CHAPTER 365

AIR NAVIGATION

THE AIR NAVIGATION ACT

SECTION 2 (1)

No Regulations.

SECTION 2 (2)

No Orders.

SECTION 3

Vide Regulations made under Section 24.

SECTION 5

No Rules.

SECTION 7

No Orders.

SECTION 11 (2)

No Regulations.

SECTION 12

Vide Regulations made under Section 24.

SECTION 13

No Orders.

SECTIONS 14 AND 15

Vide Regulations made under Section 24.

1—12697—1,000 (3/68)

SECTION 16 (2)

ORDER

[10,669/7-5-1954.]

It is hereby certified that—

(1) the High Contracting Parties to the Warsaw Convention and the territories in respect of which they are respectively parties are as specified in columns I and II respectively of Schedule A hereto, and

(2) the High Contracting Parties specified in Schedule B hereto have availed themselves of the provisions of the Additional Protocol to the Convention by declaring at the time of accession to the Convention that the first paragraph of Article 2 of the Convention shall not apply to international carriage by air performed directly by the State or any territory or possession under its jurisdiction.

SCHEDULE A

I	II
High Contracting Parties to the Convention	Territories in respect of which they are respectively parties
Ceylon	Ceylon
The United Kingdom of Great Britain and Northern Ireland	The United Kingdom of Great Britain and Northern Ireland
	The Channel Islands
	The Isle of Man
	Southern Rhodesia
	Aden (Colony)
	Aden (Protectorate)
	Bahamas
	Barbados
	Bermuda
	British Guiana
	British Honduras
	Brunei
	Cyprus
	Falkland Island and Dependencies
	Federation of Malaya—
	Malacca
	Penang
	Johore
	Kedah
	Kelantan
	Negri Sembilan
	Pahang
	Perak
	Perlis
	Selangor
	Trengganu

I High Contracting Parties to the Convention	II Territories in respect of which they are respectively parties
The United Kingdom of Great Britain and Nothern Ireland (*contd.*)	Fiji Gambia (Colony and Protectorate) Gibraltar Gold Coast— Colony Ashanti Nothern Territories Togoland under United Kingdom Trusteeship Hongkong Jamaica (including Turks and Caicos Island and the Caymen Islands) Kenya (Colony and Protectorate) Leeward Islands— Antigua Montserrat St. Christopher and Nevis Virgin Islands Malta Mauritius Nigeria— Colony Protectorate Cameroons under United Kingdom Trusteeship North Borneo Nothern Rhodesia Nyasland Protectorate St. Helena and Ascension Sarawak Seychelles Sierra Leone (Colony and Protectorate) Singapore Somaliland Protectorate Tanganyika Trinidad and Tobago Uganda Protectorate Western Pacific— British Solomon Island Protectorate Gilbert and Ellice Islands Colony Tonga Windward Islands— Grenada St. Lucia St. Vincent Dominica Zanzibar Protectorate
Canada	Canada
The Commonwealth of Australia	The Commonwealth of Australia (including Papua, Norfolk Island and the trusteeship territorie of New Guinea and Nauru)

I High Contracting Parties to the Convention	II Territories in respect of which they are respectively parties
New Zealand	New Zealand (including the Cook Islands, the Tokelau Islands and the trusteeship territory Western Samoa)
The Republic of India	India
Pakistan	Pakistan
The Republic of Ireland	The Territory of the Republic of Ireland
The United States of America	The United States of America and all territories subject to the sovereignty or authority of the United States of America
The Argentine Republic	Argentina
The Kingdom of Belgium	Belgium and all territories (including colonies and territories under trusteeship) subject to the sovereignty or authority of the Kingdom of Belgium
The United States of Brazil	Brazil
The People's Republic of Bulgaria	Bulgaria
The Republic of the Union of Burma	Burma
The States of Cambodia	Cambodia
The Czechoslovak Republic	Czechoslovakia
The Kingdom of Denmark	Denmark and the Faroe Islands
The Empire of Ethiopia	Ethiopia
The Republic of Finland	Finland
The French Republic	France and all territories (including colonies, protectorates and territories under trusteeship) subject to the sovereignty or authority of the French Republic
Germany	Germany
The Kingdom of Hellas	Greece
The Hungarian People's Republic	Hungary
The Republic of Iceland	Iceland
The Republic of United States of Indonesia	Indonesia
The States of Israel	Israel
The Italian Republic	Italy and the trust territory of Somaliland under Italian administration
Japan	Japan
The State of Laos	Laos
The Republic of Liberia	Liberia
The Principality of Liechtenstein	Liechtenstein
The Grand Duchy of Luxembourg	Luxembourg
The United States of Mexico	Mexico
The Kingdom of the Netherlands	The Netherlands and all territories (including colonies and protectorates) subject to the sovereignty or authority of the Kingdom of the Netherlands

I High Contracting Parties to the Convention	II Territories in respect of which they are respectively parties
The Kingdom of Norway ..	Norway and all territories subject to the sovereignty or authority of the Kingdom of Norway
The Republic of the Philippines ..	The Philippines
The Republic of Poland ..	Poland
The Portuguese Republic ..	Portugal and all territories (including colonies) subject to the sovereignty or authority of the Portuguese Republic
The Roumanian People's Republic	Roumania
The Union of Soviet Socialist Republics	All territories comprised within the Soviet Socialist Republics
The Spanish State ..	Spain and all territories (including colonies and protectorates) subject to the sovereignty or authority of the Spanish State
The Kingdom of Sweden ..	Sweden
The Swiss Confederation ..	Switzerland
The State of Viet Nam ..	Viet Nam
The Federal People's Republic of Yugoslavia	Yugoslavia. ?

SCHEDULE B

Canada
The Empire of Ethiopia
The United States of America

SECTION 17 (1)

No Rules.

SECTION 18

No Orders.

SECTION 24

THE CEYLON AIR NAVIGATION REGULATIONS, 1955

CHAPTER I

PRELIMINARY

[10,812/1-7-1955.]

Short title.

1. These regulations may be cited as the Ceylon Air Navigation Regulations, 1955.

Date of operation.

2. These regulations shall come into operation on the first day of October, 1955.

Interpretation.

3. (1) In these regulations, unless the context otherwise requires—

"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 ;

"Act" means the Air Navigation Act ;

"adopted in pursuance of the Convention" means adopted by the International Civil Aviation Organization in pursuance of Article 37 of the Convention ;

"aerodrome control" means a service established to provide air traffic control for aerodromes ;

"aerodrome traffic" means all traffic on the manoeuvring area of any aerodrome and all aircraft flying in the vicinity of an aerodrome and any aircraft in the vicinity of an aerodrome when such aircraft is in or entering or leaving the aerodrome traffic circuit ;

"aerodyne" means an aircraft whose support in flight is derived dynamically from the reaction on surfaces in motion relative to the air ;

"aeronautical mobile radio service" means a radio service between aircraft radio stations and land stations and between two or more aircraft radio stations ;

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"aeroplane" means a power-driven heavier-than-air aircraft deriving its lift in flight chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight;

"aircraft station" means a radio station located in any aircraft;

"airline" means a regular air transport service;

"airport" means an aerodrome at which facilities are provided for the shelter, servicing or repair of aircraft for receiving or discharging passengers or cargo;

"air route" means the navigable airspace between two points and the terrain beneath such airspace, identified to the extent necessary for the application of flight rules;

"air route facilities" means facilities provided to permit safe navigation of aircraft within the airspace of an air route, and includes visual and non-visual navigation aids along the route, visual and non-visual aids to approach and landing at aerodromes, communication services, meteorological services and the aid traffic control service;

"air traffic" means all aircraft in flight or operating on the manoeuvering area of any aerodrome;

"air traffic clearance" means an authorization issued by the Air Traffic Controller for aircraft to proceed under conditions specified by him;

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

(1) preventing collisions—

(*a*) between aircraft, and

(*b*) on the manoeuvering area between aircraft and obstructions, and

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

"air traffic control instructions" means directions issued by the Air Traffic Controller for an aircraft to proceed or to delay its flight in the manner specified by him;

"airway" means a path designated by the Director in any air route and identified by an area of specified width on the surface of the ground ;

"airway facilities" means all facilities provided to permit safe navigation of aircraft within the airspace of an airway and includes visual and non-visual navigation aids along the airway, visual and non-visual aids to approach, and landing at aerodromes, communication services, meteorological services, and the air traffic control service ;

"alternate aerodrome" means an aerodrome specified in a flight plan to which a flight may proceed when it becomes inadvisable to land at the aerodrome of intended landing ;

"altitude" means the vertical distance of an aircraft measured from mean sea level ;

"approach control" means Air Traffic Control service for arriving or departing of aircraft under Instrument Flight Rules ;

"approved" means approved by the Director ;

"area control" means air traffic control for flights under Instrument Flight Rules in control areas ;

"authorized" means authorized by the Director ;

"cargo" means things other than passengers carried in an aircraft ;

"channel" means that part of a water-aerodrome which is navigable and cleared for the safely of aircraft taking off or landing in a given direction ;

"Commonwealth" means the British Commonwealth of Nations ;

"Contracting State" means a country, other than Ceylon, which is a party to the Convention ;

"control area" means an airspace of defined dimensions, designated by the Director as such, within which air traffic control is exercised ;

"control zone" means an airspace of defined dimensions, designated as such by the Director, including one or more aerodromes and within which rules additional to those governing flight in control areas apply for the protection of air traffic against collision;

"co-pilot" means a pilot serving in any piloting capacity other than the pilot-in-command but excludes a pilot who is on board the aircraft for the purpose of receiving flight instructions;

"crew member" means a person assigned by an operator for duty on any aircraft during flight time, and any reference to "crew" has a corresponding meaning;

"cruising altitude" means a constant altimeter indication in relation to fixed and defined datum maintained during the flight or portion thereof;

"dangerous lights" means any lights which may endanger the safety of aircraft, whether by reason of glare, or by causing confusion with or preventing clear visual reception of, aeronautical lights or signals;

"Department" means the Department of Civil Aviation;

"Director" means the Director of Civil Aviation and includes any person for the time being acting as Director of Civil Aviation;

"elevation" means the vertical distance of a fixed point above mean sea level;

"flight crew member" means a licensed crew member charged with duties essential to the operation of an aircraft during flight time, and any reference to "flight crew" has a corresponding meaning;

"flight plan" means specified information relative to the intended navigator of an aircraft;

"flight time" means the total time from the moment at which an aircraft first moves under its own power for the purpose of taking off until the moment at which it comes to rest at the end of a flight;

"flight visibility" means the pilot's average range of vision, except for landing and taking off at a location where there is an authorized observer, in which case it means the visibility reported by the observer;

"forecast" means a statement made by an authorized person, of future meteorological conditions expected to exist in a given area, for a specified period of time, at the earth's surface or in the free air;

"heavier-than-air aircraft" means an aircraft deriving its lift in flight chiefly from aerodynamic forces;

"height" means the vertical distance of a fixed point above ground level or some specified datum other than mean sea level;

"helicopter" means a heavier-than-air aircraft supported in flight by the reactions of the air on one or more normally power-driven rotors on substantially vertical axes;

"I.F.R." means the Instrument Flight Rules prescribed in Chapter XI of these regulations;

"I.F.R. flight operation" means an operation conducted in accordance with the Instrument Flight Rules prescribed in Chapter XI of these regulations;

"instrument approach procedure" means the approved procedure to be followed by aircraft in letting down from cruising altitude and landing at an aerodrome;

"international air service" means an air service which passes through the airspace over the territory of more than one country;

"International Civil Aviation Organization or I.C.A.O." means the International Civil Aviation Organization established under Article 43 of the Convention;

"kite" means a glider normally moored to the ground;

"land station" means a radio station not capable of being moved, which performs a mobile service;

"landing area" means the part of the manoeuvring area primarily intended for landing or take-off of aircraft;

"landing strip" means a rectangular portion of the landing area, specially prepared for the take-off and landing of aircraft in a particular direction;

"licensed" means licensed under these regulations;

"lighter-than-air aircraft" means aircraft supported chiefly by their buoyancy in the air;

"maintenance release" means a certification by an authorized person on an approved form as to the satisfactory completion of maintenance work done in accordance with requirements under these regulations;

"manoeuvring area" means such part of an aerodrome as is used for the take-off and landing of aircraft and for the movement of aircraft associated with take-off and landing;

"meteorological information" means all classes of meteorological reports, analyses, forecasts, warnings, advices and revisions or amendments thereto which may be required in connection with the operation of air routes;

"meteorological minima" means the minimum values of meteorological elements as determined by the Director in respect of specified types of flight operation;

"meteorological observation" means the qualitative or quantitative evaluation by instrumental or visual means of one or more meteorological elements at a place at a given time;

"meteorological observer" means a person approved by the Director to make meteorological observations;

"meteorological report" means a statement presented in plain language or in code, either orally or in written form or by telecommunication, of past or present meteorological conditions at ground level or in the free air as observed from a given place;

"night" means the hours of darkness between sunset and sunrise, or such other period between sunset and sunrise as the Director may specify in notices to airmen;

"night flight" means flight during night;

"Notices to Airmen" or "NOTAMS" means notices issued by the Director to airmen from time to time;

"operating crew" means any person having duties on board in connection with the flying or safety of the flight of an aircraft;

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

"pilot-in-command" means the pilot responsible for the operation and safety of the aircraft during flight;

"person-in-command" in relation to an aircraft means, in all cases where a person other than the pilot-in-command is in charge, that person, and in any other case the pilot-in-command;

"position report" means a message, in an approved form, containing information on the position and progress of an aircraft;

"prohibited area" means an area within Ceylon over which the flight of aircraft is prohibited;

"public transport service" means a service for the carriage of persons or cargo for hire or reward;

"radio apparatus" means apparatus for the transmission or reception of signs, signals, writing, facsimiles, and sound of any kind by means of Hertzian Waves;

"rating" means an authorization entered on a licence, stating special conditions, privileges or limitations pertaining to such licence;

"regular aerodrome" means an aerodrome which is listed in the flight plan as an aerodrome of intended landing;

"registered" means registered under these regulations;

"reporting point" means a geographical location in relation to which the position of an aircraft is to be reported;

"restricted area" means an area within Ceylon designated for other than air traffic control purposes, over which the flight of aircraft is restricted in accordance with certain prescribed conditions;

"signal area" means a selected part of an aerodrome used for the display of ground signals so as to be visible to aircraft in the air;

"state aircraft" means any Ceylon aircraft registered as state aircraft;

"State of Registry" means the State on whose register an aircraft is registered;

"Convention" means the Convention on International Civil Aviation concluded at Chicago on the seventh day of December, 1944, and includes the international standards and recommended practices and procedures adopted by the International Civil Aviation Organization in pursuance of Article 37 of the aforesaid convention;

"traffic pattern" means the path over the ground, of aircraft in flight in the vicinity of an aerodrome during the execution of take-offs and landings, and their paths when manoeuvring on the movement area;

"VFR" means Visual Flight Rules prescribed in Chapter XI of these regulations;

"VFR Flight" means a flight conducted in accordance with Visual Flight Rules prescribed in Chapter XI of these regulations; and "VFR Operation" means an operation conducted under Visual Flight Rules prescribed in Chapter XI of these regulations;

(2) In Chapter X and in Chapters XI and XII of these regulations, unless the contrary intention appears—

"landing" includes alighting on the water;

"rules" means rules of the air prescribed by these regulations;

"visible" in relation to lights, means visible on a dark night with a clear atmosphere;

(3) Unless the contrary intention appears, any reference in these regulations to the classification of a particular aircraft shall be read as a reference to the classification of the aircraft, according to function, as a private aircraft, aerial work aircraft, charter aircraft or regular public transport aircraft, as the case may be; and any reference to a division of aircraft into classes shall have a corresponding meaning.

(4) Any reference in these regulations to the owner of an aircraft shall, where, under a contract of hire or charter agreement, the control, maintenance and operation of the aircraft is vested in the hirer, be read as a reference to such hirer.

(5) Any reference in these regulations to Ceylon includes a reference to the territorial waters adjacent thereto and the air space over such waters.

Application of regulations.

4. (1) Except where otherwise prescribed, the provisions of these regulations shall apply to or in relation to—

(*a*) international air navigation within Ceylon, and in relation to aircraft engaged in such navigation and to aerodromes established, licensed or authorized for use by such aircraft;

(*b*) air navigation in relation to trade and commerce with other countries;

(*c*) air navigation within Ceylon; and

(*d*) Ceylon aircraft engaged in air navigation outside Ceylon.

(2) The provisions of Chapter VI of these regulations shall not apply to or in relation to the class of air navigation specified in sub-paragraphs (*a*) and (*b*) of paragraph (1) of this regulation or to or in relation to aircraft engaged in such navigation.

CHAPTER II

Administration and Organization

Director.

5. (1) The Director shall, subject to the directions of the Minister, be charged with the administration of these regulations, and shall exercise and perform the powers and functions conferred on him by these regulations.

