	1100	11 000	36 100
1130	11 300	37 100	1160	11 600	38 100	1190	11 900	39 100	1220	12 200	40 100
1250	12 500	41 100	1280	12 800	42 100	1310	13 100	43 000	1370	13 400	44 000
1370	13 700	44 900	1400	14 000	46 100	1430	14 300	46 900	1460	14 600	47 900
1490	14 900	48 900	1520	15 200	49 900	1550	15 500	50 900	1580	15 800	51 900
etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.

* Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.

** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.

Note.— Guidance material relating to vertical separation is contained in the Manual on Implementation of a 300 m (1 000 ft) Vertical Separation Minimum Between FL 290 and FL 410 Inclusive (Doc 9574).

SECOND SCHEDULE
REMOTELY PILOTED AIRCRAFT SYSTEMS

(Regulation 15)

1. General operating rules

1.1 A remotely piloted aircraft system (RPAS) engaged in international air navigation shall not be operated without appropriate authorization from the State from which the take-off of the remotely piloted aircraft (RPA) is made.

1.2 An RPA shall not be operated across the territory of another State without special authorization issued by each State in which the flight is to operate. This authorization may be in the form of agreements between the States involved.

1.3 An RPA shall not be operated over the high seas without prior coordination with the appropriate ATS authority.

1.4 The authorization and coordination referred to in 1.2 and 1.3 shall be obtained prior to take-off if there is reasonable expectation, when planning the operation, that the aircraft may enter the airspace concerned.

1.5 An RPAS shall be operated in accordance with conditions specified by the State of Registry, the State of the Operator, if different, and the State(s) in which the flight is to operate.

1.6 Flight plans shall be submitted in accordance with Regulation 32 of these regulations or as otherwise mandated by the State(s) in which the flight is to operate.

1.7 RPAS shall meet the performance and equipment carriage requirements for the specific airspace in which the flight is to operate.

2. Certificates and licensing

Note 1.— ICAO Assembly Resolution A37-15 Appendix G resolves that pending the coming into force of international Standards respecting particular categories, classes or types of aircraft, certificates issued or rendered valid, under national regulations, by the Contracting State in which the aircraft is registered shall be recognized by other Contracting States for the purposes of flight over their territories, including landings and take-offs.

Note 2.— Certification and licensing Standards are not yet developed. Thus, in the meantime, any certification and licensing need not be automatically deemed to comply with the SARPs of the related Annexes, including Annexes 1, 6 and 8, until such time as the related RPAS SARPs are developed.

Note 3.— Notwithstanding Assembly Resolution A37-15, Article 8 of the Chicago Convention assures each Contracting State of the absolute sovereignty over the authorization for RPA operations over its territory.

2.1 An RPAS shall be approved, taking into account the interdependencies of the components, in accordance with national regulations and in a manner that is consistent with the provisions of related Regulations. In addition:

- (a) an RPA shall have a certificate of airworthiness issued in accordance with national regulations and in a manner that is consistent with the provisions of the Air Worthiness regulations; and

- (b) the associated RPAS components specified in the type design shall be certificated and maintained in accordance with national regulations and in a manner that is consistent with the provisions of related Annexes.

2.2 An operator shall have an RPAS operator certificate issued in accordance with national regulations and in a manner that is consistent with the provisions of the Operation of Aircraft Regulations.

2.3 Remote pilots shall be licensed, or have their licences rendered valid, in accordance with national regulations and in a manner that is consistent with the provisions Personnel licensing regulations.

3. Request for authorization

3.1 The request for authorization referred to in 1.2 above shall be made to the appropriate authorities of the State(s) in which the RPA will operate not less than seven days before the date of the intended flight unless otherwise specified by the State.

3.2 Unless otherwise specified by the State(s), the request for authorization shall include the following:

- (a) name and contact information of the operator;
- (b) RPA characteristics (type of aircraft, maximum certificated take-off mass, number of engines, wing span);
- (c) copy of certificate of registration;
- (d) aircraft identification to be used in radiotelephony, if applicable;
- (e) copy of the certificate of airworthiness;
- (f) copy of the RPAS operator certificate;
- (g) copy of the remote pilot(s) licence;
- (h) copy of the aircraft radio station licence, if applicable;
- (i) description of the intended operation (to include type of operation or purpose), flight rules, visual line-of-sight (VLOS) operation if applicable, date of intended flight(s), point of departure, destination, cruising speed(s), cruising level(s), route to be followed, duration/frequency of flight;
- (j) take-off and landing requirements;
- (k) RPA performance characteristics, including:
 1. operating speeds;
 2. typical and maximum climb rates;
 3. typical and maximum descent rates;
 4. typical and maximum turn rates;
 5. other relevant performance data (e.g. limitations regarding wind, icing, precipitation); and
 6. maximum aircraft endurance;
- (l) communications, navigation and surveillance capabilities:
 1. aeronautical safety communications frequencies and equipment, including:

-
- (i) ATC communications, including any alternate means of communication;
 - (ii) command and control links (C2) including performance parameters and designated operational coverage area;
 - (iii) communications between remote pilot and RPA observer, if applicable;
2. navigation equipment; and
3. surveillance equipment (e.g. SSR transponder, ADS-B out);
- (m) detect and avoid capabilities;
 - (n) emergency procedures, including:
 - 1. communications failure with ATC;
 - 2. C2 failure; and
 - 3. remote pilot/RPA observer communications failure, if applicable;
 - (a) number and location of remote pilot stations as well as handover procedures between remote pilot stations, if applicable;
 - (b) document attesting noise certification that is consistent with the provisions of ICAO Annex 16, Volume 1, if applicable;
 - (c) confirmation of compliance with national security standards in a manner that is consistent with the provisions of Aviation Security Regulations, to include security measures relevant to the RPAS operation, as appropriate;
 - (d) payload information/description; and
 - (e) proof of adequate insurance/liability coverage.
- 3.3 When certificates or other documents identified in 3.2 above are issued in a language other than English, an English translation shall be included.
- 3.4 After authorization has been obtained from the appropriate State(s), air traffic services notification and coordination shall be completed in accordance with the requirements of the State(s).
- Note.— A request for authorization does not satisfy the requirement to file a flight plan with the air traffic services units.*
- 3.5 Changes to the authorization shall be submitted for consideration to the appropriate State(s). If the changes are approved, all affected authorities shall be notified by the operator.
- 3.6 In the event of a flight cancellation, the operator or remote pilot shall notify all appropriate authorities as soon as possible.

THIRD SCHEDULE
UNMANNED FREE BALLOONS
(Regulation 16)

1. Classification of unmanned free balloons

Unmanned free balloons shall be classified as:

- (a) *light*: an unmanned free balloon which carries a payload of one or more packages with a combined mass of less than 4 kg, unless qualifying as a heavy balloon in accordance with c) 2), 3) or 4) below; or
- (b) *medium*: an unmanned free balloon which carries a payload of two or more packages with a combined mass of 4 kg or more, but less than 6 kg, unless qualifying as a heavy balloon in accordance with c) 2), 3) or 4) below; or
- (c) *heavy*: an unmanned free balloon which carries a payload which:
 - 1) has a combined mass of 6 kg or more; or
 - 2) includes a package of 3 kg or more; or
 - 3) includes a package of 2 kg or more with an area density of more than 13 g per square centimetre; or
 - 4) uses a rope or other device for suspension of the payload that requires an impact force of 230 N or more to separate the suspended payload from the balloon.

Note 1.— The area density referred to in c) 3) is determined by dividing the total mass in grams of the payload package by the area in square centimetres of its smallest surface.

Note 2.— See Figure A5-1.

2. General operating rules

2.1 An unmanned free balloon shall not be operated without appropriate authorization from the State from which the launch is made.

2.2 An unmanned free balloon, other than a light balloon used exclusively for meteorological purposes and operated in the manner prescribed by the appropriate authority, shall not be operated across the territory of another State without appropriate authorization from the other State concerned.

2.3 The authorization referred to in 2.2 shall be obtained prior to the launching of the balloon if there is reasonable expectation, when planning the operation that the balloon may drift into airspace over the territory of another State. Such authorization may be obtained for a series of balloon flights or for a particular type of recurring flight, e.g. atmospheric research balloon flights.