(2) The Director may by writing under his hand delegate to any officer of the Department any of his powers, functions or duties under these regulations in relation to any matter or class of matters so that the powers, functions or duties so delegated may be exercised or performed by such officer with respect to the matter or class of matters specified in the instrument of delegation as fully and effectually as by the Director:

Provided that nothing in the preceding provisions of this regulation shall be construed as empowering the Director to delegate any of the powers, duties, or functions delegated to him by the Minister under section 21 of the Act.

(3) The Director shall maintain close liaison with the Department of Meteorology.

Civil air ensign.

6. The civil air ensign of Ceylon shall not be flown, painted or otherwise displayed, except—

(a) by the Department of Civil Aviation on its buildings, boats and aircraft;

(b) on any Ceylon aircraft engaged in international air navigation; or

(c) on any aerodrome maintained and operated by the Department under Chapter IX of these regulations; and

(d) in accordance with the permission of, and subject to such conditions as are specified by the Director in writing.

CHAPTER III

Registration and Marking of Aircraft

Aircraft not to fly unless registered.

7. (1) No aircraft shall fly in or over Ceylon unless it is registered—

(a) in Ceylon; or

(b) in a Contracting State; or

(c) in a country with which a special Convention relating to air navigation entered into by or on behalf of the Government of Ceylon is for the time being in force.

(2) Every aircraft registered in a country with which such a special agreement as aforesaid is in force, shall in addition to complying with the provisions of these regulations, comply with the terms and conditions of that agreement.

(3) Where any aircraft flies in contravention of paragraph (1) of this regulation and in a manner or in such circumstances that, if the aircraft had been registered in Ceylon, an offence against this regulation would have been committed, the like offence shall be deemed to have been committed in respect of that aircraft.

Flying of unregistered aircraft.

8. (1) Notwithstanding anything in the last preceding regulation, an aircraft may fly in or over Ceylon unregistered if and so long as it is flown for the purpose of or in connection with any experiment or test or for any other purpose for which it appears to the satisfaction of the Director that the aircraft may be permitted to fly unregistered:

Provided that in any such case the aircraft shall be flown in accordance with such conditions or limitations as are prescribed in these regulations, or as may be specified in any written authorization given by the Director.

(2) Any aircraft flying in pursuance of the foregoing provisions of this regulation shall be deemed to be registered in Ceylon for the purposes of regulations 18, 37, 45, 48, 52, 81, 94, 95, 96, 233 and 289.

Registration of aircraft in Ceylon.

9. (1) The Director shall be responsible for the registration of aircraft in Ceylon and he shall maintain in such form and manner as he may determine a register of all aircraft registered by him.

(2) (*a*) Every application for the registration of an aircraft in Ceylon shall be made to the Director, and the Director shall, at the request of any person desiring to apply for registration of an aircraft in Ceylon, furnish him with a form of application. Every applicant for registeration of an aircraft in Ceylon, shall furnish the Director with such particulars relating to the aircraft and the ownership thereof as he may require in connection with the application and with such evidence as he may require in support thereof, and shall pay to the Director the appropriate fee prescribed in the Eighth Schedule, which fee shall be returned if the application is not granted.

(*b*) In the case of any imported aircraft the application for a certificate of registration shall be accompanied by a certificate signed by the Principal Collector of Customs or an officer authorized by him in that behalf, that all customs requirements have been complied with. Such certificate shall state the type and manufacturer's number of the aircraft and engine, and if the aircraft has been registered elsewhere, its registration markings.

(3) Any person desiring so to do may inspect the register of aircraft maintained at the office of the Director at any time during office hours on payment of a fee of fifty cents. Rs 100/-

(4) The certificate of registration of an aircraft shall be in the form set out in the Seventh Schedule hereto and shall be carried at all times in the aircraft to which it relates.

(5) An applicant for a certificate of registration of any aircraft shall, if so required by the Director, furnish an affidavit as to the truth of the statements set out in his application.

(6) After completion of registration of an aircraft, the Director shall issue a certificate of registration to the owner thereof.

Registration and cancellation of registration of Ceylon aircraft.

[10,842/15-6-1950.]

10. (1) No aircraft shall be registered in Ceylon unless the Director is satisfied—

(i) that such aircraft has not already been registered in any foreign country; and

(ii) that the owner or operator of such aircraft is—

(a) a citizen of Ceylon, or

(b) a body corporate—

(i) incorporated under the law of Ceylon,

(ii) having its principal place of business in Ceylon, and

(iii) whereof at least three-fifths of the Directors are citizens of Ceylon.

(2) In a case where the usual station of an aircraft and its original area of operation are not situated in Ceylon and the owner of the aircraft is neither resident nor has his principal place of business in Ceylon, the Director may decline to accept an application for registration of the aircraft in Ceylon or, as the case may be, to permit the aircraft to remain registered in Ceylon if in his opinion the aircraft could more suitably be registered in some other country.

(3) In any particular case the Director may with the concurrence of the Minister decline to register an aircraft in Ceylon if, in the circumstances of that case, it appears to him to be inexpedient in the public interest that the aircraft should be so registered.

(4) The registration of any Ceylon aircraft may be cancelled at any time by the Director as from a date to be specified by him on his being satisfied that the ownership of the aircraft is not as shown in the register, or that such registration is not in conformity with the provisions of paragraph (1) of this regulation, or that the aircraft could more suitably be registered in some other country, or that it is inexpedient in the public interest that the aircraft should remain registered in Ceylon, and thereupon the certificate of such registration shall become void as from the date so specified.

Change of ownership of Ceylon aircraft.

11. (1) Immediately upon the occurrence of any change in the ownership of any Ceylon aircraft, the registered owner thereof shall forthwith—

(*a*) notify the Director in writing of the change of ownership, setting out the full name, nationality, and address of the new owner, and the date of change of ownership; and

(*b*) forward to the Director the certificate of registration of the aircraft, and an appropriate entry shall be made in the register.

(2) The registration and certificate thereof shall become void as from the date of change.

(3) Upon application by the new owner of the aircraft the Director may register him as the owner of the aircraft subject to the provisions of this Chapter, and issue him a fresh certificate of registration.

(4) For the purpose of this regulation there shall be deemed to be a change in ownership of an aircraft if—

(*a*) any registered owner ceases to be the owner; or

(*b*) any person other than a registered owner becomes owner; or

(*c*) the aircraft ceases to be owned wholly in conformity with regulation 10.

Destruction, &c., of Ceylon aircraft.

12. (1) When any Ceylon aircraft is destroyed or permanently withdrawn from use, the registered owner thereof shall forthwith—

(*a*) notify the Director of the destruction or withdrawal from use of such aircraft; and

(*b*) surrender to the Director the certificate of registration of such aircraft.

(2) The registration and the certificate of registration of such aircraft shall become void as from the date of such notification, and an appropriate entry shall be made by the Director in the register of aircraft.

Duration of certificates of registration.

13. Subject to these regulations, a certificate of registration shall remain in force for such period, not exceeding one year from the date of issue, as may be specified in the certificate, and such certificate may, from time to time, be renewed by the Director for a period not exceeding one year.

Nationality of aircraft.

14. (1) Every aircraft shall be deemed to possess the nationality of the Contracting State on the register of which it is entered.

(2) Where an application is made for the registration of an aircraft before it is imported to Ceylon, a provisional certificate of registration for the purpose of the importation of the aircraft by air, may, subject to the provisions of regulation 10, be granted by the Director to the owner of the aircraft. Every such provisional certificate shall be valid only until the first landing of the aircraft at a customs aerodrome in Ceylon. Immediately after such landing, such provisional certificate shall be surrendered by the pilot or other person in command of the aircraft to the officer for the time being in charge of the aerodrome; and thereafter, on production by or on behalf of the owner of the aircraft of the certificate mentioned in regulation 9 (2) (*b*), the Director may issue the necessary certificate of registration to the owner thereof.

(3) In a case where an aircraft in respect of which a provisional certificate of registration has been issued, is imported otherwise than by air, such provisional certificate shall cease to be valid on the date of importation of the aircraft, and such certificate shall forthwith be surrendered by the owner to the Director, and thereafter, the Director may issue the necessary certificate of registration.

Registration fees.

15. The fee payable in respect of the issue of a certificate of registration of an aircraft shall be at the rates prescribed in the Eighth Schedule hereto.

No aircraft to fly without appropriate marks.

16. No aircraft shall fly in or over Ceylon unless it bears painted thereon, or affixed thereto in the manner required by the law of the country in which it is registered, the nationality and registration marks as required by the law of that country and no aircraft shall bear any mark purporting or calculated to indicate that it is registered in a country in which it is not so registered.

Nationality and registration marks.

17. (1) The provisions of the Seventh Schedule hereto shall have effect with respect to marks to be borne by aircraft registered in Ceylon.

(2) No aircraft other than a State aircraft shall bear any mark or sign used by any State aircraft.

CHAPTER IV

AIRWORTHINESS REQUIREMENTS

Certificates of airworthiness to be in force.

18. (1) Subject to the provisions of paragraph (2) of this regulation no aircraft shall fly or attempt to fly in or over Ceylon unless—

(*a*) there is in force in respect thereof a certificate of airworthiness, duly issued or rendered valid under the law of the country in which the aircraft is registered; and

(*b*) the conditions if any, subject to which the certificate was issued or rendered valid, are duly complied with.

(2) Paragraph (1) of this regulation shall not apply—

(*a*) in the case of—

(i) a balloon not carrying passengers for hire or reward, or

(ii) a kite which is to be flown only within Ceylon, or,

(*b*) in the case of any other aircraft which is registered in Ceylon and which is to be flown within Ceylon for the purposes of, or in connection with, any experiment or test or for any other purposes for which it appears to the satisfaction of the Director that the aircraft may be permitted to fly without a certificate of airworthiness thereof :

Provided, however, that in any such case, the aircraft shall not be flown otherwise than in accordance with such conditions or limitations as may be specified in that behalf by the Director.

Issue, renewal, and validation of certificates of airworthiness.

19. (1) A certificate of airworthiness in respect of any aircraft may be issued by the Director—

(i) if he is satisfied that such aircraft complies with the requirements approved by him in respect of—

(*a*) the design ;

(*b*) construction (including workmanship and material) ;

(*c*) instruments and equipment ;

(*d*) weighing, and

(*e*) flying trials and other tests ;

(ii) if the aircraft is fitted with an engine or engines of which an approval in writing has been given by him or under his authority ; and

(iii) if the airworthiness of the aircrafts fulfils the requirements adopted in pursuance of the Convention :

Provided however, in cases where the Director has issued a certificate of airworthiness in respect of a prototype [or prototype (modified)] aircraft, he may dispense with all or any of the aforesaid requirements in the case of a series aircraft conforming with such prototype [or prototype (modified)] aircraft.

(2) For the purpose of satisfying himself that an aircraft complies with the requirements specified in paragraph (1) of this regulation, the Director may if he thinks fit, as regards all or any of such requirements accept reports furnished to him by any person or firm whom the Director may approve as qualified to furnish such reports, for which purpose the workshop or workshops of any person or firm desiring to furnish such report shall be subject to such inspection as the Director may initially and thereafter from time to time require to be made in order that he may be satisfied that such person or firm is so qualified.

(3) The following provisions of this paragraph shall have effect with respect to every certificate of airworthiness :—

(*a*) Such particulars relating to the aircraft in respect of which the certificate is issued as may be determined by the Director shall be specified in a Flight Manual which shall be issued by the Director along with the certificate ;

(*b*) The certificate shall be issued upon such conditions as the Director may think fit and such conditions shall be specified in such Flight Manual ;

(*c*) The particulars specified in such Flight Manual may, from time to time, be varied by the Director on sufficient ground being shown to his satisfaction ;

(*d*) The conditions specified in such Flight Manual may, from time to time, be varied by the Director if he is satisfied that they may properly be relaxed or that reasonable doubt exits as to whether they afford a sufficient margin of safety ; and

(e) A Flight Manual issued by the Director as provided in sub-paragraph (a) of this paragraph shall be deemed to form part of the certificate with which it is issued and such Flight Manual shall be carried with that certificate.

(4) (a) A certificate of airworthiness issued by the Director shall, subject to the provisions of regulation 97, remain in force for such period, not exceeding one year from the date of issue, as may be specified in the certificate, and may, from time to time, be renewed by the Director for a period not exceeding one year as provided in paragraph (8) of this regulation.

(b) The certificate of airworthiness shall be substantially in Form A of the Third Schedule hereto.

(c) The fee payable for the issue of a certificate of airworthiness shall be at the rates specified in the Eighth Schedule hereto.

(d) The fees payable for the approval of aircraft engines pursuant to paragraph (1) of this regulation and for the inspection of workshops pursuant to paragraph (2) of this regulation shall be at the rates set out in the Eighth Schedule hereto.

(5) Where an aircraft in respect of which a certificate of airworthiness has been duly issued under the laws of any other country is registered in Ceylon, the Director may issue a validation conferring on that certificate, subject to such conditions and for such period as he may think fit, the same validity as if it had been issued under the preceding provisions of this regulation; or may, if he thinks fit, issue a new certificate of airworthiness in respect of the aircraft under the said provisions.

(6) For the purposes of or in connection with the delivery by air in Ceylon of an aircraft purchased by a citizen of Ceylon, the Director may arrange either—

(a) for a validation of the existing certificate of airworthiness of such aircraft issued by the State of origin; or

(b) for the issue of an appropriate temporary certificate of airworthiness.

(7) Every such validation or temporary certificate of airworthiness may be restricted to the purpose of the delivery flight and may be subject to the condition that no passengers or cargo shall be carried for remuneration by the aircraft during the delivery flight.

(8) The Director may from time to time renew a certificate of airworthiness issued or rendered valid or a validation issued in accordance with the provisions of this regulation, on being furnished with such evidence as he may require with respect to the condition of the aircraft to which the certificate or validation relates; and in a case where such validation has been issued, the Director may, if he thinks fit and on being furnished with such evidence, issue a new certificate of airworthiness in respect of the aircraft under the same provisions in lieu of the renewal or validation.

(9) Every aircraft in respect of which a certificate of airworthiness has been issued or rendered valid under the provisions of this regulation shall be classified under a category in accordance with the provisions of the Fourth Schedule hereto, and any prescribed restrictions which may be imposed on the manner in which and the purposes for which an aircraft in any prescribed category may be used shall be complied with.

(10) Every application for the validation, extension of the validation, issue or renewal of a certificate of airworthiness shall be made to the Director, and the Director shall, at the request of any person desiring to apply for the validation, extention of the validation, issue, or renewal of a certificate of airworthiness, furnish him with a form of application for the purpose.

(11) The owner of every aircraft in respect of which an application for the validation, extension of the validation issue or renewal of a certificate of airworthiness has been made, shall produce the aircraft at such place and time as the Director may direct, for such inspection and tests as the Director is empowered to hold under these regulations.

(12) No certificate of airworthiness shall be validated, have its validation extended, be issued, or be renewed, by the Director unless the particulars of the aircraft to which it relates and of the instruments, equipment and installations of such aircraft conform substantially, in case of the validation, extension of the validation, or renewal of a certificate of airworthiness, with the particulars specified in such certificate of airworthiness; and, in the case of the issue of a certificate of airworthiness, with the particulars specified in the original certificate of airworthiness relating to such aircraft.

(13) No certificate of airworthiness in respect of any aircraft shall be valid, have its validation extended, be issued, or be renewed for any category or sub-division other than the category and sub-division or sub-divisions specified in the original certificate of airworthiness relating to such aircraft:

Provided however that the owner of any aircraft who desires to use such aircraft for the purpose specified in respect of any sub-division other than those sub-divisions in which it is classified on its certificate of airworthiness, shall, before the aircraft is used for such purpose, make an application in writing to the Director for reclassification of the aircraft, and shall attach thereto a statement of all the required particulars in order to show that all the requirements in respect of the new classification applied for are satisfied.

(14) Upon the receipt of any such application, the Director shall take action as laid down in regulation 19 (2); and the owner shall not use such aircraft for any purpose other than the purpose or purposes specified in respect of the sub-division or sub-divisions in which it has been classified on the current certificate of airworthiness until the aircraft is re-classified.

(15) Where, upon an application made under paragraph (11), the aircraft in respect of which the application has been made is re-classified in a new sub-division or in any new sub-divisions by endorsement of the existing certificate of airworthiness of the aircraft, then such application shall be deemed to be an application for the endorsement of the certificate of airworthiness and shall be liable to the fee specified therefor in the Eighth Schedule hereto ; and where, upon such application as aforesaid, the aircraft in respect of which the application has been made is re-classified as aforesaid by the issue of a fresh certificate of airworthiness in respect of it, such application shall for the said purposes be deemed to be an application for a certificate of airworthiness in respect of such aircraft.

Conditions subject to which aircraft may be flown after overhaul, &c.

20. (1) No aircraft registered in Ceylon or in respect of which a certificate of airworthiness has been issued by the Director shall fly after having been overhauled, repaired, or modified, or after having had any of its parts replaced (except in so far as under these regulations it might fly if it had no certificate of airworthiness), unless the following conditions have been complied with :—

(*a*) in the case of an overhaul, repair, or replacement, the work executed shall in all material respects be in accordance either—

(i) with the type design in conformity with which the aircraft was constructed (hereinafter in this regulation referred to as "type design"), including any modification of the type design or of the aircraft which has been required by the Director and which has been approved as a condition of the validation of the certificate of airworthiness of such aircraft, or

(ii) with a repair scheme which has been issued by the manufacturer of the aircraft and approved by the Director ;

(*b*) in the case of an overhaul, repair, or replacement, the materials used shall not be inferior to those approved for the type design by the Director;

(*c*) in every case the work executed shall be inspected in accordance with the provisions of these regulations so far as the said provisions are applicable to the case;

(*d*) in every case a certificate in the form set forth in the Third Schedule hereto shall be entered in the appropriate log-book and signed in the manner set out in the next succeeding regulation.

(2) Notwithstanding anything in paragraph (1) of this regulation, in any case where it is necessary to repair any aircraft, and it is not reasonably practicable to comply with the requirements of the preceding paragraph, either by reason of the particulars of the type design not being available or for any other reason, a temporary repair may be executed for the purpose of enabling the aircraft to proceed directly to the closest place at which a repair could be executed in compliance with the aforesaid requirements; and where any such temporary repair has been executed, if the pilot of the aircraft is satisfied that, with regard to the circumstances and exigency of the case, such repair is adequate for the purpose for which it is intended, the aircraft may proceed to such place.

(3) The owner of any aircraft referred to in the preceding provisions of this regulation may apply to the Director for permission to retain a temporary repair executed under paragraph (2), and every such application shall be deemed to be an application under regulation 38 (3) of these regulations for the approval of modifications and the provisions of regulations 37 and 38 shall, subject to the provisions of paragraph (2) of this regulation, apply accordingly.

Certificates of airworthiness—by whom to be signed and in what books to be entered.

21. (1) Every certificate required by the last preceding regulation to be entered in the appropriate log-book and signed shall be appended to a statement of the particulars of the overhaul, repair, modification, or replacement to which it relates and shall be signed by an aircraft maintenance engineer qualified under the terms and conditions of his licence to carry out such overhaul, repair, modification, or replacement, or by a duly authorized representative of a firm or corporation which has been empowered by the Director to give such certificates :

Provided that where any overhaul, repair, or replacement has been carried out at a Royal Air Force Aerodrome by Royal Air Force personnel or at any Royal Ceylon Air Force Aerodrome by Ceylon Air Force personnel, the aforesaid certificate may be signed by the officer-in-charge of the workshops at such aerodrome.

(2) Where any certificate required by the last preceding regulation to be entered in a log-book and signed, relates to airframes (excluding engine or engines), it shall be entered in the aircraft log-book; and where any such certificate relates to the engine or engines, it shall be entered in the engine log-book :

Provided that in a case where the relevant log-book is not available at the place where the overhaul, repair, modification or replacement is carried out the certificate may be given separately from the relevant log-book; but in every such case the certificate shall be pasted into the appropriate log-book as soon as is reasonably practicable so to do; and until it is so pasted it shall be retained by the pilot of the aircraft.

Licensing of aircraft maintenance engineers.

22. (1) The Director may in accordance with the provisions of these regulations issue a licence to any qualified person to act in the capacity of aircraft maintenance engineer for the purpose of entitling such person to issue in connection with the construction, repair or maintenance of aircraft and matters connected therewith, such certificates as may be required under the provisions of these regulations.

Types of aircraft maintenance engineer's licences.

23. (1) A licence to act as an aircraft maintenance engineer may be issued for any one or more of the following categories:—

Category A. Inspection, maintenance and certification of aircraft before flight;

" *B.* Inspection and certification of aircraft during construction or after overhaul;

" *C.* Inspection, maintenance and certification of aircraft engines before flight;

" *D.* Inspection and certification of aircraft engines during construction or after overhaul; and

" *X.* Any other duties or services which are required to be performed by the licensed aircraft maintenance engineer under these regulations.

(2) An aircraft maintenance engineer to whom a licence has been issued for any or all of the purposes specified in the last preceding paragraph shall be rated for a type of aircraft or aircraft component in respect of which he is found to be competent to perform the services specified in the licence and that rating shall be endorsed on the licence.

(3) An aircraft maintenance engineer's licence may relate to aircraft engines, or to instruments and accessories as the case may be.

Duration of licences.

24. Every aircraft maintenance engineer's licence shall be valid for such period not exceeding twelve months from the date of issue as may be specified in the licence, and may from time to time be renewed by the Director for a period not exceeding twelve months as the Director may determine upon application made by the holder thereof and upon payment by the applicant of the appropriate fee prescribed in the Eighth Schedule hereto:

Provided that Director may, if he considers it necessary, require the holder thereof, as a condition of renewal of any such licence, to undergo a re-examination in respect of any or all of the purposes and ratings

specified in the licence and to comply with any or all of the provisions of these regulations relating to the original grant of such licence:

And provided further that, if the result of any re-examination is unsatisfactory in relation to any or all of these purposes, or if it appears to him that any certification or work carried out by an aircraft maintenance engineer has not been carried out in a careful and competent manner, or if an aircraft maintenance engineer signs a certificate under these regulations in any category in which he does not hold a valid licence, the Director may on sufficient ground being shown to his satisfaction and after such inquiry as he thinks necessary suspend, cancel, amend or endorse the engineer's licence.

Extension of licences.

25. The licence of an aircraft maintenance engineer may be extended by the endorsement thereon of a purpose or rating additional to the purpose or rating specified in the licence subject to his compliance with the same requirement in relation to the purpose or the rating concerned, as in the case of an initial issue of a licence for that purpose or rating.

Application for aircraft maintenance engineer's licence to be made to the Director.

26. Every application for an aircraft maintenance engineer's licence shall be made to the Director and the Director shall at the request of any person desiring to make such an application furnish him with a form of application and shall supply syllabuses of the examinations for aircraft maintenance engineers' licences in the several categories to any person applying therefor.

Requirements etc., as to licences.

27. (1) An applicant for an aircraft maintenance engineer's licence shall satisfy such requirements in respect of age, knowledge and experience as are laid down in the First Schedule hereto:

Provided that the Director may, in his discretion, exempt from all or any of the requirements of the technical examination, any candidate who has held, during the period immediately preceding his application, a like licence which was granted after proof had been furnished by him of the like practical experience

and upon his having passed a like examination conducted by a duly competent authority in any other country, and who need not, in the Director's opinion, be required to comply with such requirement or requirements.

(2) (*a*) The privileges which may be conferred by such a licence shall be classified in such categories of certification and duties of certification as are laid down in the First Schedule hereto.

(*b*) A rating in any such category shall specify the types of aircraft or the types of engines or the types of instruments and accessories in respect of which the holder of the licence is entitled to perform the duties of certification appropriate to that category.

(*c*) A rating in respect of aircraft or engines may relate either to a single type of aircraft or engine or to a group or types of aircraft or engines.

Certificate of validity.

28. (1) A certificate of validity shall be issued by the Director in accordance with these regulations, and shall while it remains in force, be deemed to form part of the aircraft maintenance engineer's licence to which it relates and the certificate of validity which is for the time being in force shall be carried with that licence.

(2) On the issue of an aircraft maintenance engineer's licence to any applicant such applicant shall forthwith sign his name thereon in ink with his ordinary signature as the holder thereof.

Ceylon aircraft engaged in air navigation outside Ceylon.

29. When a Ceylon aircraft is engaged in air navigation in a country outside Ceylon, any certificate which is required by this Chapter to be signed by an aircraft maintenance engineer licensed under this Chapter shall not be signed except by a maintenance engineer in that country who possesses—

(*a*) in the case of a Contracting State, qualifications in accordance with the minimum requirements adopted in pursuance of the Convention; and

(*b*) in the case of a country other than a Contracting State, qualifications which have been duly approved by the Director.

Fees for issue and renewal of licences and ratings.

30. The fees payable by candidates for examination for the issue or extension of aircraft maintenance engineers' licences and by applicants for renewal of such licences shall be as prescribed in the Eighth Schedule hereto.

Employment of aircraft.

31. (1) No aircraft shall be employed in any flight for any purpose other than that specified in respect of one of the sub-divisions in which such aircraft is classified on its certificate of airworthiness; nor shall any aircraft be employed in any flight for any such purpose unless all the requirements (including those in respect of the equipment and the operation of the aircraft) which attach to the sub-division concerned are complied with: Provided that a public transport aircraft for passengers may be used for carrying passengers otherwise than for hire or reward.

(2) No person shall use any private aircraft for purposes of public transport except with the prior written approval of the Director.

(3) An aircraft may be used in a flight for the purposes specified in respect of two or more of the sub-divisions in which it is classified on its certificate of airworthiness, if in such flight all the requirements (including those in respect of the equipment and operation of the aircraft) which attach to all the sub-divisions concerned alike are complied with; and if, so far as there are differences between the requirements (including those in respect of the equipment and operation of the aircraft) attached to the several sub-divisions concerned, those requirements which are of a higher standard are complied with.

Issue of certificate of airworthiness.

32. The Director may issue to the owner of any aircraft a certificate of airworthiness in respect of the aircraft: Provided, however, that a certificate of airworthiness shall not be issued by the Director—

(*a*) in the case of any aircraft manufactured in Ceylon—

(i) unless that aircraft has been constructed under a certificate of type approval issued in accordance with regulation 33; and

(ii) unless the materials and the process used in the construction are in accordance with the specifications issued or approved in that behalf by the Director ;

(*b*) in the case of any aircraft imported into Ceylon in assembled condition, unless the owner of the aircraft produces a certificate of airworthiness for export or a certificate of airworthiness issued by the appropriate authority of the country in which the aircraft was manufactured, and unless he complies with the other requirements of regulations 19 (5) and 34 of these regulations ; and

(*c*) in the case of any aircraft imported into Ceylon in unassembled condition, unless the aircraft complies with the requirements of regulation 34.

Certificate of type approval.

33. (1) The Director may issue to a manufacturer a certificate of type approval in respect of such type of aircraft or aircraft components as the Director specifies in the certificate.

(2) For the purposes of this regulation, every aircraft and aircraft component shall conform with a type design which permits its identification in detail and which consists of such drawings, specifications, reports and other data as, in the opinion of the Director, are necessary to establish that the design complies with the requirements under the international standards and recommended practices and procedures adopted from time to time in pursuance of the Convention.

(3) Every applicant for a certificate of type approval shall forward with the application such data including drawings representing the design, material, specifications, construction and performance of the aircraft or aircraft components, as the case may be, as the Director may require.

(4) At any time during the manufacture or after completion of an aircraft or aircraft component, the Director may require such aircraft or aircraft component, as the case may be, to be subjected to such tests as he may consider necessary.

(5) A certificate of type approval shall be issued in respect of such period as the Director may specify in the certificate and such certificate may be amended or revoked by the Director at any time.

(6) In this regulation "aircraft components" means aircraft engines, propellers, instruments, equipment, and accessories pertaining to aircraft.

Certification of imported aircraft.

34. (1) An applicant for a certificate of airworthiness in respect of any aircraft imported into Ceylon shall, in addition to the certificate of airworthiness for export issued in the country of manufacture, transmit to the Director the following documents in English, if so required by the Director, that is to say—

(*a*) in the case of any aircraft which is the first of its type to be so imported—

(i) the approved type specification of the country of manufacture, including the equipment list,

(ii) the approved flight manual, maintenance manual, overhaul manual and repair manual of the aircraft,

(iii) the approved operating manual, maintenance manual, overhaul manual and repair manual in respect of each type of engine propeller and major ancillary equipment,

(iv) an undertaking by the manufacturer that all modifications and service bulletins issued in respect of the type of aircraft engine, the propellers or equipment will, from time to time, be forwarded to the Director at the earliest possible date after issue,

(v) a copy of the flight test report of the particular aircraft, or, if the aircraft is to be imported without having previously been flight-tested in the country of manufacture, a copy of the flight test report of a similar aircraft from the production line of the manufacturer suitably endorsed as being the flight test report on an aircraft of a similar model,

(vi) a type record or stress analysis summary showing for all members of the primary structure, their design loads, dimensions, material, strength, and margins of safety, but not including any detailed calculations showing methods of determination of those quantities and whether a certificate of type approval has been issued in the country of manufacture in respect of the aircraft having regard to static strength test reports, a summary of the dimensions and materials of the primary structure and the significant margins of safety throughout,

(vii) drawings of the major assemblies, installations and primary structure, together with a drawing list, and

(viii) a parts list or schedule of the materials used in each important part of the primary structure and any other components which are heat-treated; and

(b) in the case of any aircraft which is not the first of its type to be so imported—

(i) a copy of the approved type specifications containing details of the equipment actually carried in the aircraft,

(ii) a copy of the flight test report unless the aircraft is being imported prior to completion of flight tests, and

(iii) details of all modifications and changes which have been incorporated in that particular aircraft since the issue of the original approved type specification.

(2) Where an application is made for the registration under these regulations, of any aircraft in respect of which a certificate of airworthiness has been issued by the appropriate authority in any other country, and such certificate is at the time of application still in force, the Director may, if he is

satisfied that the aircraft is airworthy and that it complies with the airworthiness requirements adopted in pursuance of the Convention, register that aircraft and issue a certificate of airworthiness in respect of that aircraft.

Conditions of certification of air worthiness.

35. (1) Every certificate of airworthiness shall contain conditions in accordance with the airworthiness standards adopted in pursuance of the Convention and such other conditions as the Director may consider necessary in the interests of safety.

(2) Any condition specified in a certificate may be varied from time to time by the Director—

(*a*) to conform with such variations of the airworthiness standards as are adopted in pursuance of the Convention from time to time ; or

(*b*) to comply with such additional requirements as to safety as the Director may consider necessary.

Access to factories and workshops following application for certificate of airworthiness.

36. Where any application has been made for a certificate of airworthiness in respect of any aircraft, any person authorized in writing by the Director shall at all times during working hours while the aircraft is under maintenance, overhaul, repair, modification or construction, have the right of access to any place in any aircraft factory to which access is necessary for the purpose of inspecting any part of the aircraft being manufactured or assembled or to any drawings of any part of the aircraft.

Inspection, weighing, overhaul, repair and modification of aircraft.

37. (1) The following provisions of this regulation shall have effect in relation to aircraft registered in Ceylon, in respect of which certificates of worthiness issued or rendered valid under these regulations are in force :—

(*a*) Any such aircraft may be inspected by a person authorized in writing by the Director for that purpose ;

(*b*) In addition to the requirements prescribed by the Director as to the inspection, overhaul, repair, replacement of parts or modification

of any such aircraft, and as to the ascertaining of the weight thereof, a person authorized by the Director as aforesaid may, in any particular case, give any special instructions with regard to the matters aforesaid which appear to him to be required for the purpose of securing the safety of the aircraft;

(c) The approval in writing of the Director shall be obtained for a modification of any aircraft, where such modification has been carried out in pursuance of the provisions of this regulation or otherwise, and the Director may require that, if a modification of an aircraft proposed for approval is carried out, a new certificate of airworthiness in respect of that aircraft shall be obtained.

(d) An aircraft in respect of which any such prescribed requirements or special instructions as are referred to in paragraph (b) of this regulation have not been complied with or in respect of which an approval or a new certificate of airworthiness required under paragraph (c) of this regulation has not been obtained shall not, pending compliance with such prescribed requirements or special instructions or pending the obtaining of such approval or a new certificate of airworthiness, as the case may be, fly or attempt to fly, except in so far as it may be permitted to fly by the Director or except in so far as it might fly under these regulations if no certificate of airworthiness was in force in respect thereof.

(2) In this regulation—

(a) the reference to inspection, overhaul, repair, replacement of part and modification of an aircraft includes reference to the inspection, overhaul, repair, replacement of part and modification of the engines, components, accessories, instruments, equipment and apparatus of an aircraft and the manner of the installation of the same;

Periodical overhaul of aircraft.

41. (1) Every aircraft shall be overhauled and certified as airworthy in accordance with provisions of the regulation 47 of these regulations within the prescribed period.

(2) For the purpose of this regulation, "prescribed period" shall be, in relation to each particular aircraft and component, such period as the Director may determine and direct having regard to—

(*a*) the maintenance facilities available to the operator of the aircraft;

(*b*) the number of hours flown of the aircraft;

(*c*) the records (if any) maintained in accordance with Chapter XIII of these regulations;

(*d*) the classification of the aircraft;

(*e*) the maximum period for safe operation without overhaul of the aircraft and each component as stated by the manufacturer; and

(*f*) any circumstance such as the existence of dust, salt air or other factor on the routes flown and bases used, which may have an effect upon airworthiness.