2.4 An unmanned free balloon shall be operated in accordance with conditions specified by the State of Registry and the State(s) expected to be overflown.

CHARACTERISTICS		PAYLOAD MASS (kilogrammes)					
		1	2	3	4	5	6 or more
ROPE or OTHER SUSPENSION 230 Newtons or MORE		HEAVY					
INDIVIDUAL PAYLOAD PACKAGE <div style="border: 1px dashed black; padding: 5px; width: fit-content;"> AREA DENSITY CALCULATION $\frac{\text{MASS (g)}}{\text{Area of smallest surface (cm}^2\text{)}}$ </div>	AREA DENSITY more than 13 g/cm ²						
	AREA DENSITY less than 13 g/cm ²						
COMBINED MASS (if Suspension OR Area density OR Mass of individual package are not factors)		LIGHT		MEDIUM			

Figure A5-1. Classification of unmanned free balloons

2.5 An unmanned free balloon shall not be operated in such a manner that impact of the balloon, or any part thereof, including its payload, with the surface of the earth, creates a hazard to persons or property not associated with the operation.

2.6 A heavy unmanned free balloon shall not be operated over the high seas without prior coordination with the appropriate ATS authority.

3. Operating limitations and equipment requirements

3.1 A heavy unmanned free balloon shall not be operated without authorization from the appropriate ATS authority at or through any level below 18 000 m (60 000 ft) pressure-altitude at which:

- (a) there are clouds or obscuring phenomena of more than four oktas coverage; or
- (b) the horizontal visibility is less than 8 km.

3.2 A heavy or medium unmanned free balloon shall not be released in a manner that will cause it to fly lower than 300 m (1 000 ft) over the congested areas of cities, towns or settlements or an open-air assembly of persons not associated with the operation.

3.3 A heavy unmanned free balloon shall not be operated unless:

- (a) it is equipped with at least two payload flight-termination devices or systems, whether automatic or operated by telecommand, that operate independently of each other;
- (b) for polyethylene zero-pressure balloons, at least two methods, systems, devices, or combinations thereof, that function independently of each other are employed for terminating the flight of the balloon envelope;

Note.—Superpressure balloons do not require these devices as they quickly rise after payload discharge and burst without the need for a device or system designed to puncture the balloon envelope. In this context a superpressure balloon is a simple non-extensible envelope capable of withstanding a differential of pressure, higher inside than out. It is inflated so that the smaller night-time pressure of the gas still fully extends the envelope. Such a superpressure balloon will keep essentially constant level until too much gas diffuses out of it.

- (c) the balloon envelope is equipped with either a radar reflective device(s) or radar reflective material that will present an echo to surface radar operating in the 200 MHz to 2 700 MHz frequency range, and/or the balloon is equipped with such other devices as will permit continuous tracking by the operator beyond the range of ground-based radar.

3.4 A heavy unmanned free balloon shall not be operated under the following conditions:

- (a) in an area where ground-based SSR equipment is in use, unless it is equipped with a secondary surveillance radar transponder, with pressure-altitude reporting capability, which is continuously operating on an assigned code, or which can be turned on when necessary by the tracking station; or
- (b) in an area where ground-based ADS-B equipment is in use, unless it is equipped with an ADS-B transmitter, with pressure-altitude reporting

capability, which is continuously operating or which can be turned on when necessary by the tracking station.

3.5 An unmanned free balloon that is equipped with a trailing antenna that requires a force of more than 230 N to break it at any point shall not be operated unless the antenna has coloured pennants or streamers that are attached at not more than 15 m intervals.

3.6 A heavy unmanned free balloon shall not be operated below 18 000 m (60 000 ft) pressure-altitude between sunset and sunrise or such other period between sunset and sunrise (corrected to the altitude of operation) as may be prescribed by the appropriate ATS authority, unless the balloon and its attachments and payload, whether or not they become separated during the operation, are lighted.

3.7 A heavy unmanned free balloon that is equipped with a suspension device (other than a highly conspicuously coloured open parachute) more than 15 m long shall not be operated between sunrise and sunset below 18 000 m (60 000 ft) pressure-altitude unless the suspension device is coloured in alternate bands of high conspicuity colours or has coloured pennants attached.

4. Termination

The operator of a heavy unmanned free balloon shall activate the appropriate termination devices required by 3.3 a) and b) above:

- (a) when it becomes known that weather conditions are less than those prescribed for the operation;
- (b) if a malfunction or any other reason makes further operation hazardous to air traffic or to persons or property on the surface; or
- (c) prior to unauthorized entry into the airspace over another State's territory.

5. Flight notification

5.1 Pre-flight notification

5.1.1 Early notification of the intended flight of an unmanned free balloon in the medium or heavy category shall be made to the appropriate air traffic services unit not less than seven days before the date of the intended flight.

5.1.2 Notification of the intended flight shall include such of the following information as may be required by the appropriate air traffic services unit:

- (a) balloon flight identification or project code name;
- (b) balloon classification and description;
- (c) SSR code, aircraft address or NDB frequency, as applicable;
- (d) operator's name and telephone number;
- (e) launch site;
- (f) estimated time of launch (or time of commencement and completion of multiple launches);
- (g) number of balloons to be launched and the scheduled interval between launches (if multiple launches);
- (h) expected direction of ascent;

- (i) cruising level(s) (pressure-altitude);
- (j) the estimated elapsed time to pass 18 000 m (60 000 ft) pressure-altitude or to reach cruising level if at or below 18 000 m (60 000 ft), together with the estimated location;

Note.— If the operation consists of continuous launchings, the time to be included is the estimated time at which the first and the last in the series will reach the appropriate level (e.g. 122136Z–130330Z).

- (k) the estimated date and time of termination of the flight and the planned location of the impact/recovery area. In the case of balloons carrying out flights of long duration, as a result of which the date and time of termination of the flight and the location of impact cannot be forecast with accuracy, the term “long duration” shall be used.

Note.— If there is to be more than one location of impact/recovery, each location is to be listed together with the appropriate estimated time of impact. If there is to be a series of continuous impacts, the time to be included is the estimated time of the first and the last in the series (e.g. 070330Z–072300Z).

5.1.3 Any changes in the pre-launch information notified in accordance with 5.1.2 above shall be forwarded to the air traffic services unit concerned not less than 6 hours before the estimated time of launch, or in the case of solar or cosmic disturbance investigations involving a critical time element, not less than 30 minutes before the estimated time of the commencement of the operation.

5.2 Notification of launch

Immediately after a medium or heavy unmanned free balloon is launched the operator shall notify the appropriate air traffic services unit of the following:

- (a) balloon flight identification;
- (b) launch site;
- (c) actual time of launch;
- (d) estimated time at which 18 000 m (60 000 ft) pressure-altitude will be passed, or the estimated time at which the cruising level will be reached if at or below 18 000 m (60 000 ft), and the estimated location; and
- (e) any changes to the information previously notified in accordance with 5.1.2 g) and h).

5.3 Notification of cancellation

The operator shall notify the appropriate air traffic services unit immediately when it is known that the intended flight of a medium or heavy unmanned free balloon, previously notified in accordance with 5.1, has been cancelled.

6. Position recording and reports

6.1 The operator of a heavy unmanned free balloon operating at or below 18 000 m (60 000 ft) pressure-altitude shall monitor the flight path of the balloon and forward reports of the balloon’s position as requested by air traffic services. Unless air traffic services require reports of the balloon’s position at more frequent intervals, the operator shall record the position every 2 hours.

6.2 The operator of a heavy unmanned free balloon operating above 18 000 m (60 000 ft) pressure-altitude shall monitor the flight progress of the balloon and forward reports of the balloon's position as requested by air traffic services. Unless air traffic services require reports of the balloon's position at more frequent intervals, the operator shall record the position every 24 hours.

6.3 If a position cannot be recorded in accordance with 6.1 and 6.2, the operator shall immediately notify the appropriate air traffic services unit. This notification shall include the last recorded position. The appropriate air traffic services unit shall be notified immediately when tracking of the balloon is re-established.

6.4 One hour before the beginning of planned descent of a heavy unmanned free balloon, the operator shall forward to the appropriate ATS unit the following information regarding the balloon:

- (a) the current geographical position;
- (b) the current level (pressure-altitude);
- (c) the forecast time of penetration of 18 000 m (60 000 ft) pressure-altitude, if applicable;
- (d) the forecast time and location of ground impact.