Airworthiness of aircraft of Contracting States.

42. (1) When any aircraft which possesses the nationality of a Contracting State suffers damage, or when it has been ascertained that the condition of the aircraft is such that it does not fulfil the conditions for the continuance in force of its certificate of airworthiness in Ceylon, the Director may, subject to the provisions of this regulation, prohibit the aircraft from flying.

(2) Where an aircraft has been prohibited under this regulation from flying within Ceyon,—

(*a*) the Director shall furnish to the appropriate authority of the country in which it has been registered, a notification of the action which he has taken and a report of the damage suffered or the condition ascertained; and

(b) such prohibition shall not be removed until that authority notifies the Director that—

(i) any suspension of the certificate of airworthiness of the aircraft imposed by that authority in respect of the damage suffered or the condition ascertained, has been removed, or

(ii) that authority considers that the damage suffered or the condition ascertained is not of such a nature as to prevent the aircraft from fulfilling the minimum requirements of safety adopted in pursuance of the Convention:

Provided that, if that authority notifies the Director that, in the special circumstances of any particular case, that authority considers that the aircraft may be permitted to proceed in flight without passengers to the nearest airport where it could be repaired and put in such a state that it fulfils the minimum requirements of safety adopted in pursuance of the Convention, the Director may authorize the aircraft so to proceed.

Renewal of certificates of airwothiness.

43. Before any certificate of airworthiness is renewed, the applicant shall furnish to the Director such information concerning the condition of the aircraft as the Director may require.

Charges for certification of airworthiness

44. The charges payable by recipients in respect of the issue and renewal of certificates of airworthiness shall be those specified in the Eighth Schedule hereto.

Inspection and certification of aircraft plying for public service

45. (1) No aircraft, registered in Ceylon, carrying passengers or goods for hire or reward and plying for public service, shall fly in or over Ceylon, unless within the period of twenty-four hours next preceding the commencement of such flight it has been inspected and certified as safe for flight under the provisions of these regulations; or, if within the said period of twenty-four hours and after the aircraft has been certified as aforesaid it has been compelled to land

(*b*) reference to ascertaining the weight of an aircraft includes reference to ascertaining the weight of the engines, components, accessories, instruments, equipment and parts thereof; and

(c) the expression "modification" includes any change in the type of engines, components, accessories, instruments, equipment and parts of an aircraft.

Modification of aircraft, or aircraft components.

38. (1) Where, at any time the Director considers that any modifications of an aircraft or type of aircraft are necessary in order to ensure the safety of the aircraft, the Director may require those modifications to be carried out.

(2) The owner of an aircraft in respect of which a certificate of airworthiness is in force shall not, without the prior approval of the Director, carry out any modification (including changes of equipment or installation) which affect or are likely to affect the airworthiness or safety of the aircraft.

(3) Before the approval of the Director is granted, in pursuance of the last preceding paragraph, the owner of the aircraft shall furnish such drawings and data relating to the design and such proof of airworthiness as the Director may require.

(4) Where under this regulation, the Director approves modification of an aircraft on condition of the certificate of airworthiness in force in respect of the aircraft being endorsed, the application for approval of such modification shall be deemed to be an application for the endorsement of the certificate of airworthiness and shall be subject to the fees prescribed therefor in the Eighth Schedule hereto; and where under the said regulation the Director approves modification of an aircraft on condition of a fresh certificate of airworthiness being obtained in respect of the aircraft, the application for the approval of such modification shall be deemed to be an application for a certificate of airworthiness in respect of the aircraft and shall be subject to such fees as are prescribed in the Eighth Schedule hereto for the issue of a certificate of airworthiness.

39. When a Ceylon aircraft in respect of which a certificate of airworthiness has been issued under this Chapter suffers such damage that the condition of the aircraft does not fulfil the conditions for the continuance in force of its certificate of airworthiness, the certificate of airworthiness shall be suspended by the Director until the aircraft is repaired and certified as airworthy in accordance with regulation 47 of these regulations.

Suspension and cancellation of certificate of airworthiness in circumstances other than damage.

40. (1) Where, at any time, the Director is satisfied that reasonable doubt exists as to the safety of an aircraft or of the type to which the aircraft belongs, the Director may suspend or cancel the certificate of airworthiness in respect of the aircraft.

(2) If an aircraft—

(*a*) has not been inspected and certified as safe for flight within the prescribed period in accordance with regulation 45 ; or

(*b*) develops a defect which is such as would not, in accordance with ordinary aeronautical practice, be remedied by the pilot or the crew,

the certificate of airworthiness of the aircraft shall be deemed to be suspended until the aircraft has been inspected and certified as safe for flight in accordance with regulation 45, or overhauled, repaired and certified as airworthy in accordance with regulation 47, as the case may be.

(3) No aircraft shall be flown during any period for which its certificate of airworthiness has been suspended or deemed to have been suspended :

Provided however that, upon application made by the owner of the aircraft in that behalf, the Director may, subject to such conditions as he may specify, permit the aircraft to proceed without passengers to the closest place where it could be properly repaired.

owing to a defect such as would not in the ordinary aeronautical practice be remedied by its pilot or crew, unless it has, after such defect has been remedied, again been inspected and certified as aforesaid:

Provided that if, after any such aircraft has left the place at which it was last certified as aforesaid, its flight has been accidentally delayed owing to some cause other than a defect as aforesaid, it may proceed on its flight if, at the time of such resumption of flight, it has not performed more than twelve hours' flying, and a period of more than four days has not intervened, since it was last certified as aforesaid:

Provided also that nothing in this regulation shall be deemed to require that any aircraft which is actually in flight shall be brought to land and reinspected.

(2) For the purposes of this regulation, an aircraft shall be deemed to be plying for public service if it is employed in a regular line or service of public air transport, or in carrying on the business of providing public pleasure flights, or is otherwise carrying passengers or goods for hire or reward except under a private charter.

Requirements as to the issue and custody of certificates of safety.

46. (1) If after making any inspection of any aircraft or of any engine or engines for the purpose of regulation 33, the aircraft maintenance engineer who has made the inspection is satisfied that the aircraft inspected is safe in every way for flight if the conditions of loading specified in the certificate of airworthiness for the time being in force in respect of the aircraft are complied with or that the engine or engines concerned (including the engine installation and the prescribed instruments appertaining to the engine or engines) is or are in every way fit for flight, as the case may be, he shall sign in duplicate a certificate to that effect (hereinafter referred to as the certificate of safety) in form C specified in the Third Schedule hereto; and every period of twenty-four hours (or such other period specified in the approved maintenance schedule) shall for the purposes of regulation 45 be reckoned from the time stated in that certificate.

(2) The original of the certificate of safety shall be retained by the pilot in command of the aircraft and the duplicate copy shall be retained by the aircraft maintenance engineer.

(3) The original certificate of safety shall be carried in the aircraft until a further certificate of safety is issued in respect of that aircraft; when such a certificate is isssued the first-mentioned certificate shall be forwarded by the pilot to the owner of the aircraft.

(4) The owner of the aircraft and the aircraft maintenance engineer concerned shall keep each of the copies of the certificate of safety so forwarded until the expiry of a period of six months from the date thereof.

(5) Every certificate of safety and every copy of a certificate of safety shall, on demand by a person authorized by the Director, be produced by the person in whose custody it is.

Overhauls, &c., to be made under supervision

47. (1) Every overhaul, modification or repair made in respect of any aircraft or any component thereof shall be made by or under the supervision of an aircraft maintenance engineer licensed for the purpose under this Chapter.

(2) After any overhaul, modification or repair of any aircraft or any component thereof the aircraft maintenance engineer shall, subject to these regulations, certify to the airworthiness of the aircraft or component as the case requires.

(3) If the aircraft maintenance engineer considers that any overhaul, modification, repair or alteration which the aircraft or component has undergone may have changed the given flight characteristics of the aircraft or has affected its operation in flight, he shall not certify to the airworthiness of the aircraft or component until—

(a) the aircraft has been subjected to a flight test of such nature as the Director may require and such test is conducted by a pilot approved by the Director as being qualified for the purpose; and

(b) the pilot has certified that the aircraft has undergone the test satisfactorily.

(4) A certificate shall not be issued in pursuance of paragraph (2) of this regulation unless the materials and the process used comply with the specifications approved by the Director.

CHAPTER V

Licences and Ratings of Operating Crew

Operating crew to hold licences.

48. No person shall fly or attempt to fly as a member of the operating crew of a Ceylon aircraft unless he holds a licence and (where required) a rating, issued or granted or rendered valid in pursuance of these regulations, both licence and rating being appropriate to the capacity in which he is acting.

49. (1) No person shall fly or attempt to fly within Ceylon as a member of the operating crew of a foreign aircraft unless he is the holder of a licence granted or rendered valid under the law of the country in which the aircraft has been registered.

(2) For the purposes of this regulation the expression "licence" means a licence which entitles the holder thereof to act in the capacity in which he is flying as a member of the operating crew of an aircraft having regard to privileges conferred by the licence and any limitation affecting such privileges in relation to the class, type and description of the aircraft or otherwise, and to the circumstances of the flight in which the aircraft is engaged.

(3) For the purposes of this regulation—

(a) a person shall not be deemed to be a member of the operating crew of an aircraft—

(i) if he is flying in accordance with the provisions of these regulations for the purpose of qualifying for the grant or renewal of a pilot's licence of any class; or

(ii) if he is flying in accordance with provisions of these regulations for the purpose of undergoing tests or receiving instruction in flying required to be undertaken for admission into the Royal Ceylon Air Force or into the Royal Air Force, and

(b) (i) any member of a flying club or flying school when flying within Ceylon in a Ceylon aircraft belonging to or being flown under arrangements made by such club or school for the purpose of instruction or otherwise, in a case where the pilot of the aircraft is also a member of the same club or school, or

(ii) any person carried in any Ceylon aircraft for the purpose of instruction given by a person specially approved by the Director in that behalf,

shall not be deemed to be a passenger carried for hire or reward notwithstanding that payment is made for such carriage or instruction.

(4) (a) The holder of a pilot's licence of any class may fly as pilot in command of an aircraft of a class or type other than a class or type to which the licence applies if he is so flying in accordance with the provisions of these regulations and the prescribed conditions for the purpose of qualifying for the extension (pursuant to paragraph (6) of regulation 53), of the aircraft rating included in the licence to cover an additional class or type or additional classes or types of aircraft.

(b) A person may fly in accordance with the provisions of the last preceding sub-paragraph as pilot in charge of an aircraft notwithstanding that it is a public transport aircraft if the licence which he holds entitles him to fly as pilot in command of a public transport aircraft and every passenger carried in the aircraft is being carried in accordance with the conditions prescribed in these regulations for the purpose of being trained to perform duties as a member of the operating crew of an aircraft.

(5) Except in the case of a person flying as a flight radio operator, the preceding provisions of this regulation shall not apply to a person flying as a member of the operating crew of a glider which is not being used as a public transport aircraft or an aerial work aircraft.

Application for licences and ratings to be made to the Director.

50. Every application for the grant, validation, renewal, or endorsement of any licence relating to operating crew of any aircraft shall be made to the Director, and the Director shall, at the request of any person desiring to apply for the grant, validation or endorsement of any such licence as aforesaid, furnish him with a form of application.

Grant, &c., of licences to be subject to fulfilment of conditions as to medical fitness and competence.

51. A licence shall be granted, renewed, validated or endorsed under this Chapter only subject to fulfilment by the applicant for such grant, renewal, validation or endorsement, of the conditions relating to medical fitness prescribed in that behalf in the First Schedule hereto and to such applicants furnishing proof of competency (if any) and the proof of age and flying experience required by these regulations to be furnished in respect of such grants, renewal, validation or endorsement, as the case may be.

Number and description of operating crew.

52. (1) No aircraft shall fly or attempt to fly within Ceylon unless the members of its operating crew are of the number and description required by the law for the time being in force in that behalf of the country in which the aircraft is registered.

(2) The number and description of the members of the operating crew to be carried in a Ceylon aircraft and the arrangements made as to their duties shall be in accordance with the requirements set out in the Sixth Schedule hereto, including requirements specified in this Chapter with respect to the class, type and description of the aircraft or the circumstances of the flight in which it is engaged.

Grant of licences to members of operating crew.

53. (1) For the purpose of entitling persons to act as members of the operating crew of a Ceylon aircraft the Director may grant licences and ratings as provided in Parts I and II of the First Schedule hereto, and the following provisions of this regulation shall have effect with respect to such licences and ratings.

(2) The Director may grant on application being made and on his being satisfied that the applicant is qualified in accordance with the requirements laid down in the First Schedule hereto (hereinafter in this regulation referred to as the "requirements"), the licence or rating to which the application relates.

(3) (*a*) A licence shall, subject to the provisions of these regulations, remain in force for such period, not exceeding the prescribed period, as may be shown in a certificate of validity issued by the Director along with the licence; any such licences may, on application being made, and on the Director being satisfied that the applicant is qualified in accordance with the requirements to have the licence renewed, from time to time, be renewed by the Director so as to remain in force for a further period, not exceeding the prescribed period, shown in the certificate of validity issued by the Director on the occasion of the renewal;

Provided however that, on any such application being made, the applicant may be required to satisfy the Director as to his qualifications in accordance with all or any of the requirements applicable with respect to the grant of a licence of the class to which the application relates.

(*b*) A certificate of validity issued in accordance with the provisions of sub-paragraph (*a*) of this paragraph shall, while it remains in force, be deemed to perform part of the licence to which it relates and the certificate of validity which is for the time being in force shall be carried with that licence.

(4) (*a*) (i) With respect to each class of licence and rating the privileges which may be conferred by a licence or rating of that class shall, subject to the provisions of sub-paragraph (*b*) to this paragraph, be as prescribed in the First Schedule hereto.

(ii) A rating may upon application made in that behalf be included by the Director in a licence on the grant thereof or at any time while the licence remains in force.

(iii) A rating specifying a privilege may be included in a licence if the Director is satisfied that the applicant or, as the case may be, the holder of the licence, is qualified in accordance with the requirements for such rating.

(iv) A rating may be deleted by the Director at any time while the licence in which it is included remains in force, if the Director is satisfied that it should no longer be included in that licence.

(b) (i) A pilot's licence of any class shall include a rating or ratings (hereinafter collectively called an "aircraft rating") specifying the classes and types of aircraft which the holder of the licence may fly as pilot in command or co-pilot.

(ii) A pilot's licence of any class may, and where so prescribed shall, include an instrument rating entitling the holder of the licence to fly as pilot in command or as co-pilot under Instrument Flight Rules in accordance with the provisions of these regulations in respect of flights within a control area or control zone.

(iii) A flight engineer's licence shall include an aircraft rating specifying the types of aircraft in which he is entitled to act as flight engineer.

(5) The Director may upon the grant or renewal of any particular licence or at any time during the period during which such licence remains in force, impose any special limitations on or in connection with the exercise of the privileges conferred by the licence if there appears to him to be sufficient ground therefor. Any such limitation shall be entered in the licence and may at any time be removed by the Director upon his being satisfied that the same need no longer be imposed.

(6) Where any privilege is limited as to the class or type of aircraft in respect of which it is conferred or, in the case of a flight radio operator's licence, as to the type of radio apparatus which the holder of the licence is entitled to operate, the Director may at any time while the licence remains in force, upon application made in that behalf, extend the rating limiting the effect of the privilege to cover additional classes or

types of aircraft or, as the case may be, additional types of radio apparatus, if he is satisfied that the applicant is qualified in accordance with the appropriate requirements to have the rating.

(7) The holder of a flight engineer's licence may carry out the duties of a flight engineer in any aircraft of a type other than a type to which the licence applies if he is so acting under the direct supervision of the flight engineer of that aircraft.

(8) Every holder of a licence shall submit himself to a medical examination as prescribed in the First Schedule hereto.

(9) Upon the issue of a licence to any applicant, he shall forthwith sign his name thereon in ink with his ordinary signature as the holder thereof. A flight radio operator shall also so sign (if he has not already so signed) the certificate of competency issued to him in accordance with the proviso to paragraph (2) of this regulation.

(10) (*a*) No holder of a pilot's licence shall notwithstanding any privileges granted to him under the provisions of this Chapter, fly an aircraft for which he has not qualified by obtaining a type rating.

(*b*) For the purpose of this regulation "type rating" shall have reference to a specific type in any particular class of aircraft.

Limitations according to category of licence held.

54. (1) An aircraft which is being operated in a regular public transport service shall not be flown by any person who is not the holder of a valid airline transport pilot's licence appropriate to the duty performed in the aircraft.

(2) A person may—

(*a*) if he has been granted a student pilot's licence, fly for the purposes for which the licence has been issued, a private aircraft or aerial work aircraft used for flying training; or

(*b*) if he has been granted a private pilot's licence, fly, for the purpose of practising for the renewal of his private pilot's licence or for the purpose of increasing his skill in regard to the standards required for the issue of an instrument rating or a commercial pilot's licence, an aerial work aircraft used for flying training.