6.5 The operator of a heavy or medium unmanned free balloon shall notify the appropriate air traffic services unit when the operation is ended.

FOURTH SCHEDULE

SIGNALS

(Regulation 41)

1. DISTRESS AND URGENCY SIGNALS

Note 1.— None of the provisions in this section shall prevent the use, by an aircraft in distress, of any means at its disposal to attract attention, make known its position and obtain help.

Note 2.— For full details of telecommunication transmission procedures for the distress and urgency signals, see Annex 10, Volume II, Chapter 5.

Note 3.— For details of the search and rescue visual signals, see Annex 12.

1.1 Distress signals

The following signals, used either together or separately, mean that grave and imminent danger threatens, and immediate assistance is requested:

- (a) a signal made by radiotelegraphy or by any other signalling method consisting of the group SOS (. . . — — . . . in the Morse Code);
- (b) a radiotelephony distress signal consisting of the spoken word MAYDAY;
- (c) a distress message sent via data link which transmits the intent of the word MAYDAY;
- (d) rockets or shells throwing red lights, fired one at a time at short intervals;
- (e) a parachute flare showing a red light.

Note.— Article 41 of the ITU Radio Regulations (Nos. 3268, 3270 and 3271 refer) provides information on the alarm signals for actuating radiotelegraph and radiotelephone auto-alarm systems:

3268 The radiotelegraph alarm signal consists of a series of twelve dashes sent in one minute, the duration of each dash being four seconds and the duration of the interval between consecutive dashes one second. It may be transmitted by hand but its transmission by means of an automatic instrument is recommended.

3270 The radiotelephone alarm signal consists of two substantially sinusoidal audio frequency tones transmitted alternately. One tone shall have a frequency of 2 200 Hz and the other a frequency of 1 300 Hz, the duration of each tone being 250 milliseconds.

3271 The radiotelephone alarm signal, when generated by automatic means, shall be sent continuously for a period of at least thirty seconds but not exceeding one minute; when generated by other means, the signal shall be sent as continuously as practicable over a period of approximately one minute.

1.2 Urgency signals

1.2.1 The following signals used either together or separately, mean that an aircraft wishes to give notice of difficulties which compel it to land without requiring immediate assistance:

- (a) the repeated switching on and off of the landing lights; or
- (b) the repeated switching on and off of the navigation lights in such manner as to be distinct from flashing navigation lights.

1.2.2 The following signals, used either together or separately, mean that an aircraft has a very urgent message to transmit concerning the safety of a ship, aircraft or other vehicle, or of some person on board or within sight:

- (a) a signal made by radiotelegraphy or by any other signalling method consisting of the group XXX;
- (b) a radiotelephony urgency signal consisting of the spoken words PAN, PAN;
- (c) an urgency message sent via data link which transmits the intent of the words PAN, PAN.

2. SIGNALS FOR USE IN THE EVENT OF INTERCEPTION

2.1 Signals initiated by intercepting aircraft and responses by intercepted aircraft

<i>Series</i>	<i>INTERCEPTING Aircraft Signals</i>	<i>Meaning</i>	<i>INTERCEPTED Aircraft Responds</i>	<i>Meaning</i>
1	<p>DAY or NIGHT — Rocking aircraft and flashing navigational lights at irregular intervals (and landing lights in the case of a helicopter) from a position slightly above and ahead of, and normally to the left of, the intercepted aircraft (or to the right if the intercepted aircraft is a helicopter) and, after acknowledgement, a slow level turn, normally to the left (or to the right in the case of a helicopter) on the desired heading.</p> <p><i>Note 1.— Meteorological conditions or terrain may require the intercepting aircraft to reverse the positions and direction of turn given above in Series 1.</i></p> <p><i>Note 2.— If the intercepted aircraft is not able to keep pace with the intercepting aircraft, the latter is expected to fly a series of race-track patterns and to rock the aircraft each time it passes the intercepted aircraft.</i></p>	You have been intercepted. Follow me.	<p>DAY or NIGHT — Rocking aircraft, flashing navigational lights at irregular intervals and following.</p> <p><i>Note.— Additional action required to be taken by intercepted aircraft is prescribed in Chapter 3, 3.8.</i></p>	Understood, will comply.
2	DAY or NIGHT — An abrupt breakaway manoeuvre from the intercepted aircraft consisting of a climbing turn of 90 degrees or more without crossing the line of flight of the intercepted aircraft.	You may proceed.	DAY or NIGHT — Rocking the aircraft.	Understood, will comply.
3	DAY or NIGHT — Lowering landing gear (if fitted), showing steady landing lights and overflying runway in use or, if the intercepted aircraft is a helicopter, overflying the helicopter landing area. In the case of helicopters, the intercepting helicopter makes a landing approach, coming to hover near to the landing area.	Land at this aerodrome.	DAY or NIGHT — Lowering landing gear, (if fitted), showing steady landing lights and following the intercepting aircraft and, if, after overflying the runway in use or helicopter landing area, landing is considered safe, proceeding to land.	Understood, will comply.

2.2 Signals initiated by intercepted aircraft and responses by intercepting aircraft

Series	INTERCEPTED Aircraft Signals	Meaning	INTERCEPTING Aircraft Responds	Meaning
4	DAY or NIGHT — Raising landing gear (if fitted) and flashing landing lights while passing over runway in use or helicopter landing area at a height exceeding 300 m (1 000 ft) but not exceeding 600 m (2 000 ft) (in the case of a helicopter, at a height exceeding 50 m (170 ft) but not exceeding 100 m (330 ft)) above the aerodrome level, and continuing to circle runway in use or helicopter landing area. If unable to flash landing lights, flash any other lights available.	Aerodrome you have designated is inadequate.	DAY or NIGHT — If it is desired that the intercepted aircraft follow the intercepting aircraft to an alternate aerodrome, the intercepting aircraft raises its landing gear (if fitted) and uses the Series 1 signals prescribed for intercepting aircraft. If it is decided to release the intercepted aircraft, the intercepting aircraft uses the Series 2 signals prescribed for intercepting aircraft.	Understood, follow me. Understood, you may proceed.
5	DAY or NIGHT — Regular switching on and off of all available lights but in such a manner as to be distinct from flashing lights.	Cannot comply.	DAY or NIGHT — Use Series 2 signals prescribed for intercepting aircraft.	Understood.
6	DAY or NIGHT — Irregular flashing of all available lights.	In distress.	DAY or NIGHT — Use Series 2 signals prescribed for intercepting aircraft.	Understood.

3. VISUAL SIGNALS USED TO WARN AN UNAUTHORIZED AIRCRAFT FLYING IN, OR ABOUT TO ENTER A RESTRICTED, PROHIBITED OR DANGER AREA

By day and 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 will indicate to an unauthorized aircraft that it is flying in or about to enter a restricted, prohibited or danger area, and that the aircraft is to take such remedial action as may be necessary.

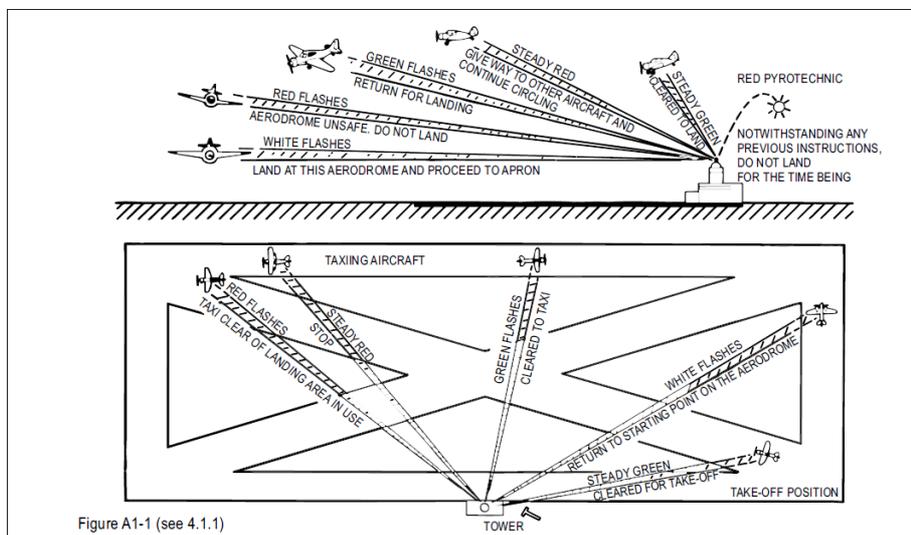
4. SIGNALS FOR AERODROME TRAFFIC

4.1 Light and pyrotechnic signals

4.1.1 Instructions

Light	From Aerodrome Control to:	
	Aircraft in flight	Aircraft on the ground
Directed towards aircraft concerned (see Figure A1-1).	Steady green	Cleared to land
	Steady red	Give way to other aircraft and continue circling
	Series of green flashes	Return for landing*
	Series of red flashes	Aerodrome unsafe, do not land
	Series of white flashes	Land at this aerodrome and proceed to apron*
Red pyrotechnic	Notwithstanding any previous instructions, do not land for the time being	

* Clearances to land and to taxi will be given in due course.