(3) No holder of a student pilot's licence shall pilot any aircraft—

(*a*) outside Ceylon unless he has first obtained permission from the Director for the flight; or

(*b*) for the purposes of receiving his practical flight instruction and increasing his skill for the purpose of the initial issue of a licence of a higher category, unless he is accompanied by, or is under the supervision of, a licensed pilot who holds a flight instructor's rating; or

(*c*) for the purpose of qualifying for the renewal of a licence of a higher category which is no longer valid, unless he is accompanied by, or is under the supervision of, a licensed pilot who holds a flight instructor's rating or a valid commercial, senior commercial or airline transport pilot's licence,

and no such pilot shall during any flying referred to in sub-paragraph (*b*) or sub-paragraph (*c*) of this paragraph pilot any aircraft carrying any person other than the licensed pilot referred to in the respective sub-paragraphs.

55. (1) Subject to these regulations, a licence issued under this Chapter shall remain in force after the date of issue for such period not exceeding the period laid down in paragraph 1.2.5 of the First Schedule hereto, as may be specified in the licence.

(2) A licence may be renewed from time to time for any period not exceeding that mentioned in the last preceding paragraph in respect off the issue of the licence.

Duration of rating.

56. Subject to these regulations, a rating issued under this Chapter shall remain in force during the period for which the holder's pilot licence remains in force and may be renewed concurrently with that licence.

Requirements relating to operating crew licences.

57. Applicants for operating crew licences issued under the provisions of this Chapter shall comply with such requirements as are specified in that behalf in the First Schedule hereto.

Proof of identity.

58. An applicant for a licence or rating under this Chapter may be required by an authorized person to produce satisfactory proof of his identity immediately prior to—

(*a*) his undergoing any examination or test; and

(*b*) the issue to him of any licence or rating.

Proof of standards.

59. (1) An applicant for the issue or for the renewal of a licence under this Chapter shall, in accordance with the requirements as to physical standards adopted in pursuance of the Convention and laid down in the First Schedule hereto, pass a medical examination which shall be conducted by a medical board convened by the Director.

(2) (*a*) Every person who presents himself before a medical board for a medical examination shall furnish to such board a declaration in writing, signed by him, stating whether he has or has not previously undergone a like medical examination and stating the result of such medical examination if he has undergone one; and if any person who is required by this regulation to make any statement as aforesaid intentionally makes a false statement in such declaration, any licence granted to him, or any validation granted to him under the provisions of this Chapter shall be liable to be cancelled.

(*b*) Where any person is required to undergo a medical examination for the purpose of obtaining a private pilot's licence or a student pilot's licence or for the purpose of obtaining a renewal of a student pilot's or private pilot's licence, the examination may,

if that person so desires, and notwithstanding the preceding provisions of this regulation be conducted by a registered medical practitioner selected by him and approved by the Director. Every medical practitioner who conducts an examination under this sub-paragraph shall forthwith furnish to the Director the results of such examination in such form as may be provided for the purpose by the Director. Nothing in these regulations relating to fees shall apply to a medical examination conducted by a medical practitioner under this sub-paragraph.

Practical tests.

60. (1) Every practical test shall be performed under the observation of an observer and at least one examiner approved by the Director (hereinafter referred to in this regulation as "the Examiners") who shall furnish to the Director a report upon the applicant's performance of the test on the form provided for the purpose by the Director.

(2) Before witnessing the performance of any test the examiners may call for proof regarding the identity of the person offering to perform the test.

Conditions applying to flight by persons for purpose of becoming eligible for grant of pilot's licences.

61. A person holding a student pilot's licence who flies an aircraft for the purpose of qualifying for the grant of a pilot's licence under the provisions of this Chapter shall comply with the following conditions:—

(*a*) He shall begin the flight or perform the whole of it within a distance of three miles from, and end it at, a licensed aerodrome, or an aerodrome specified by the Director;

(*b*) Before beginning any such flight, he shall give notice to the person in charge of the aerodrome from which he begins it that it is being undertaken for the aforesaid purposes;

(*c*) He shall not carry any person in the aircraft as a passenger except in so far as he is specially permitted by the provisions of these regulations so to do.

Director to record on licences date and results of medical examination and suspensions.

62. The Director shall record on every licence granted, renewed or validated under the provisions of this Chapter the date and result of every medical examination, subsequent to the original medical examination for the grant or validation of the licence, which the holder of the licence has undergone under these regulations, and also particulars of every period during which the validity of the licence has been suspended.

Injury or illness of persons holding licences.

63. (1) Every holder of a licence under this Chapter who suffers—

(*a*) any personal injury as a result of an accident—

(i) either occurring during the performance of the duties for which he is licensed; or

(ii) occurring otherwise than during the performance of those duties and involving any incapacity for work; or

(*b*) any illness involving or likely to involve incapacity for work for a period of seven days or more; or

(*c*) any of the injuries or illnesses specified hereinafter in this paragraph,

shall, as soon as may be practicable after the occurrence of the injury or illness, notify in writing, to the Director, of the particulars of the injury or illness, and any incapacity resulting therefrom; and shall forward with such notification a report upon the matter by a qualified medical practitioner approved by the Director:—

INJURIES OR ILLNESS

(A) Respiratory infractions including pneumonia, pleurisy, influenza, sinusitis and severe colds in the head or chest, requiring confinement to bed.

(B) Heart conditions caused through rheumatic fever or any other heart condition associated with giddiness, fainting and shortness of breath.

(C) Eye conditions affecting the vision or any chronic discharge from the eyes.

(D) Head injuries involving concussion or unconsciousness.

(E) Injuries to limbs, including fractures dislocations and severe sprains.

(F) Recurrent attacks of malaria, dysentery and tropical diseases.

(G) Any acute or chronic condition which occurs and gives rise to new and persistent symptoms.

(H) Acute or chronic digestive disorders, particularly associated with vomiting of blood or blood in the stools.

(I) Uninary disorders associated with frequent passing of urine, headaches, dryness of the mouth and tongue, loss of weight and blood in the urine.

(J) Severe anemia of any type, blood poisoning or any other acute or chronic toxic condition.

(K) Condition arising after and on account of any surgical operation requiring the use of a general (including spinal or intravenous) anaesthetic.

(L) Any nervous condition, the symptoms of which are insomnia, lassitude, loss of appetite, inability to concentrate or chronic headaches.

(M) Pregnancy.

(2) The Director may require any person who furnishes a notification in accordance with paragraph (1) of this regulation to undergo a full or partial medical examination.

(3) Any holder of a licence who is incapacitated for work in the circumstances specified in paragraph (1) of this regulation shall not resume duties for which he is licensed until the medical practitioner whose services he has obtained or, where he is required to undergo examination in pursuance of the last preceding paragraph, the medical board has certified that the incapacity has disappeared.

(4) A female holder of a licence under this Chapter who becomes pregnant shall forthwith cease all flying duties and shall not resume flying until she has been medically examined and pronounced fit by a medical practitioner approved by the Director.

(5) The provisions herein before contained relating to medical examinations shall, so far as they are applicable, apply to every medical examination which any person is required by this regulation to undergo as though such person were an applicant for the renewal of a licence.

64. In this Chapter, unless the context otherwise requires,—

"validation" means the action taken by the Director in accordance with the provisions of this Chapter, in accepting, as an alternative to a licence issued by him, a licence issued by a Contracting State or a foreign country other than a Contracting State as the equivalent of a licence issued by him;

"endorsement" means the recording on a licence, of a rating for any class or type of aircraft other than those already specified in the licence; and

"public transport aircraft" means—

(*a*) an aircraft carrying passengers or goods for hire or reward; or

(*b*) any aircraft comprised in a combination of aircraft in a case where an aircraft is towing other aircraft, if such aircraft, towing or being towed, is carrying passengers or goods for hire or reward, and

(*c*) in a case where carriage of passengers or goods is effected by an air transport undertaking—

(i) the aircraft carrying the passengers or cargo, or

(ii) if passengers or cargo are carried in any aircraft comprised in such a combination as aforesaid, every aircraft, either towing or being towed, comprised therein, whether such carriage is for hire or reward or not, except in a case where every passenger carried is a person in control or in the employment of the undertaking and any goods carried consist entirely of articles belonging to the undertaking.

Aeronautical knowledge, experience and skill.

65. Every applicant for a licence or a rating under this Chapter shall, before the licence or rating is issued to him—

(a) pass such theoretical tests and examinations;

(b) pass such practical tests of skill, and

(c) produce such evidence of his aeronautical experience appropriate to the licence or rating sought,

as provided in these regulations.

66. (1) No holder of a pilot's licence shall act as pilot in command of a type of aircraft for which his licence has not been endorsed:

Provided however that a pilot may be authorized by the Director to act as pilot in command of an aircraft for the purpose of testing types of aircraft for which his licence has not been endorsed and the privileges and limitations applying to such a pilot shall be such as the Director may determine having regard to the qualifications and experience of the pilot concerned.

(2) No holder of a pilot's licence shall act as a pilot member of the operating crew of any class of aircraft for which his licence has not been endorsed.

Renewal of licence and rating.

67. Every applicant for the renewal of a licence or a rating shall—

(a) forward his licence together with an application for renewal, in such form as may be approved for the purpose, and

(b) furnish such information as the Director may require in regard to the applicant's recent experience in the capacity in which he seeks renewal of the licence.

Recent experience.

68. Every holder of a licence or a rating under this Chapter shall not fly unless he complies with such requirements relating to recent experience appropriate to the licence or rating as the Director may consider necessary in the interests of air navigation.

Flight time limitations.

69. No holder of a licence under this Chapter shall fly as a member of the operating crew of any aircraft more than—

(a) one thousand hours in any period of twelve consecutive months;

(b) one hundred hours in any period of thirty consecutive days;

(c) thirty hours in any period of seven consecutive days; or

(d) eight hours in any period of twenty-four consecutive hours:

Provided that—

(i) where proper rest facilities are available in the aircraft or where the composition of the aircraft crew is such as will allow relief from duty during flight, the Director may authorize the holder of a licence to fly such hours in excess of those specified in paragraph (*b*), (*c*), or (*d*) of this regulation as the Director may consider reasonable, or

(ii) where special circumstances so warrant and where there is no loss of safety, the Director may authorize the holder of a licence to fly such hours in excess of eight hours in any twenty-four consecutive hours as the Director may specify.

Relief periods.

70. The Director may determine the period for which a member of the operating crew of an aircraft shall, after the completion of any flight or series of flights, be relieved of all duties associated with his employment before he resumes flying.

Re-examination of holders of licences and ratings.

71. (1) Whenever the Director considers it necessary in the interests of the safety of air navigation for the holder of a licence or a rating to demonstrate his continued fitness or proficiency in the capacity for which the licence or rating is held, the Director may require the holder of the licence or rating to undergo a medical examination or practical test or theoretical examination as the case may require.

(2) Where the result of any such examination or test is unsatisfactory, the Director may suspend or cancel the licence or rating or amend the licence or rating in such manner as he thinks fit.

Validation of licences issued outside Ceylon.

72. Where any person who is the holder of a valid licence issued by a duly competent authority in any other country satisfies the Director that he has complied with the minimum requirements required under the Convention, the Director may issue to such person

a licence appropriate to the qualifications and experience of the person, subject to such conditions and limitations and for such period as he thinks fit, or confer on that person's licence the same validity for the purpose of flying Ceylon aircraft as if it has been issued under these regulations :

Provided however that—

(i) such a validation shall not be issued or renewed if the Director is satisfied that the holder of such licence is not a fit and proper person to hold such validation ; and

(ii) in any particular case, the Director may refuse to issue or renew such a validation if, in the circumstances of that case, it appears to him to be inexpedient in the public interest that such validation should be issued or renewed, as the case may be.

Fees for examinations, &c.

73. (1) The fees payable in respect of any preliminary medical examinations, theoretical examinations and practical tests of skill connected with the issue or renewal of licences under these regulations shall be as specified in the Eighth Schedule hereto.

(2) Every application for the grant, renewal, validation or endorsement, of a licence issued under these regulations shall be accompanied by the appropriate fee prescribed in that behalf.

CHAPTER VI

FLYING SCHOOLS AND TRAINING ORGANIZATIONS

Flying school licences.

74. (1) No person shall establish any school or other institution for the purpose of imparting practical instruction in the air in subjects in which a candidate is required to qualify for a licence or renewal of a licence or rating under Chapter V of these regulations, and no aircraft shall be used for such purpose except under the authority of, and in accordance with, a licence (hereinafter referred to as "a flying school licence") issued by the Director.

(2) The Director may issue a flying school licence to any applicant who satisfies the Director that he has the equipment and personnel necessary to impart satisfactorily the class of instruction proposed.

(3) The supervision, sequence of instruction, and methods of training used in a licenced flying school shall be in accordance with the directions of the Director, having regard to the standards required to be achieved by trainees to enable them to pass the examinations and tests appropriate to each operating school licence or rating.

(4) A flying school licence shall be given a class rating by the Director to accord with the class of instruction the holder of the licence is permitted to give.

(5) Every applicant for a flying school licence shall furnish such information in relation to the proposed flying school or institution as the Director may require.

(6) Subject to the provisions of Chapter XV of these regulations, a flying school licence shall remain in force for such period, not exceeding one year from the date of issue, as is specified in the licence, and may be renewed from time to time by the Director for a further period not exceeding one year.

(7) Subject to the provisions of Chapter XV of these regulations, a rating issued under paragraph (4) of this regulation shall remain in force during the period for which the flying school licence remains in force and may be renewed concurrently with that licence.

Persons qualified to give flight instruction.

75. No person shall give practical air instructions to any student in the piloting of aircraft—

(1) unless he is the holder of—

(*a*) a pilot's licence which has been endorsed with a flight instructor rating in accordance with the provisions contained in the First Schedule hereto, and

(*b*) a flying school licence, and

(2) unless the student concerned has received or is receiving such ground instructions as the Director approves.

Instructions in flying.

76. (1) Subject as hereinafter provided in this regulation, no person shall fly in or over Ceylon in an aircraft, other than a glider (except a towed glider of which the total maximum weight authorized exceeds 1,250 lb.) for the purpose of giving instructions in flying to another person flying therein for the purpose of becoming qualified for the grant or renewal of a pilot's licence of any class or for a rating or an extension of a rating nor give any direction relating to such instructions to a person flying or about to fly as pilot-in-command of an aircraft for the purpose of becoming so qualified unless—

(*a*) the first-mentioned person holds a pilot's licence to fly aircraft of the class and type in the flying of which the instruction is to be given, being a licence granted or rendered valid under these regulations; and

(*b*) in a case where payment is made for the instruction, the licence held by that person is a licence entitling him to act as pilot-in-command of a public transport aircraft; and

(*c*) in a case where payment is made for the instruction or, if the person receiving the instruction is flying or about to fly as pilot-in-command of an aircraft (whether payment is made or not), the holder of the licence is entitled by virtue of any flight instructor rating included in his licence to give instruction in flying aircraft of the class or type in the flying of which the instruction is to be given:

Provided however that—

(i) sub-paragraph (*b*) of this paragraph shall not apply in a case where the aircraft belongs to, or is being flown under arrangements made by a flying club of which both the person giving and the person receiving the instruction are members; and

(ii) sub-paragraphs (*b*) and (*c*) of this paragraph shall not apply in a case where the instruction is given by a person specially approved by the Director for that purpose in the course of training another person to be a pilot or to perform other duties in the Air Forces of any member of the British Commonwealth.

(2) The following provisions of this paragraph shall have effect with respect to the instructor's rating required under sub-paragraph (c) of paragraph (1) of this regulation :—

(*a*) The rating may be included by the Director in a licence on application being made in that behalf and on the Director being satisfied that the applicant is qualified in accordance with the requirements prescribed for the rating under these regulations ;

(*b*) A rating enabling the holder of the licence to give instructions in flying aircraft of any class and type may subsequently be extended by the Director to cover the giving of instruction in flying aircraft of any other class or type on application being made and on the Director being satisfied that the applicant is qualified in accordance with the prescribed requirements to have the rating so extended ;

(*c*) The rating shall continue to operate for the period shown in the certificate of validity for the time being in force relating to the licence in which the rating is included, and may from time to time be renewed by the Director for such further period, as may be shown in that certificate, on application being made, and on the Director being satisfied that the applicant is qualified in accordance with the prescribed requirements to have the rating renewed ;

(*d*) For the purpose of being satisfied that an applicant is qualified in accordance with the prescribed requirements to have a rating included in his licence or to have a rating extended or renewed, as the case may be, the Director may accept a certificate from the examining body appointed under regulation 77 to the effect that the applicant is so qualified;

(*e*) A rating shall not be included in a licence or renewed if the Director is satisfied that the holder of the licence is not a fit and proper person to have the rating;

(*f*) Every application for the inclusion in a licence, extension or renewal, of a rating shall be made in the manner prescribed by the Director and the applicant shall furnish the Director with such particulars as he may require in connection therewith.