4.1.2 Acknowledgement by an aircraft

(a) *When in flight:*

(1) during the hours of daylight:

- by rocking the aircraft's wings;

Note.— This signal should not be expected on the base and final legs of the approach.

(2) during the hours of darkness:

- by flashing on and off twice the aircraft's landing lights or, if not so equipped, by switching on and off twice its navigation lights.

(b) *When on the ground:*

1) during the hours of daylight:

- by moving the aircraft's ailerons or rudder;

2) during the hours of darkness:

- by flashing on and off twice the aircraft's landing lights or, if not so equipped, by switching on and off twice its navigation lights.

4.2 Visual ground signals

Note.— For details of visual ground aids, see Annex 14.

4.2.1 Prohibition of landing

A horizontal red square panel with yellow diagonals (Figure A1-2) when displayed in a signal area indicates that landings are prohibited and that the prohibition is liable to be prolonged.



Figure A1-2

4.2.2 Need for special precautions while approaching or landing

A horizontal red square panel with one yellow diagonal (Figure A1-3) when displayed in a signal area indicates that owing to the bad state of the manoeuvring area, or for any other reason, special precautions must be observed in approaching to land or in landing.



Figure A1-3

4.2.3 Use of runways and taxiways

4.2.3.1 A horizontal white dumb-bell (Figure A1-4) when displayed in a signal area indicates that aircraft are required to land, take off and taxi on runways and taxiways only.

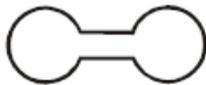


Figure A1-4

4.2.3.2 The same horizontal white dumb-bell as in 4.2.3.1 but with a black bar placed perpendicular to the shaft across each circular portion of the dumb-bell (Figure A1-5) when displayed in a signal area indicates that aircraft are required to land and take off on runways only, but other manoeuvres need not be confined to runways and taxiways.



Figure A1-5

4.2.4 Closed runways or taxiways

Crosses of a single contrasting colour, yellow or white (Figure A1-6), displayed horizontally on runways and taxiways or parts thereof indicate an area unfit for movement of aircraft.



Figure A1-6

4.2.5 Directions for landing or take-off

4.2.5.1 A horizontal white or orange landing T (Figure A1-7) indicates the direction to be used by aircraft for landing and take-off, which shall be in a direction parallel to the shaft of the T towards the cross arm.

Note.— When used at night, the landing T is either illuminated or outlined in white lights.

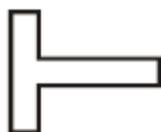


Figure A1-7

4.2.5.2 A set of two digits (Figure A1-8) displayed vertically at or near the aerodrome control tower indicates to aircraft on the manoeuvring area the direction for take-off, expressed in units of 10 degrees to the nearest 10 degrees of the magnetic compass.



Figure A1-8

4.2.6 Right-hand traffic

When displayed in a signal area, or horizontally at the end of the runway or strip in use, a right-hand arrow of conspicuous colour (Figure A1-9) indicates that turns are to be made to the right before landing and after take-off.

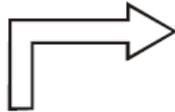


Figure A1-9

4.2.7 Air traffic services reporting office

The letter C displayed vertically in black against a yellow background (Figure A1-10) indicates the location of the air traffic services reporting office.



Figure A1-10

4.2.8 Glider flights in operation

A double white cross displayed horizontally (Figure A1-11) in the signal area indicates gliders and that glider flights are being performed.

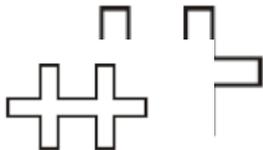


Figure A1-11 -11

5. MARSHALLING SIGNALS

5.1 From a signalman to an aircraft

Note 1.— These signals are designed for use by the signalman, with hands illuminated as necessary to facilitate observation by the pilot, and facing the aircraft in a position:

- (a) for fixed-wing aircraft, on left side of aircraft, where best seen by the pilot; and*
- (b) for helicopters, where the signalman can best be seen by the pilot.*

Note 2.— The meaning of the relevant signals remains the same if bats, illuminated wands or torchlights are held.

Note 3.— The aircraft engines are numbered, for the signalman facing the aircraft, from right to left (i.e. No. 1 engine being the port outer engine).

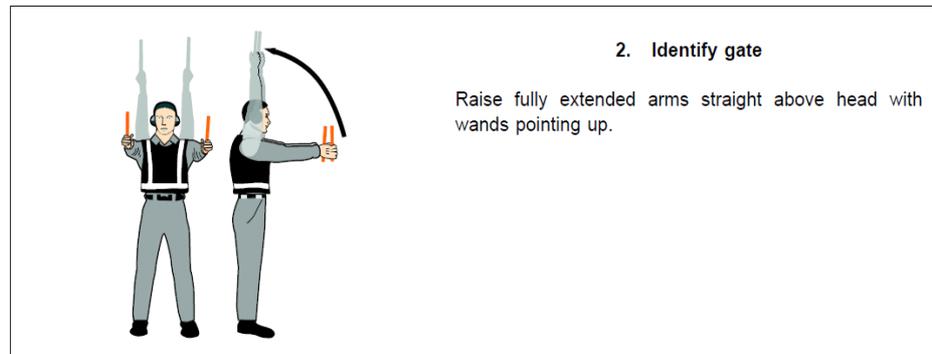
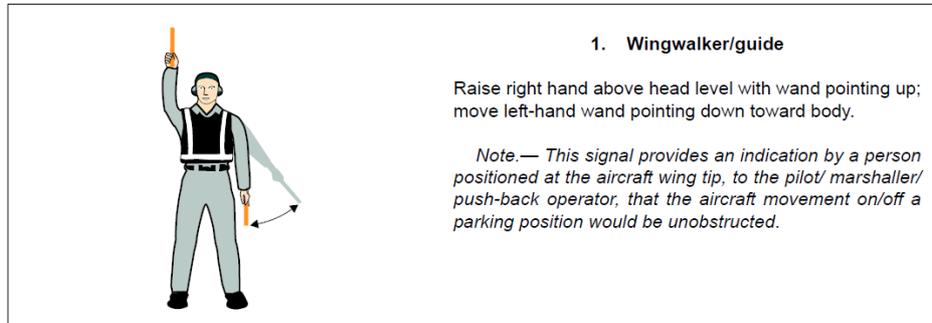
Note 4.— Signals marked with an asterisk () are designed for use to hovering helicopters.*

Note 5.— References to wands may also be read to refer to daylight-fluorescent table-tennis bats or gloves (daytime only).

Note 6. — References to the signalman may also be read to refer to marshaller.

5.1.1 Prior to using the following signals, the signalman shall ascertain that the area within which an aircraft is to be guided is clear of objects which the aircraft, in complying with 3.4.1, might otherwise strike.

Note.— The design of many aircraft is such that the path of the wing tips, engines and other extremities cannot always be monitored visually from the flight deck while the aircraft is being manoeuvred on the ground





**3. Proceed to next signalman
or as directed by
tower/ground control**

Point both arms upward; move and extend arms outward to sides of body and point with wands to direction of next signalman or taxi area.