(3) (*a*) Persons qualified to give instruction in flying may be graded as instructors and assistant instructors according to their qualifications as ascertained in accordance with the requirements set out in these regulations: Provided that a person graded as an assistant instructor may be authorized to give instruction in flying only under the direction of an instructor;

(*b*) Where a person is graded as an assistant instructor, any rating included in his licence with respect to the giving of instruction in flying shall be an assistant instructor's rating and the provisions of paragraph (2) of this regulation shall be deemed to apply thereto;

(*c*) The expression "instructor's rating" in sub-paragraph (*c*) of paragraph (1) of this regulation shall be deemed to include an assistant instructor's rating: provided that with respect to flights in which a person receiving instruction is flying as pilot-in-charge of an aircraft, an assistant instructor shall not in such cases as may be prescribed give any direction to such person.

(4) Payment shall be deemed for the purpose of this regulation to be made for the instruction to which this regulation relates if any sum is paid or is payable by any person in respect of the particular flight in which the instruction is given either to the person giving the instruction or to any person by whom the person giving the instruction is employed, or to whom he gives his services as an instructor in flying, or if the person giving the instruction is employed for reward primarily for the purpose of instructing persons in flying.

Examinations and tests for grant of extension or renewal of a rating to give instruction in flying.

77. The examinations and tests for the inclusion in a licence, extension or renewal, of a rating to give instruction in flying shall be conducted by a Board of three examiners appointed for the purpose by the Director from a panel approved by the Minister. On each occasion before the inclusion in a licence, extension or renewal, of any such rating, a report shall be furnished to the Director stating whether, in the opinion of the Board, the applicant is qualified for the rating or for such extension or renewal, as the case may be. Such ratings may be included in a licence, extended or renewed in accordance with the requirements and conditions specified in these regulations provided that the requirements for the inclusion in a licence, extension or renewal of a rating to give instruction in the flying of a certain type of aircraft, such as helicopters or gyro-planes, may be subject to such modifications as the Director may consider appropriate in any particular case.

Limitations of rating.

78. The Director may, upon production by the applicant of his pilot's licence and after consideration of the report furnished by the examining body, include in such licence a rating entitling the holder thereof to give instruction in flying in the capacity of instructor or an assistant instructor subject to such conditions as may be specified in the rating.

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79. (1) The period for which a rating to give instruction in flying may continue in operation shall not exceed six months.

(2) The fees charged in respect of the instructor and assistant instructor ratings shall be as specified in the Eighth Schedule hereto.

Ground Instructor.

80. (1) A person shall not act as ground instructor in any subject at a licensed flying school unless he is the holder of a ground instructor's licence issued by the Director and endorsed for that particular subject.

(2) The Director may issue a ground instructor's licence to any person whose qualifications, the Director is satisfied, render him competent to give instruction in any of the theoretical subjects required to be passed by an applicant for any class of pilot, navigator, aircraft radio operator or flight engineer licence, and each subject in which the holder of the licence is authorized thereunder to instruct shall be endorsed on the licence in such a manner as the Director directs.

(3) Subject to Chapter XV of these regulations, a ground instructor's licence shall remain in force for such period not exceeding one year from the date of issue as is specified in the licence, and may be renewed from time to time by the Director for a further period not exceeding one year.

CHAPTER VII

Log-books to be maintained and requirements as to their maintenance.

81. (1) The following log-books and logs shall be maintained in respect of every aircraft:—

(*a*) An aircraft log-book;

(*b*) An engine log-book for each engine installed in the aircraft;

(*c*) A propeller log-book for every propeller in which provision is made for variation of the pitch of the blades in flight;

(*d*) A radio maintenance log-book for the radio apparatus (if any) installed in the aircraft;

(*e*) A journey log-book; and

(*f*) A telecommunication log-book, in all cases where radio apparatus has been installed in the aircraft.

[10,942/15-6-1956.]

(2) Logs and log-books shall be of such type or character and shall contain such information as may be determined by the Director.

(3) The information referred to in the last preceding paragraph shall be entered in the log-book, as the case requires, by the person responsible for the maintenance of the log or log-book, immediately upon the receipt of information; and the entries shall be signed by that person.

(4) The owner of an aircraft shall be responsible for the maintenance of the log-books referred to in sub-paragraphs (*a*), (*b*), (*c*), and (*d*) of paragraph (1) of this regulation; the pilot in command of an aircraft shall maintain the journey log-book of the aircraft; and the flight radio operator of an aircraft shall be responsible for the maintenance of the telecommunication log-book of the aircraft. [10,942/15-6-1956.]

(5) The owner of every aircraft shall take such action as may be necessary to ensure that the journey log-book and telecommunication log-book are maintained in accordance with the provisions of this regulation. [10,942/15-6-1956.]

(6) The journey log-book and the telecommunication log-book of an aircraft shall be carried in the aircraft. [10,942/15-6-1956.]

(7) The Director may grant exemption from the requirements of this regulation in respect of an aircraft other than an aircraft engaged in international air navigation.

(8) Every log and log-book shall be preserved for a period of not less than two years from the date of the last entry therein.

(9) The owner of every aircraft shall make such arrangements as are approved by the Director for ensuring that the copies of the entries made in any log-book which is carried in such aircraft are recorded in a suitable form and kept in a safe place on the ground.

(10) The information from a journey log-book shall, as soon as practicable, be entered in the appropriate log-book by the person responsible for the maintenance of the same.

(11) Where any log-book is left at the usual station of the aircraft and work of repairs are carried out away from that station, particulars of such work or repairs shall, as soon as practicable, be entered in the appropriate log-book.

Personal flying log-book.

82. Every member of the operating crew of a Ceylon aircraft and every person flying in accordance with the provisions of these regulations, for the purpose of becoming qualified for the grant or renewal of a licence by the Director or flying in accordance with the provisions of these regulations for the purpose of undergoing tests or receiving instruction in flying required to be undertaken for admission into any of Her Majesty's Air Forces, shall keep a personal flying log-book.

How log-books are to be kept.

83. The following provisions shall have effect with respect of the log-books specified in regulations 81 and 82 :—

(*a*) The journey log-books shall be kept so as to furnish all the information and particulars for which they provide, and the instructions for use set out therein shall be complied with ;

(*b*) Entries in journey log-books, other than entries made by the Director before issue and any *visas* by aeronautical or customs authorities, shall be made and signed by the person or persons whose signature is required by the particular form of log-book which is being used.

Repairs to aircraft.

84. Where repairs to any aircraft or any part thereof are rendered necessary on account of any forced landing, the entry made in the appropriate log-book relating such repairs shall include a statement to the effect that such repairs were rendered necessary on account of such forced landing.

Entries in journey log and personal flying log-book.

85. Every entry in the journey log-book and the personal flying log-book shall be made at least within twenty-four hours after the event or events to which that entry relates and the relevant particulars in the journey log-book shall be entered in the aircraft, engine or propeller log-book at least within twenty-four hours after the return of the aircraft to its station.

Manner of entry and signature.

86. Every entry and signature in any log-book shall be made in ink.

Aircraft log.

87. Every aircraft log-book shall contain the following particulars:—

(*a*) the classification of the aircraft; its nationality and registration marks; the full name, nationality and residence of the owner; the name of the manufacturer of the aircraft; and the total maximum weight authorized for the aircraft;

(*b*) the type and series number of the engine; the type of the propellor, showing number, pitch, diameter and manufacturer's name;

(*c*) the type of radio apparatus, if any, fitted on the aircraft;

(*d*) a table setting out all necessary information as to the adjustment and rigging of the aircraft structure, together with details of any peculiar rigging features; and

(*e*) a detailed engineering record of the life of the aircraft, including all acceptance-tests, overhauls, replacements, repairs and all work of a like nature, and all inspections made and certificates issued in respect of the aircraft.

Engine log.

88. (1) Every engine log-book maintained in respect of each engine shall always accompany the engine, unless in the special circumstances of any particular case the Director otherwise directs.

(2) Every engine log-book shall contain the following particulars:—

(*a*) the type of the engine, series number, crank-shaft number, manufacturer's name, international (or special) power, and international (or special) number of revolutions of the engine, date of production, and date when first put into service;

(*b*) the registration mark and type of aircraft in which the engine has been installed;

(*c*) a complete engineering record of the life of the engine, including all acceptance-tests, hours run, overhauls, replacements, repairs and all work of a like nature, and all inspections made and certificates issued in respect of the engine.

89. (1) Every journey log-book shall contain the following items and corresponding Roman numerals in respect of each journey:—

I. nationality of the aircraft and registration;
II. date of registration;
III. names of members of the crew;
IV. duty assignments of members of the crew;
V. place of departure;
VI. place of arrival;
VII. time of departure;
VIII. time of arrival;
IX. hours of flight;
X. nature of flight (private, aerial work, scheduled or non-scheduled);
XI. incidents and observations, if any;
XII. signature of person in charge.

(2) There shall be entered in every journey log-book—

(*a*) where such are required, clearance certificates by the health, customs, immigration and aeronautical authorities;

(b) the name of the manufactuerer; the full name, nationality and residence of the owner; and the usual station of the aircraft.

(c) the fees chargeable for the issue of a journey log-book shall be as prescribed in the Eighth Schedule hereto.

Telecommunication log-book. [10,942/15-6-1958.]

90. Every telecommunication log-book shall contain the following particulars:—

(a) the classification of the aircraft, radio call-sign, its nationality and registration marks, the full name, nationality and residence of the owner;

(b) the place, date and time of the transmission or reception of any signal, and an indication of the nature of the signal; and

(c) the name or other indication of the person or station to whom a signal is sent or from whom a signal is received.

Radio maintenance log.

91. Every radio maintenance log-book shall contain the following particulars:—

(a) description of the type and series number of the radio apparatus installed in the aircraft, manufacturer's name, date of production, and the date the aircraft was first put into service;

(b) registration mark and type of aircraft in which the apparatus is installed; and

(c) a complete record of maintenance, adjustments, repairs and tests in connection with the functioning of the apparatus.

Propeller log.

92. Every propeller log-book shall contain the following particulars in respect of each propeller:—

(a) name of manufacturer, diameter, number of blades, range of pitch adjustment in respect of both of hub and blades, model number, series number, and type approval, including any particular restrictions imposed in respect of engine characteristics;

(*b*) table of maximum and minimum pitch settings for each particular engine installation on which the propeller is fitted ; and

(*c*) a complete engineering record of the life of the propeller and accessories, including hours run, overhauls, replacements, repairs and all work of a like nature.

Logs of members of operating crew.

93. Every personal flying log-book of each member of the operating crew of an aircraft shall contain the following particulars :—

(*a*) the full name, address and date of birth of the member ;

(*b*) the class and the number of licence, and the renewal date of the licence ;

(*c*) other licences and ratings held by the member ;

(*d*) past experience ; and

(*e*) record of flight.

Documents to be carried in aircraft.

94. (1) No aircraft shall fly in or over Ceylon unless it carries the documents required to be carried therein by the law of the country in which it is registered.

(2) There shall be carried in every Ceylon aircraft—

(*a*) when engaged in international navigation, the following documents :—

(i) The certificate of registration ;

(ii) A certificate of airworthiness ;

(iii) The licences of its operating crew ;

(iv) The journey log-book ;

(v) If equipped with radio apparatus which is operated, the telecommunication log-book ;

(vi) Any licence to instal and operate a radio apparatus in the aircraft for the time being in force ;

[10,942/15-8-1956.]

(vii) In the case of a public transport aircraft, one of the duplicate copies of the certificate of safety which was last issued in respect of such aircraft;

(viii) In the case of a public transport aircraft, one of the duplicate copies of the load sheet relating to the aircraft which may be required under these regulations;

(ix) In the case of any aircraft carrying passengers, list of their names and places of embarkation and disembarkation;

(x) In the case of any aircraft carrying goods, a manifest of the goods; and

(b) when not engaged in international navigation, the following documents:—

(i) When flying as a public transport aircraft, the documents specified in items (ii), (iii), (vi) and (vii) of sub-paragraph (*a*) of this paragraph, and the documents, if required, specified in item (viii) thereof;

(ii) When flying as an aerial work aircraft the documents specified in items (ii), (iii), and (vi) of sub-paragraph (*a*) of this paragraph;

(iii) If equipped with radio apparatus which is operated, its telecommunication log-book.

[10,942/15-8-1956.]

(3) In any case where a certificate of airworthiness or a licence required to be carried in an aircraft in accordance with the provisions of this regulation has been rendered valid by a validation issued by the Director under these regulations, there shall be carried in such aircraft along with such certificate or licence, the validation so issued.

General provisions as to documents.

95.—(1) In the case of any aircraft registered outside Ceylon, the documents required by these regulations to be carried therein shall be kept in the form and manner required by the law of the country in which the aircraft is registered.

(2) The certificate of airworthiness of every Ceylon aircraft and in cases where such certificate has been rendered valid by a validation issued by the Director under these regulations, the validation so issued shall be kept with the journey log-book in all cases where that log-book is required under these regulations to be carried in the aircraft.

(3) The following provisions of this regulation shall have effect with respect to the duplicate copies of a load sheet :—

(*a*) After the load sheet has been completed and examined in accordance with the provision of regulation 289 the operator of the aircraft shall cause one copy thereof to be sent to him ;

(*b*) The other copy thereof shall be carried in the aircraft and shall be kept with the journey log-book of the aircraft whenever such log-book is required under these regulations to be carried in the aircraft, until the flight to which it relates has been completed, and shall then be sent by the person in command of the aircraft to the operator thereof ;

(*c*) The operator of the aircraft shall preserve both copies until the expiration of six months from the date of completion thereof.

(4) In every case where the operator of any aircraft is also the person in command thereof, he shall cause the copy of the certificate of safety and the copy of the load sheet referred to in this Chapter to be retained at his principal office or place of business until the expiration of the prescribed period.

(5) As from the time when any copy of a certificate of safety or any load sheet becomes retainable or transmissible to the operator of the aircraft, it shall not be carried in the aircraft to which it relates.

Production of documents.

96. (1) The person in command of an aircraft shall, on demand made on the landing or departure of such aircraft, by an authorized person, produce to that person any of the following documents relating to the aircraft or the persons or goods carried therein :—

(*a*) Its certificate of registration ;

(*b*) Any certificate of airworthiness for the time being in force with respect to the aircraft, and in the case of any public transport aircraft being a Ceylon aircraft one of the duplicate copies of its certificate of safety ;

(*c*) The licences of its operating crew, and the student pilot's licence of any student pilot carried in the aircraft ;

(*d*) Its journey log-book in all cases in which the journey log-book is required under these regulations to be carried in the aircraft ;

(*e*) Its telecommunication log-book in all cases in which the telecommunication log-book is required under these regulations to be carried in the aircraft ;

(*f*) Any licences to instal and operate any radio apparatus in the aircraft for the time being in force ;

(*g*) In the case of any public transport aircraft, being a Ceylon aircraft one of the duplicate copies of any load sheet relating to the aircraft which may be required under these regulations ;

(*h*) In cases where the aircraft is engaged in international navigation and carries passengers, a list on the appropriate form of their names and places of embarkation and destination ;

(*i*) In cases where the aircraft is engaged in international navigation and carries cargo, a manifest of the cargo :

Provided however that, in the case of a Ceylon aircraft which is within Ceylon and which is not engaged in international navigation, it shall be deemed to be sufficient compliance with this regulation,

except as regards the production of the documents specified in items (*b*), (*c*), (*e*), and (*f*) of this paragraph in the case of an aircraft flying as a public transport aircraft or an aerial work aircraft, and as regards the documents specified in item (*g*) of this paragraph, if the person in command of such aircraft to whom any such demand has been made to produce any of the aforesaid documents shall, within five days after such demand has been made, produce or cause to be produced, the document or documents so demanded, at such place as may be specified by the authorized person at the time of such demand.

(2) The operator of every Ceylon aircraft or, in the case of the record or certificate referred to in sub-paragraph (*d*) of this paragraph, any person for the time being having the possession or custody of such record or certificate shall, on demand made by an authorized person, produce or cause to be produced to that person—

(*a*) any certificate of registration or certificate of airworthiness for the time being in force with respect to the aircraft ;

(*b*) one of the duplicate copies of any certificate of safety issued, or of any load sheet completed and examined in accordance with the provisions of regulation 289 of these regulations in relation to that aircraft within a period of six months next before the date of demand ;

(*c*) any journey log-book or any other log-book required by these regulations to be kept in respect of the aircraft wherein any entry has been made within the period of two years next before the date of demand ; and

(*d*) any licence to install and operate radio apparatus in the aircraft for the time being in force and any record or certificate made or given in accordance with requirements prescribed with respect to the maintenance and the certificate of such apparatus.