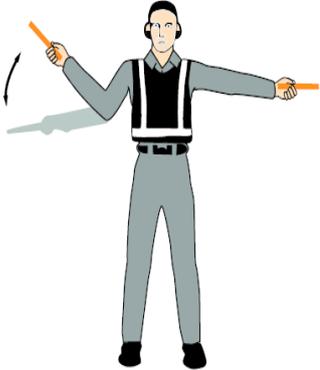
4. Straight ahead

Bend extended arms at elbows and move wands up and down from chest height to head.



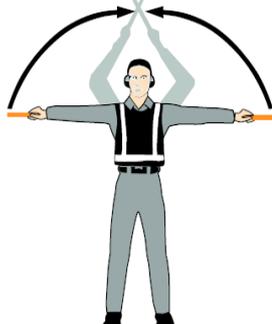
**5 a). Turn left
(from pilot's point of view)**

With right arm and wand extended at a 90-degree angle to body, make "come ahead" signal with left hand. The rate of signal motion indicates to pilot the rate of aircraft turn.



5 b). Turn right
(from pilot's point of view)

With left arm and wand extended at a 90-degree angle to body, make "come ahead" signal with right hand. The rate of signal motion indicates to pilot the rate of aircraft turn.



6 a). Normal stop

Fully extend arms and wands at a 90-degree angle to sides and slowly move to above head until wands cross.



6 b). Emergency stop

Abruptly extend arms and wands to top of head, crossing wands.

**7 a). Set brakes**

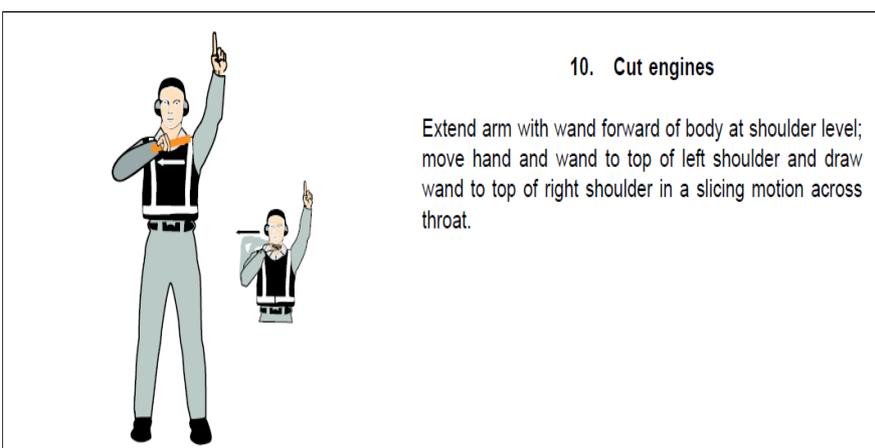
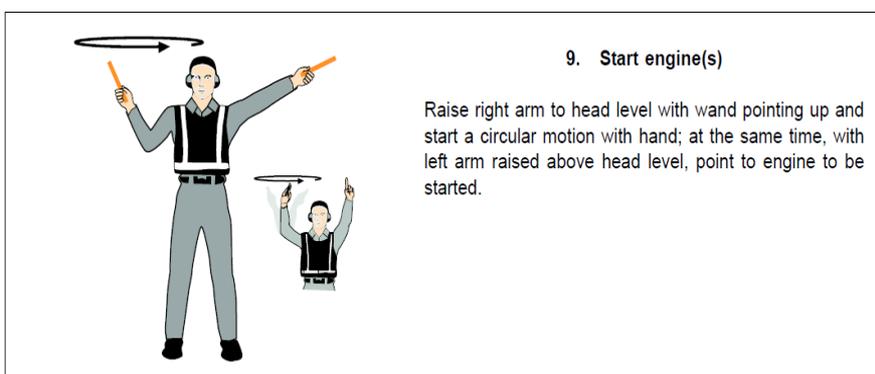
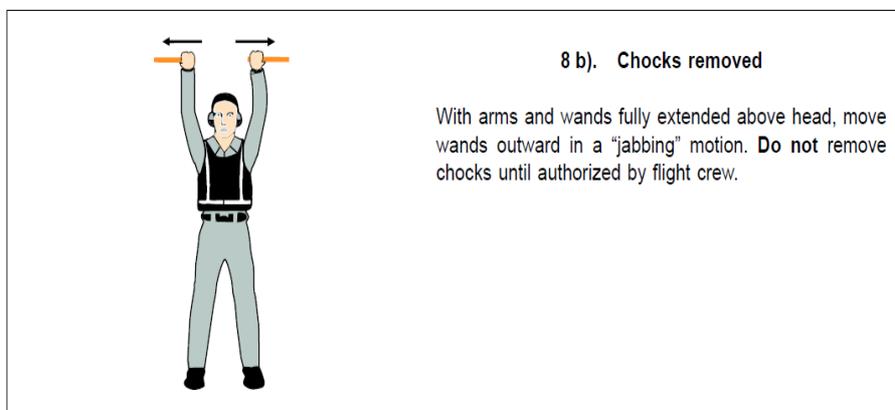
Raise hand just above shoulder height with open palm. Ensuring eye contact with flight crew, close hand into a fist. **Do not** move until receipt of “thumbs up” acknowledgement from flight crew.

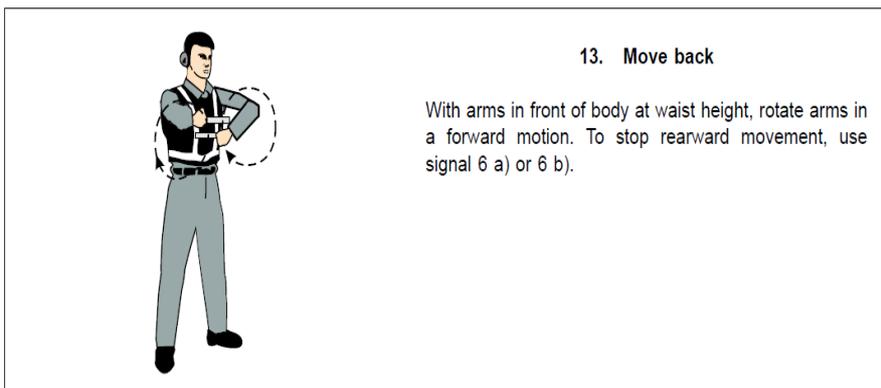
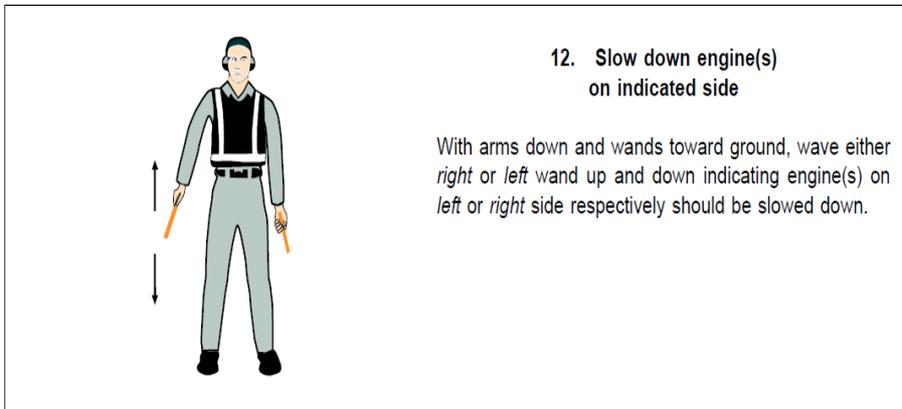
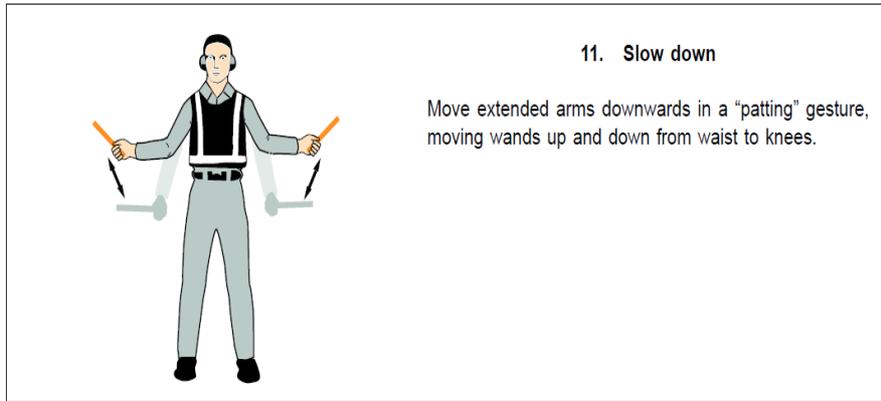
**7 b). Release brakes**

Raise hand just above shoulder height with hand closed in a fist. Ensuring eye contact with flight crew, open palm. **Do not** move until receipt of “thumbs up” acknowledgement from flight crew.