(3) Every holder of a licence granted or rendered valid under these regulations shall, on demand made by an authorized person, produce such licence:

Provided however that, where a demand is made by the authorized officer for the production of a licence granted or rendered valid under Chapter V of these regulations, not being a licence entitling the holder thereof to act in any capacity as the member of the operating crew of a public transport aircraft or an aerial work aircraft, it shall be deemed to be sufficient compliance with this paragraph if the holder of such licence shall, within five days after such demand has been made, produce or cause to be produced, the licence so demanded at such place as may be specified by the person authorized to make such demand.

(4) Every person required in accordance with the provisions of this Chapter to keep a personal flying log-book, shall, on demand by an authorized person produce or cause to be produced within a reasonable time, to that person any personal flying log-book kept by him wherein any entry has been made within the period of two years next before the date of such demand.

(5) In any case, where a certificate of airworthiness or a licence required to be produced in accordance with the provisions of this regulation has been rendered valid by a validation issued by the Director under these regulations, there shall be produced with the certificate of airworthiness the validation so issued.

(6) For the purpose of this regulation, the expression "authorized person" means any police officer, or any person authorized in writing for the purpose by the Director.

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General powers of Director as to cancellation, &c., of certificates, licences, and other documents.

97. (1) The Director may, on sufficient ground being shown to his satisfaction and after due investigation by him and with effect from such date as he may determine, cancel, suspend or endorse any certificate, licence or other document issued under these regulations, or cancel, suspend or vary any particulars or

other matters entered by him in or on such certificate, licence or other document and may, in any particular case, provisionally suspend any such certificate, licence or other document pending investigation of any case.

(2) Every holder or other person having possession or custody of any certificate, licence or other document issued under these regulations, shall within a reasonable time after a demand for the same has been made by the Director, surrender the same to the Director.

(3) The Director may, on being satisfied that the original of any certificate, licence or other document issued under these regulations has been lost or destroyed, issue a copy thereof or a similar document in replacement thereof on receipt of the appropriate fee set out in the Eighth Schedule hereto.

(4) Upon application being made to the Director for the renewal of any certificate, licence or other document issued under these regulations, after such certificate, licence or other document has ceased to be in force, the Director may, if he is satisfied that the conditions applicable in accordance with the provisions of these regulations to the renewal of such certificate, licence or other document have been complied with, either renew the same or, if he thinks fit, issue to the applicant a fresh certificate, licence or other document, as the circumstances of the case may require.

Forgery, &c., of documents.

98. (1) No person shall with intent to deceive—

(*a*) forge, alter, assist in forging or altering, or cause to be forged or altered, any certificate, licence or other document required by these regulations or authorized by these regulations to be issued ; or

(*b*) use any such certificate, licence or other document which has been forged, altered, cancelled or suspended, or to which he is not entitled ; or

(*c*) lend any such certificate, licence or other document to or allow it to be used by any other person ; or

(*d*) make, assist in making, or procure to be made, any false representation for the purpose of forging for himself or for another person the grant, renewal or variation of any such certificate, licence or other document.

(2) No person shall mutilate, alter or render illegible any log-book or any entry made therein, or wilfully make or procure or assist in the making of any false entry in or omission from any log-book, nor shall any person destroy any log-book during the period it is required under these regulations to be preserved.

(3) No person shall wilfully or negligently make in any load sheet any entry which is incorrect in any material particular.

CHAPTER VIII

RADIO APPARATUS

Carriage in aircraft of radio apparatus. [10,942/15-6-1956.]

99. (1) Subject to the provisions of paragraph (2) this regulation—

(*a*) no aircraft shall carry out a flight—

(i) in circumstances which require it to communicate by radio with the Air Traffic Controller in order to comply with the rules of the air and Air Traffic Control instructions as set out in the Second Schedule hereto, unless it is equipped with radio apparatus capable of maintaining two-way communication with the appropriate land stations at any time during the flight; or [10,942/15-6-1956.]

(ii) under Instrument Flight Rules within a control area or a control zone, unless it is equipped with radio navigation apparatus capable of enabling the aircraft to be navigated in accordance with the flight plan submitted to the appropriate Air Traffic Controller and with the instructions received from such Controller; and

(b) no public transport aircraft, other than a public transport aircraft which is being used exclusively for the purpose of training any persons carried therein in addition to the crew thereof shall carry out a flight—

(i) under Instrument Flight Rules outside control areas and control zones, unless it is equipped with radio apparatus capable of maintaining two-way communication with at least one land station at any time during the flight and of enabling the aircraft to be navigated in accordance with its operational flight plan ; or

[10,942/15-6-1956.]

(ii) under Visual Flight Rules over a route where navigation is not or cannot be effected by visual reference to landmarks, unless it is equipped with radio apparatus capable of maintaining two-way communication with at least one land station at any time during the flight and of enabling the aircraft to be navigated in accordance with its operational flight plan ; or

[10,942/15-6-1956.]

(iii) under Visual Flight Rules or Instrument Flight Rules, unless it is equipped with radio apparatus capable of maintaining two-way communication with the appropriate land station for purposes of aerodrome control or approach control when arriving at or departing from a designated international airport or an aerodrome in Ceylon which has been notified by the Director for the purpose of this requirement ; or

[10,942/15-6-1956.]

(iv) under Visual Flight Rules over water, beyond gliding distance from the nearest shore, unless it is equipped with radio apparatus capable of maintaining continuous communication with a land station or of being operated on the international distress frequency ; or

[10,942/15-6-1956.]

(v) under Instrument Flight Rules, unless it is equipped with radio apparatus capable of receiving messages containing meterological information transmitted by land stations for the assistance of aircraft; or [10,942/15-6-1956.]

(vi) in the course of which it may have to land at an aerodrome in I.F.R. weather conditions, unless it is equipped with radio apparatus capable of receiving signals transmitted by a land station for the purpose of guiding the aircraft to a point above the aerodrome from which a visual landing can be effected: [10,942/15-6-1956.]

Provided however that the requirements specified in sub-paragraph (*b*) of this paragraph in so far as they apply to aircraft not engaged in international air navigation, shall not have effect until such date as the Minister may fix by Notification published in the Gazette; [10,942/15-6-1956.]

And provided further that, where such messages as are referred to in sub-paragraph (*b*) (v) can be received by means of the radio apparatus carried in the aircraft in accordance with sub-paragraph (*b*) (i) of this paragraph, additional apparatus for the purpose of receiving such messages need not be provided in the aircraft.

(2) The radio apparatus carried in aircraft in accordance with the requirements of this regulation shall be in working order and shall be as notified in respect of the type of apparatus and radio frequency employed, or, if no such notification is made, shall be suitable for satisfactory operation at the altitude or altitudes at which a flight is planned to be carried out and in the conditions obtaining on the route to be flown.

Circumstances under which radio messages may be sent.

100. No aircraft, whether Ceylon or foreign aircraft, or unregistered aircraft, shall send radio messages or signals while flying within Ceylon except—

(1) in accordance with the conditions of the aircraft station licence ; and

(2) in any of the following circumstances :—

(*a*) when the sending of such messages or signals is necessary to ensure the safety of the aircraft or of persons on board the aircraft ;

(*b*) when the sending of such messages or signals is necessary in order to comply with these regulations in respect of procedures for Air Traffic Control and air traffic services adopted in pursuance of the Convention ;

(*c*) when the sending of such messages or signals is required by the procedure prevailing on the route on which the aircraft is flying.

Aircraft station not to impair safety of aircraft.

101. An aircraft which is equipped with an aircraft station having a defect such as to impair the safety of the aircraft shall not undertake any flight until the aircraft station has been rendered safe or, if such defect occurs during flying, shall land as soon as possible unless the aircraft station can be and is speedily rendered safe during flight.

Aircraft station not to cause interference.

102. An aircraft station which is in such a condition that it cannot be employed without causing interference to the efficiency of the radio communication services of air navigation shall not be used—

(*a*) in any Ceylon aircraft wherever the aircraft may be, or

(*b*) in any foreign aircraft, or in any unregistered aircraft, when such aircraft is flying within Ceylon.

Use of distress frequencies.

103. The use by aircraft stations of the calling and distress wave for ships—500 kc/s (600 metres)—shall be confined to Type A2 Emission except in a case of emergency when, if the use of this type of Emission is impracticable, use may be made of Type A3 for the sending and receiving of spoken messages.

Sending and receiving of messages.

104. The procedures and standards to be employed in respect of the sending and receiving of Morse or spoken messages and in respect of aeronautical telecommunications shall be in accordance with the requirements of the Convention.

Foreign aircraft flying within Ceylon.

105. Every foreign aircraft which carries radio apparatus, while flying in or over Ceylon, shall comply with the following requirements :—

(*a*) a licence to instal and operate the apparatus shall have been issued by the appropriate authority of the country in which the aircraft is registered ;

(*b*) the aircraft shall be used only by such members of the flight crew as are provided with a special licence for the purpose, issued by the appropriate authority of the country in which the aircraft has been registered ; and

(*c*) the apparatus shall be used in accordance with the following conditions :—

(i) the apparatus shall be installed and shall be used in accordance with the direction of the Director ;

(ii) the apparatus shall be maintained at all times in good order and condition ;

(iii) the apparatus shall not be operated unless inspected and certified as being in proper working order by any person authorized by the Director at or within such times as the Director directs ;

(iv) the owner of an aircraft on which radio apparatus is required to be installed under the provisions of this Chapter shall ensure that the apparatus is installed and operated in accordance with the terms of its licence.

CHAPTER IX

AERODROMES

PART I—AERODROMES, AIR ROUTES, AND AIRWAYS

Licensing of aerodromes.

106. (1) Save as otherwise provided in regulation 109, no person shall establish or maintain an aerodrome except on the authority of a licence issued in that behalf by the Director.

(2) An aerodrome licence may be granted for any period up to a maximum of twelve months and, on each occasion of renewal, may be renewed for a period not exceeding twelve months.

(3) An aerodrome licence shall be issued subject to such conditions as the Director considers necessary to ensure compliance with the Convention and the safety of aircraft using the aerodrome.

(4) The scale of charges for landings and duration of stay at aerodromes licensed under this regulation, which are open to public use, by aircraft engaged in international air navigation or air navigation within Ceylon shall be as specified in the Eighth Schedule hereto.

(5) Where an aerodrome licence is granted to any person, the following provisions, in addition to those prescribed in paragraph (3) of this regulation, shall apply in relation to such licence ; and the Director shall set out those conditions in every aerodrome licence granted to any person :—

(i) the holder of an aerodrome licence, before he commences any work in connection with any proposed alteration of or addition to the site in respect of which the aerodrome licence has been granted, shall, obtain the Director's approval therefor ;

(ii) where in any case to which sub-paragraph (i) of this paragraph applies, it is proposed to erect any building or other construction within the site in respect of which the aerodrome licence has been granted, or to alter the area occupied by, or the height above ground of, any existing building or other structure, or both the area occupied by and the height above ground of such building or structure, the holder of the aerodrome licence shall forward to the Director a plan on the scale of 1 : 2,500 clearly indicating the new area to be occupied or the proposed alteration of area, as the case may be, together with full particulars in writing of the proposed height above ground of each such building or structure to be newly erected or altered as aforesaid.

(6) The holder of every aerodrome licence shall keep at the aerodrome in respect of which such licence has been granted such first-aid and fire-fighting appliances and suitable tools for the extrication of persons from wrecked aircraft as may be adopted in pursuance of the Convention or specified by the Director as a condition on which the licence is granted, and shall maintain them in good order.

(7) In the event of any infringement by the holder of the terms and conditions of his licence, the licence may be cancelled by the Director.

(8) The holder of an aerodrome licence shall maintain the aerodrome in a fit state for use by aircraft and adequately marked and equipped to the satisfaction of the Director during the whole period of the currency of the licence and shall, if the aerodrome becomes unserviceable, forthwith notify the Director by the quickest means available.

(9) A licence to establish and maintain an aerodrome shall not be granted to any person other than— 553

(a) a citizen of Ceylon, or

(b) a body corporate—

(i) incorporated under the law of Ceylon,

(ii) having its principal place of business in Ceylon, and

(iii) whereof at least three-fifths of the directors are citizens of Ceylon.

(10) The holder of any aerodrome licence shall exhibit in a conspicuous place in the aerodrome a tariff, in such form as may be approved by the Director, of the charges to be made thereat in respect of the services of aircraft using such aerodrome.

(11) The licensee of an aerodrome which is open to public use by Ceylon aircraft shall, on payment of the appropriate charges, allow aircraft of all Contracting States alike to use the aerodrome to the same extent and upon the same conditions, and shall ensure that any charges made at any such aerodrome for landing and duration of stay are uniformly applicable with respect to the aircraft of all Contracting States alike.

Passengers aerodromes.

107. (1) No aircraft carrying passengers for hire or reward shall use as a place of landing or departure, any place in Ceylon other than—

(a) an aerodrome licensed for use in respect of any aircraft; or

(b) a Government aerodrome which has been notified as available for use by such an aircraft, or an aerodrome which, in a particular case, is specially permitted to be used by such an aircraft under the provisions of the last foregoing regulation:

Provided however that the preceding provisions of this paragraph shall not apply—

(i) to a landing due to accident, stress of weather or other unavoidable cause or to the next subsequent departure from the place from which the landing due to any cause has been made; nor

(ii) to a landing and departure by aircraft which has been hired or chartered by or on behalf of the passengers carried therein, if such landing or departure is approved in writing by the Director and made in accordance with the requirements of the hires or charterer of the aircraft and if no passengers other than those by whom or on whose behalf the aircraft was hired or chartered are accepted for carriage for hire or reward at the place of such landing or such departure; nor

(iii) to a landing or departure made by any glider being flown under arrangements made by a flying club and carrying a member of the club whether for the purpose of instruction or otherwise

(2) The person in control of any aerodrome other than an aerodrome mentioned in paragraph (1) of this regulation shall not permit that aerodrome to be used by an aircraft in contravention of that paragraph.

Noise or vibration caused by aircraft on aerodromes

108. (1) With respect to any licensed aerodrome or Government aerodrome, the conditions hereafter specified under which noise or vibration may be caused by aircraft (including Government aircraft) therein, shall be complied with.

(2) The conditions under which noise and vibration may be caused shall, subject to any special conditions which may be prescribed by regulation with respect to a particular aerodrome, be as follows:—

(a) when the aircraft is taking off or landing; or

(b) when the aircraft is moving on the ground or on water; or

(c) when the engines of the aircraft are being operated—

(i) for the purpose of ensuring their satisfactory performance; or

(ii) for the purpose of bringing them to a proper temperature in preparation for, or at the end of, a flight; or

(iii) for the purpose of ensuring that the instruments, accessories or other components of the aircraft are in a satisfactory condition.

Authorization of places for use as aerodromes.

109. (1) The Director may, by writing, authorize the use of any place, not being an aerodrome licensed or established under this Chapter, as an aerodrome in accordance with such conditions as the Director specifies in the instrument of authorization.

(2) The Director shall not authorize the use of any place as an aerodrome in pursuance of the last preceding paragraph unless the written consent of the owner of the place has been obtained prior to the authorization.

(3) Upon the written application of the owner of a place authorized in pursuance of this regulation, to be used as an aerodrome, for withdrawal of the authority given, the Director shall withdraw that authority.

Aerial lighthouses.

110. (1) No person shall establish or maintain any aerial lighthouse within Ceylon except with the approval, in writing, of the Director.

(2) No person shall alter the character of the light exhibited from an aerial lighthouse established within Ceylon except with the written approval of the Director.

(3) No person shall wilfully or negligently injure or interfere with any aerial lighthouse established and maintained with the approval of the Director or any light exhibited from any such lighthouse.

Dangerous lights.

111. (1) Whenever any light is exhibited at or in the neighbourhood of an aerodrome, or in the neighbourhood of an air route or airway facility on an air route or airway, and the light is likely to endanger the safety of aircraft, whether by reason of glare or by causing confusion with, or preventing clear reception of, the lights or signals prescribed in Chapter XII of these regulations, or of air route or airway facilities operated in pursuance of this Chapter, the Director may cause a notice to be served upon the owner of the place where the light is so exhibited or upon the person having charge of the lights directing that that owner or person, within a

reasonable time (not less than 14 days, except in the case of an emergency) to be specified in the notice, to extinguish or screen effectually the light and to refrain from exhibiting any similar light in the future.

(2) The notice may be served either personally or by post or by affixing it in some conspicuous place near the light to which the notice relates.

(3) No person shall fail, without reasonable cause, to comply with the directions contained in any such notice.

Functions of air traffic services.

112. The functions of the air traffic services shall be as laid down in the Second Schedule hereto and in Annex II to the Convention.

Designation of control zones and control areas.

113. (1) For the purposes of air traffic control, the Director may demarcate zones and areas which shall respectively be known as "control zones" and "control areas".