**8 a). Chocks inserted**

With arms and wands fully extended above head, move wands inward in a “jabbing” motion until wands touch. **Ensure** acknowledgement is received from flight crew.







**14 a). Turns while backing
(for tail to starboard)**

Point left arm with wand down and bring right arm from overhead vertical position to horizontal forward position, repeating right-arm movement.



**14 b). Turns while backing
(for tail to port)**

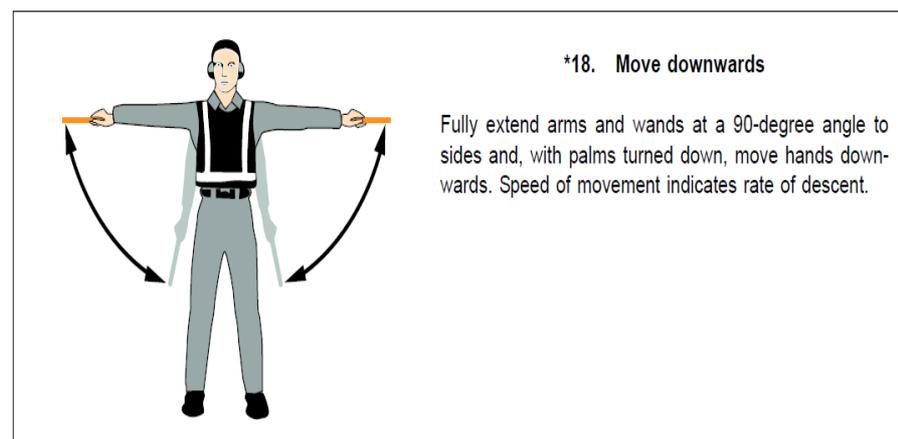
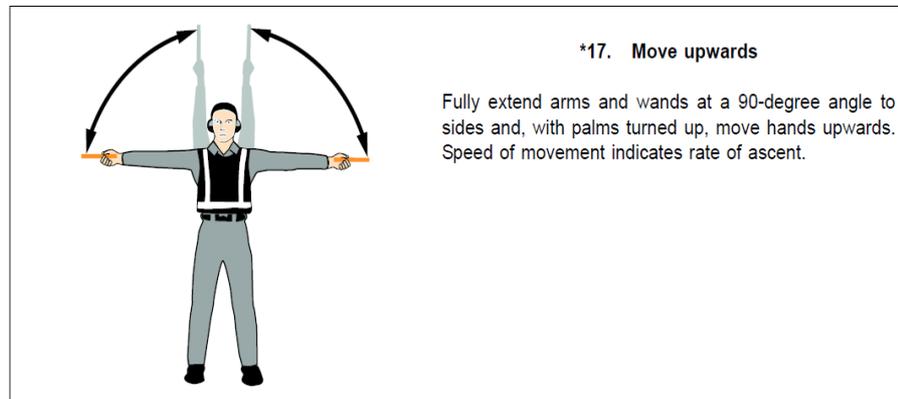
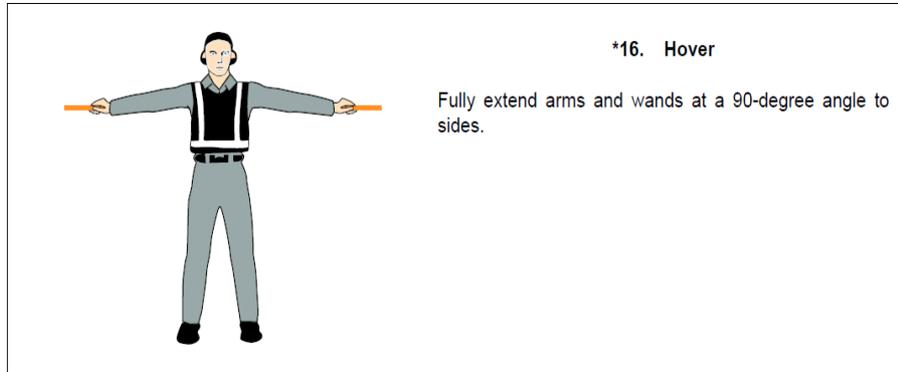
Point right arm with wand down and bring left arm from overhead vertical position to horizontal forward position, repeating left-arm movement.

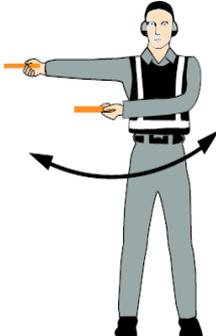


15. Affirmative/all clear

Raise right arm to head level with wand pointing up or display hand with "thumbs up"; left arm remains at side by knee.

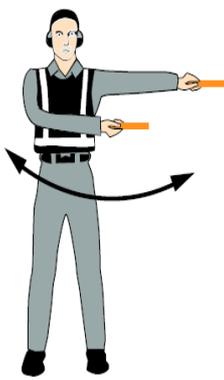
Note.— This signal is also used as a technical/ servicing communication signal.





***19 a). Move horizontally left
(from pilot's point of view)**

Extend arm horizontally at a 90-degree angle to right side of body. Move other arm in same direction in a sweeping motion.



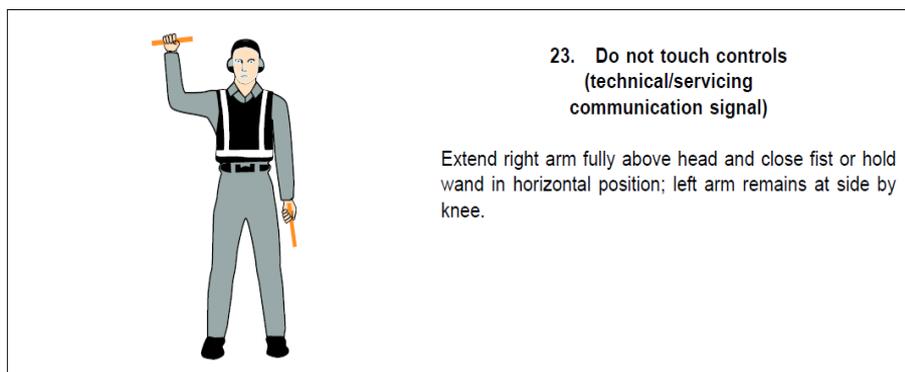
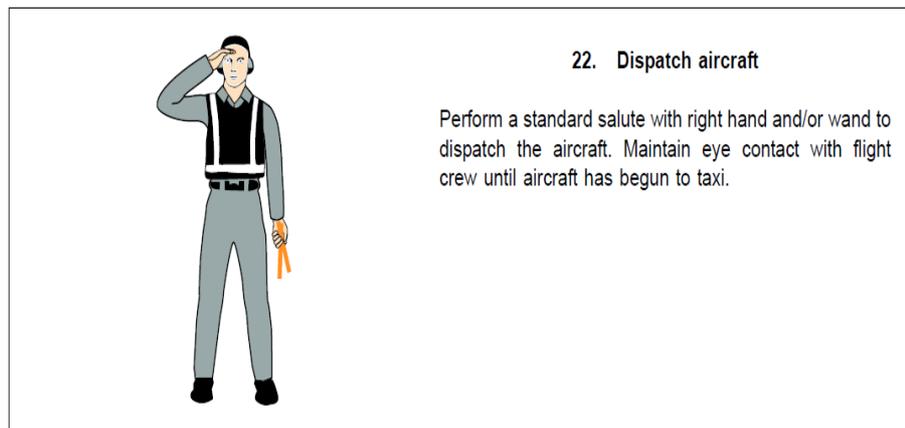
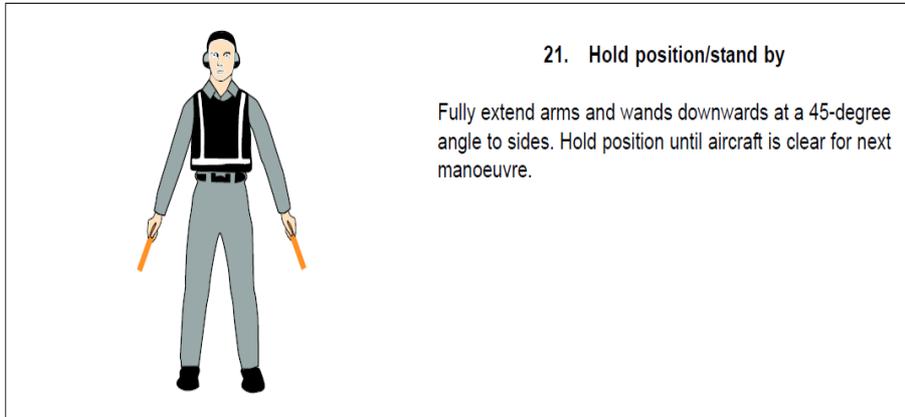
***19 b). Move horizontally right
(from pilot's point of view)**

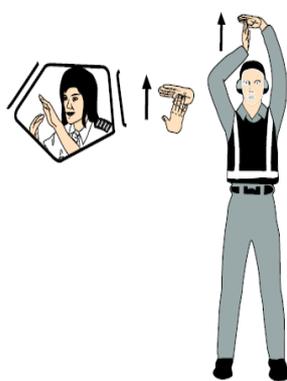
Extend arm horizontally at a 90-degree angle to left side of body. Move other arm in same direction in a sweeping motion.



***20. Land**

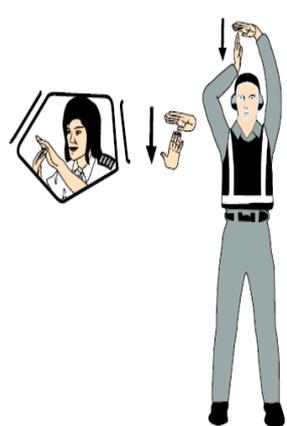
Cross arms with wands downwards and in front of body.





24. Connect ground power
(technical/servicing communication signal)

Hold arms fully extended above head; open left hand horizontally and move finger tips of right hand into and touch open palm of left hand (forming a "T"). At night, illuminated wands can also be used to form the "T" above head.



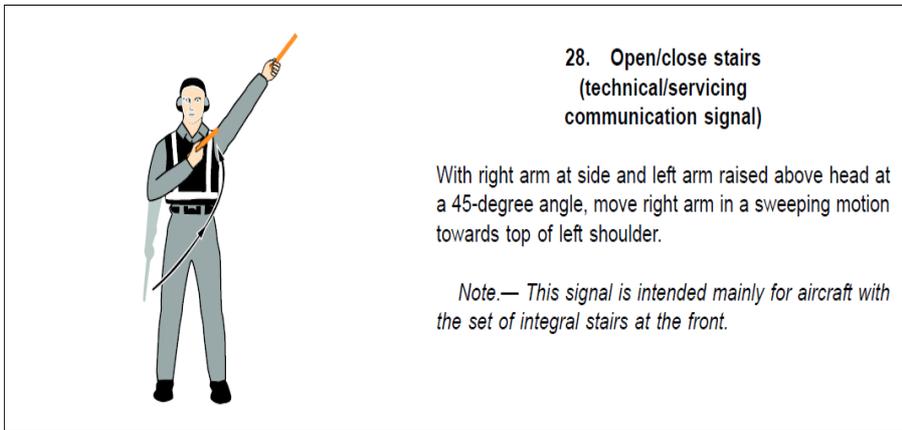
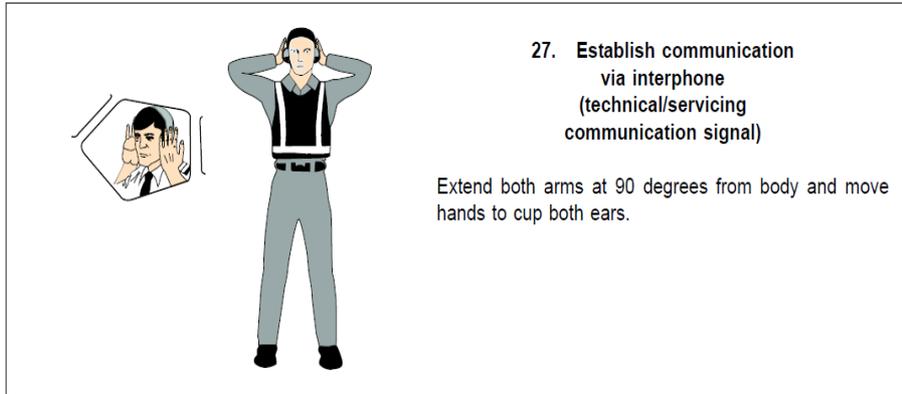
25. Disconnect power
(technical/servicing communication signal)

Hold arms fully extended above head with finger tips of right hand touching open horizontal palm of left hand (forming a "T"); then move right hand away from the left. **Do not** disconnect power until authorized by flight crew. At night, illuminated wands can also be used to form the "T" above head.



26. Negative
(technical/servicing communication signal)

Hold right arm straight out at 90 degrees from shoulder and point wand down to ground or display hand with "thumbs down"; left hand remains at side by knee.



5.2 From the pilot of an aircraft to a signalman

Note 1.— These signals are designed for use by a pilot in the cockpit with hands plainly visible to the signalman, and illuminated as necessary to facilitate observation by the signalman.

Note 2.— The aircraft engines are numbered in relation to the signalman facing the aircraft, from right to left (i.e. No. 1 engine being the port outer engine).

5.2.1 Brakes

Note.— The moment the fist is clenched or the fingers are extended indicates, respectively, the moment of brake engagement or release.

- (a) *Brakes engaged:* raise arm and hand, with fingers extended, horizontally in front of face, then clench fist.
- (b) *Brakes released:* raise arm, with fist clenched, horizontally in front of face, then extend fingers.

5.2.2 Chocks

- (a) *Insert chocks:* arms extended, palms outwards, move hands inwards to cross in front of face.
- (b) *Remove chocks:* hands crossed in front of face, palms outwards, move arms outwards.

5.2.3 Ready to start engine(s)

Raise the appropriate number of fingers on one hand indicating the number of the engine to be started.

5.3 Technical/servicing communication signals

5.3.1 Manual signals shall only be used when verbal communication is not possible with respect to technical/servicing communication signals.

5.3.2 Signalmen shall ensure that an acknowledgement is received from the flight crew with respect to technical/servicing communication signals.

Note.— The technical/servicing communication signals are included in Appendix 1 to standardize the use of hand signals used to communicate to flight crews during the aircraft movement process that relate to servicing or handling functions.

6. STANDARD EMERGENCY HAND SIGNALS

The following hand signals are established as the minimum required for emergency communication between the aircraft rescue and firefighting (ARFF) incident commander/ARFF firefighters and the cockpit and/or cabin crews of the incident aircraft. ARFF emergency hand signals should be given from the left front side of the aircraft for the flight crew.

Note.— In order to communicate more effectively with the cabin crew, emergency hand signals may be given by ARFF firefighters from other positions.



1. Recommend evacuation

Evacuation recommended based on ARFF and incident commander's assessment of external situation.

Arm extended from body and held horizontal with hand upraised at eye level. Execute beckoning arm motion angled backward. Non-beckoning arm held against body.

Night — same with wands.



2. Recommended stop

Recommend evacuation in progress be halted. Stop aircraft movement or other activity in progress.

Arms in front of head, crossed at wrists.

Night — same with wands.

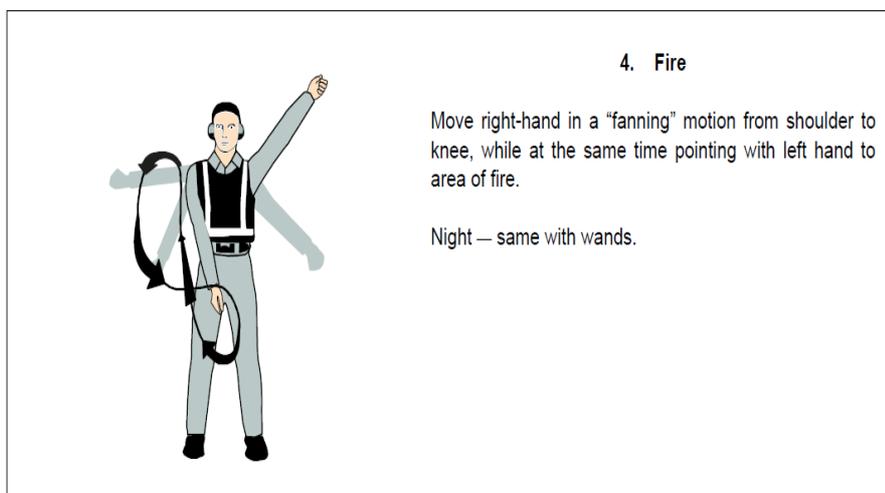


3. Emergency contained

No outside evidence of dangerous conditions or "all-clear."

Arms extended outward and down at a 45-degree angle. Arms moved inward below waistline simultaneously until wrists crossed, then extended outward to starting position (umpire's "safe" signal).

Night — same with wands.



FIFTH SCHEDULE
INTERCEPTION OF CIVIL AIRCRAFT
(Regulation 53)

1. Principles to be observed by States

1.1 To achieve the uniformity in regulations which is necessary for the safety of navigation of civil aircraft due regard shall be had by Contracting States to the following principles when developing regulations and administrative directives:

- (a) interception of civil aircraft will be undertaken only as a last resort;
- (b) if undertaken, an interception will be limited to determining the identity of the aircraft, unless it is necessary to return the aircraft to its planned track, direct it beyond the boundaries of national airspace, guide it away from a prohibited, restricted or danger area or instruct it to effect a landing at a designated aerodrome;
- (c) practice interception of civil aircraft will not be undertaken;
- (d) navigational guidance and related information will be given to an intercepted aircraft by radiotelephony, whenever radio contact can be established; and
- (e) in the case where an intercepted civil aircraft is required to land in the territory overflowed, the aerodrome designated for the landing is to be suitable for the safe landing of the aircraft type concerned.

Note.— In the unanimous adoption by the 25th Session (Extraordinary) of the ICAO Assembly on 10 May 1984 of Article 3 bis to the Convention on International Civil Aviation, Contracting States have recognized that "every State must refrain from resorting to the use of weapons against civil aircraft in flight".

1.2 Contracting States shall publish a standard method that has been established for the manoeuvring of aircraft intercepting a civil aircraft. Such method shall be designed to avoid any hazard for the intercepted aircraft.

Note.— *Special recommendations regarding a method for the manoeuvring are contained in Attachment A, Section 3.*

1.3 Contracting States shall ensure that provision is made for the use of secondary surveillance radar or ADS-B, where available, to identify civil aircraft in areas where they may be subject to interception.

2. Action by intercepted aircraft

2.1 An aircraft which is intercepted by another aircraft shall immediately:

- (a) follow the instructions given by the intercepting aircraft, interpreting and responding to visual signals in accordance with the specifications in *Fourth Schedule*;
- (b) notify, if possible, the appropriate air traffic services unit;
- (c) attempt to establish radio communication with the intercepting aircraft or with

Table A2-1

<i>Phrases for use by INTERCEPTING aircraft</i>			<i>Phrases for use by INTERCEPTED aircraft</i>		
<i>Phrase</i>	<i>Pronunciation¹</i>	<i>Meaning</i>	<i>Phrase</i>	<i>Pronunciation¹</i>	<i>Meaning</i>
CALL SIGN	<u>KOL</u> SA-IN	What is your call sign?	CALL SIGN (call sign) ²	<u>KOL</u> SA-IN (call sign)	My call sign is (call sign)
FOLLOW	<u>FOL</u> -LO	Follow me	WILCO	<u>VILL</u> -KO	Understood
DESCEND	DEE- <u>SEND</u>	Descend for landing	Will comply		
YOU LAND	<u>YOU LAAND</u>	Land at this aerodrome	CAN NOT	<u>KANN</u> NOTT	Unable to comply
PROCEED	PRO- <u>SEED</u>	You may proceed	REPEAT	REE- <u>PEET</u>	Repeat your instruction
			AM LOST	<u>AM LOSST</u>	Position unknown
			MAYDAY	MAYDAY	I am in distress
			HIJACK ³	<u>HI-JACK</u>	I have been hijacked
			LAND (place name)	LAAND (place name)	I request to land at (place name)
			DESCEND	DEE- <u>SEND</u>	I require descent

1. In the second column, syllables to be emphasized are underlined.

2. The call sign required to be given is that used in radiotelephony communications with air traffic services units and corresponding to the aircraft identification in the flight plan.

3. Circumstances may not always permit, nor make desirable, the use of the phrase "HIJACK".

Table A2-1

<i>Phrases for use by INTERCEPTING aircraft</i>			<i>Phrases for use by INTERCEPTED aircraft</i>		
<i>Phrase</i>	<i>Pronunciation¹</i>	<i>Meaning</i>	<i>Phrase</i>	<i>Pronunciation¹</i>	<i>Meaning</i>
CALL SIGN	<u>KOL</u> SA-IN	What is your call sign?	CALL SIGN (call sign) ²	<u>KOL</u> SA-IN (call sign)	My call sign is (call sign)
FOLLOW	<u>FOL</u> -LO	Follow me	WILCO	<u>VILL</u> -KO	Understood
DESCEND	DEE- <u>SEND</u>	Descend for landing	Will comply		
YOU LAND	<u>YOU LA</u> AND	Land at this aerodrome	CAN NOT	<u>KANN</u> NOTT	Unable to comply
PROCEED	PRO- <u>SEED</u>	You may proceed	REPEAT	REE- <u>PEET</u>	Repeat your instruction
			AM LOST	<u>AM LOS</u> ST	Position unknown
			MAYDAY	MAYDAY	I am in distress
			HJACK ³	<u>HI</u> -JACK	I have been hijacked
			LAND (place name)	LAAND (place name)	I request to land at (place name)
			DESCEND	DEE- <u>SEND</u>	I require descent

1. In the second column, syllables to be emphasized are underlined.

2. The call sign required to be given is that used in radiotelephony communications with air traffic services units and corresponding to the aircraft identification in the flight plan.

3. Circumstances may not always permit, nor make desirable, the use of the phrase "HJACK".

SIXTH SCHEDULE

(Regulation 54)

VMC visibility and distance from cloud minima

Altitude band	Airspace class	Flight visibility	Distance from cloud
At and above 3 050 m (10 000 ft) AMSL	A*** B C D E F G	8 km	1,500 m horizontally 300 m (1,000 ft) vertically
Below 3050 m (10000 ft) AMSL and above 900 m (3 000 ft) AMSL, or above 300 m (1 000 ft) above terrain, whichever is the higher	A***B C D E F G	5 km	1,500 m horizontally 300 m (1,000 ft) vertically
At and below 900 m (3 000 ft) AMSL, or 300 m (1 000 ft) above terrain, whichever is the higher	A***B C D E	5 km	1,500 m horizontally 300 m (1,000 ft) vertically
	F G	5 km**	Clear of cloud and with the surface in sight

* When the height of the transition altitude is lower than 3 050 m (10 000 ft) AMSL, FL 100 shall be used in lieu of 10 000 ft.

** When so prescribed by the appropriate ATS authority:

- (a) flight visibilities reduced to not less than 1 500 m may be permitted for flights operating:
- (1) at speeds that, in the prevailing visibility, will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision; or
 - (2) in circumstances in which the probability of encounters with other traffic would normally be low, e.g. in areas of low volume traffic and for aerial work at low levels.
- (b) HELICOPTERS may be permitted to operate *in less than 1 500 m* flight visibility, if manoeuvred at a speed that will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision.

*** The VMC minima in Class A airspace are included for guidance to pilots and do not imply acceptance of VFR flights in Class A airspace.

Dated the 9th May, 2018.

JAMES MACHARIA,
Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development.