(2) Where the Director demarcates any zone or area as a control zone or control area, as the case may be, he shall publish a notification including details and boundaries thereof in Notices to Airmen.

Aircraft to comply with air traffic control instructions while in and on entering or leaving control zones or areas.

114. (1) Aircraft operating in control zones or control areas shall comply with air traffic control instructions.

(2) An aircraft shall not leave or enter a control zone or control area during instrument flight conditions, unless it has received prior permission from the Air Traffic Controller, and its method of entry and of exit shall be in accordance with air traffic control instructions.

Aircraft to comply with air traffic control instructions in certain circumstances while outside any controlled zones or areas.

115. Where the Air Traffic Controller has temporarily diverted an aircraft to an area outside the control zone or control area for the purpose of avoiding areas in which bad meteorological conditions prevail, or for refuelling, or for any other reason, the aircraft shall comply with air traffic control instructions during the period during which it is so diverted.

Weather reports to be by approved persons.

116. Weather reports of actual or forecast weather conditions shall not be used in the planning, conduct and control of flights unless the meteorological services, forecasts and reports are made by a person or persons approved for the purpose by the Director.

Fees for use of aerodromes.

117. (1) The charges payable in respect of the use of aerodromes shall be as specified in the Eighth Schedule hereto.

(2) The charges specified in Part A of the Tariff of Landing, Housing, Mooring and Parking charges at aerodromes and set out in the Eighth Schedule hereto shall be levied in accordance with the provisions contained in Parts B and C of that table.

(3) For the purpose of classification of an aircraft for assessment of fees chargeable in accordance with the aforesaid table, the total weight of an aircraft shall be the maximum permissible weight as determined by the law of the State in which the aircraft has been registered.

(4) The pilot in command of every aircraft using any aerodrome referred to in sub-paragraph (1) or sub-paragraph (2) of paragraph 27 of the Eighth Schedule hereto shall, prior to the departure of his aircraft, make a report to the Director, and every such report shall be in such form as may be approved by the Director for the purpose.

(5) The charges specified in Part A of the aforesaid table shall be paid to the Director or to a person authorized in writing by him to collect such charges on his behalf.

(6) Where any charges due in respect of an aircraft have not been paid to the Director, he may detain such aircraft until the payment of all dues.

(7) The owner of an aircraft which is parked in the open shall take all necessary steps to ensure that the aircraft is securely moored to the ground.

(8) No responsibility is accepted by the Director, his servants or agents, or by any servant or agent of the Crown, for any damage, loss or deterioration to any aircraft or to any part, component or accessory thereof, however caused, whether during custody or storage or otherwise.

(9) The fees chargeable for the grant or renewal of a licence for an aerodrome shall be as specified in paragraph 26 of the Eighth Schedule hereto.

Fares and freights.

118. The owner of an aircraft engaged in a public transport service which uses any aerodrome or any air route or airway facility maintained and operated by the Ceylon Government shall furnish to the Director his tariff of charges for the carriage of persons or cargo on the aircraft, and that tariff of charges shall be subject to the approval of the Director and shall not be varied without the approval of the Director.

Statistical returns.

119. (1) The owner of every aircraft shall furnish to the Director, or to any authorized officer, such statistical returns or other information relating to the aircraft and the crew thereof, the mails, the passengers and goods carried, the journeys made by the aircraft, and the development of defects or failures in the aircraft, its engines or its accessories, as the Director may from time to time require.

(2) An airline or the owner of an aircraft engaged in a public transport service, which uses any aerodrome or any air route or airway facility maintained by the Ceylon Government shall furnish to the Director, or to an authorized officer, such tariff reports, cost, statistics and statistical statements, showing, amongst other things, all receipts and the sources thereof as the Director may from time to time require.

CHAPTER X

CONDITIONS OF FLIGHT

PART I—GENERAL

Ceylon aircraft.

120. (1) Except as provided in the next succeeding regulation, no Ceylon aircraft shall fly unless—

(*a*) it has a nationality mark and a registration mark painted on or affixed to it in accordance with Chapter III of these regulations;

(*b*) it is certified as airworthy and complies with the conditions of its certificate of airworthiness in accordance with Chapter IV of these regulations;

(*c*) it complies with these regulations in respect of the number and description of, and the holding of licences and rating by, the operating crew;

(*d*) it carries the documents specified in regulation 124 of these regulations; and

(*e*) it complies with the provisions of these regulations relating to flight and manoeuvre of aircraft.

(2) Sub-paragraphs (*a*), (*b*) and (*d*) of paragraph (1) of this regulation shall not apply to aircraft flown within Ceylon in accordance with any permission given by the Director for the purpose of experiment or test or to enable an aircraft to proceed to a place at which airworthiness inspections are to be carried out.

Foreign aircraft of Contracting States.

121. No aircraft which possesses the nationality of a Contracting State shall fly in or over Ceylon unless it complies with the provisions of these regulations applicable thereto and also the requirements of the Convention in respect of—

(*a*) its nationality and registration marks;

(*b*) its certificate of airworthiness;

(*c*) the number and description of, and the holding of licences and ratings by, the operating crew;

(*d*) the documents to be carried; and

(*e*) the flight and manoeuvre of aircraft.

Foreign aircraft of countries other than Contracting States.

122. No foreign aircraft which does not possess the nationality of a Contracting State shall fly in or over Ceylon unless the Director approves such flight and the aircraft complies with such conditions as to the duration of the flight as he thinks fit, and with such other conditions as he considers necessary to ensure compliance with the general principles contained in the Convention.

Pilotless aircraft.

123. No aircraft capable of being flown without a pilot shall be flown without a pilot within Ceylon except with the written authorization of the Director and in accordance with such conditions as the Director may specify in the instrument of authorization.

Documents to be carried in aircraft.

124. Subject to these regulations, the documents which every aircraft shall carry when flying in or over Ceylon shall be as follows :—

(*a*) its certificate of registration ;

(*b*) its certificate of airworthiness ;

(*c*) its certificate of safety ;

(*d*) the licences of the operating crew ;

(*e*) its journey log-book ;

(*f*) the licence (if any) to use radio apparatus in the aircraft ;

(*g*) if it carries passengers, a list of their names, the places of embarkation and disembarkation ; and

(*h*) if it carries cargo, the manifest in respect of the cargo.

Aircraft arriving from or leaving for overseas.

125. (1) An aircraft arriving in, or departing from any point in Ceylon to any destination overseas, shall comply with the provisions of these regulations and of all other laws for the time being in force in Ceylon which relate to the entry or clearance of passengers, crew or cargo, immigration, passports, customs and quarantine.

(2) An aircraft shall not depart from Ceylon for an overseas destination without the permission of the Director.

International aircraft to land at specific aerodromes.

126. (1) Subject to these regulations, an aircraft arriving in, or departing from, any part of Ceylon to any overseas destination shall land at and depart from such aerodromes as the Director shall, with the concurrence of the Principal Collector of Customs specify, for the purposes of customs and other examination.

(2) The Director shall publish in Notices to Airmen particulars of the aerodromes appointed in pursuance of the last preceding paragraph, and shall transmit those particulars to the International Civil Aviation Organization.

(3) The Director may, with the concurrence of the Principal Collector of Customs, declare by Notice to Airmen that a customs aerodrome shall no longer be a customs aerodrome.

Prohibited and restricted areas.

127. (1) For reasons of military necessity or public safety, the Minister may, by regulations made in that behalf, declare any area of Ceylon to be a prohibited area or a restricted area.

(2) Where an area is declared to be a restricted area, the Minister may, by order published in the Gazette,—

(*a*) restrict the flight of aircraft over that area to such class of aircraft, and to such times or to such altitudes as are specified in the order ; or

(*b*) prohibit the flight over that area of such classes of aircraft as are specified in the order.

(3) No aircraft shall—

(*a*) fly over a prohibited area ; or

(*b*) fly over a restricted area in contravention of an order issued in pursuance of the last preceding paragraph.

(4) If the person in control of an aircraft finds that the aircraft is over a prohibited area, or is over a restricted area in contravention of an order issued in pursuance of paragraph (2) of this regulation, he shall—

(*a*) immediately have the aircraft flown outside the area ;

(*b*) as soon as possible report the circumstances to the nearest Air Traffic Control Centre ; and

(c) effect a landing at such airport as is designated by the Air Traffic Control Centre and, for that purpose, obey any instructions given by the Air Traffic Controller of that Centre as to the movement of the aircraft.

(5) As soon as possible after the declaration of a prohibited area or of a restricted area, the Director shall communicate to the International Civil Aviation Organization the extent and location of the area, and shall publish the particulars relating to the area in Notices to Airmen.

Carriage of munitions.

128. (1) Munitions of war or implements of war shall not be carried by any aircraft in or over Ceylon or by a Ceylon aircraft outside Ceylon, except with the permission in writing of the Director.

(2) In this regulation "munitions of war" and "implements of war" include any articles which the Minister, having regard to the recommendations of the International Civil Aviation Organization, declares to be munitions of war or implements of war, as the case may be.

Restrictions as to carriage of dangerous goods.

129. (1) Subject as hereinafter in this paragraph provided, no person shall carry in—

(i) any aircraft in or over Ceylon; or

(ii) any aircraft registered in Ceylon when carrying passengers for hire or reward outside Ceylon,

any dangerous goods to which this regulation applies, except with the special permission in writing of the Director and subject to any conditions imposed by him: Provided however that the special permission of the Director shall not be required for the carriage of—

(a) safety cartridges, so long as, when carried as cargo in an aircraft carrying passengers or goods for hire or reward, such cartridges are packed in substantial tin-lined wooden cases in such a manner as to ensure that there is no undue movement within the package; and

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(b) any article or equipment of the aircraft or any article required for the purpose of the operation, navigation or safety of the aircraft or the safety or well-being of any person or persons on board, so long as, in the case of an aircraft registered in Ceylon, fuel and oil are carried in the fuel and oil tanks of such aircraft or in special stowage approved in writing for the purpose by or under the authority of the Director and articles of an inflammable nature required in connection with the navigation or safety of the aircraft are of a type approved in writing by or under the authority of the Director.

(2) Subject as hereinafter in this paragraph provided, every person consigning for carriage by an aircraft any dangerous goods—

(i) shall mark distinctly on the outside of the package or container containing such goods their nature, weight and quantity;

(ii) shall give to the carrier of the goods written notice of such nature, weight and quantity, and of the name and address of the sender thereof by means of an air consignment note coloured red or bearing the words "Dangerous Goods" in prominent red letters; and

(iii) shall in any case where the special permission in writing of the Director given under paragraph (1) of this regulation is necessary for the carriage, attach such permission to the air consignment note:

Provided that—

(a) sub-paragraph (ii) of this paragraph in so far as it requires the air consignment note to be coloured red or to bear the words "Dangerous Goods" in prominent red letters, shall not apply in the case of the carriage of safety cartridges in accordance with proviso (a) to paragraph (1) of this regulation, and

(b) this paragraph shall not apply to the carriage of equipment or other articles in accordance with proviso (b) to paragraph (1) of this regulation.

(3) In cases to which paragraph (2) of this regulation applies, and not within proviso (a) to that paragraph, the carrier shall inform the person-in-command of the aircraft of the nature, weight, and quantity of the goods at or before the time of sending goods to be carried or taken on board the aircraft.

(4) In this regulation the expression "dangerous goods" means any explosive substance and any other goods (whether explosive or not) which by reason of their nature are liable to endanger the safety of the aircraft or persons on board the aircraft; and "safety cartridges" means cartridges for small arms of which the case can be extracted from the small arms after firing and which are so made as to prevent any explosion in one cartridge being communicated to other cartridges.

PART II—FLIGHT RULES

Emergency authority

130. In complying with the provisions of this Part of this Chapter and the provisions of Chapters XI and XII of these regulations, the pilot-in-command of an aircraft shall pay due regard to all dangers of navigation and collision and to any special circumstances which may render a departure from those rules necessary in order to avoid immediate danger.

Liability as to neglect of rules regarding lights, &c.

131. Nothing in the provisions of this Chapter, and in the provisions of Chapters XI and XII of these regulations, shall exonerate any aircraft or the owner or hirer or pilot-in-command or crew thereof from the consequences of any neglect in the use of lights and signals, or any neglect to keep a proper lookout, or of the neglect of any precaution required by the ordinary practice of the air or the special circumstances of the case.

Ceylon aircraft flying over foreign territory.

132. When any Ceylon aircraft is in the territory of a non-Contracting State, the provisions of this Part of this Chapter, and the provisions of Chapters XI and XII of these regulations, shall apply to such aircraft only in so far as those provisions do not conflict with the laws of the non-Contracting State over whose territory the aircraft is flying

Towing.

133. (1) Subject to this regulation, the pilot-in-command of an aircraft in flight shall not permit anything to be towed by such aircraft, except with the prior written permission of the Director and in accordance with his directions.

(2) Nothing in this regulation shall prevent the reasonable use or display from an aircraft in flight of radio aerials, or any signal apparatus, equipment or article required or permitted to be displayed or used by, or from, an aircraft in flight in accordance with any provisions in these regulations.

(3) Instruments for experimental purposes may be towed if prior approval of the Director has been obtained in writing.

Dropping of articles from aircraft.

134. (1) Subject to this regulation, the pilot-in-command of an aircraft in flight shall not permit anything to be dropped from the aircraft.

(2) Nothing in this regulation shall prevent—

(*a*) the dropping of packages or other articles or substances where the Director has given prior written approval and in accordance with the directions given by the Director to eliminate hazards to persons or property on the ground or water;

(*b*) the dropping of ballast in the form of fine sand or water;

(*c*) the use of apparatus solely for the purpose of navigating an aircraft where the approval of the Director to the type of apparatus and the mode of use has previously been notified; or

(*d*) in an emergency, the jettisoning of liquid fuel or cargo over areas where any hazard to persons or property on the ground or water is not created.

Picking up articles.

135. Except with the prior written authority of the Director and in accordance with the conditions specified by him in the instrument of authorization, objects shall not be picked up by an aircraft in flight.

Acrobatic flying.

136. (1) No aircraft shall be flown in contravention of paragraph 3. 1. 5. of the general rules prescribed in the Second Schedule hereto.

(2) No aircraft shall be acrobatically flown except under Visual Flight Rules and unless the certificate of airworthiness of such aircraft specifies that the aircraft may perform acrobatic flights.

(3) No person shall in any aircraft engage in acrobatic flights unless he is flying at a height greater than 6,000 feet above the terrain.

(4) Before engaging in acrobatic flight, the pilot of an aircraft shall take such action as is necessary to ensure—

(*a*) that any loose articles are removed from the aircraft or made secure in the aircraft;

(*b*) that all locker and compartment rooms of the aircraft are fastened;

(*c*) that the harness of any vacant seat is made secure so as to avoid the fouling of the controls of the aircraft;

(*d*) that the dual controls (if any) of the aircraft are removed from the aircraft or rendered inoperative, unless the control seats are occupied in accordance with the regulation or the dual control seat is vacant; and

(*e*) that every person in the aircraft is secured with correctly adjusted shoulder harness.

Flying over public gatherings.

137. (1) Except with the permission in writing of the Director and in accordance with the conditions specified in the permit, no aircraft shall be flown over any regatta, race meeting, or other public gathering.

(2) Nothing in the last preceding paragraph shall apply to aircraft passing over a regatta, race meeting or public gathering while such aircraft is in the process of—

(*a*) arriving at or departing from an aerodrome in the course of its normal navigation in so doing; or

(*b*) passing from place to place in the ordinary course of navigation.

Flying over populous areas.

138. (1) No aircraft shall fly over any city or town or other populous area except at such an altitude that the aircraft could land outside such city, town or populous area, in the event of the means of propulsion failing or, in the case of an aeroplane with more than one engine, at such an altitude that it could land outside such city, town or populous area, in the event of one of its engines failing.

(2) Without prejudice to the provisions of paragraph (1) of this regulation, no aircraft shall fly at a lower height than 1,000 feet above the highest obstacle within a radius of 2,000 feet from the aircraft.

(3) The provisions of paragraphs (1) and (2) of this regulation shall not apply—

(*a*) if through stress of weather or any other unavoidable cause it is essential that a lower altitude should be maintained;

(*b*) if the aircraft is engaged upon aerial work of a nature which necessitates low flying and the owner or hirer of the aircraft has received from the Director either a general permit for all flight or a specific permit for a single flight to be made at a lower altitude while engaged upon such aerial work;

(*c*) if the aircraft is flying in an area designated by the Director as a low-flying area, or an area in which, subject to conditions specified by the Director, helicopters may fly at a lower specified height;

(*d*) if the pilot of the aircraft is engaged in a baulked approach procedure, or the practice of such procedure under the supervision of a flight instructor or a check pilot; or

(*e*) if the aircraft is flying in the course of actually taking-off or landing at an aerodrome.

Compliance with air traffic control instructions.

139. A pilot-in-command of an aircraft operating in areas where air traffic control service is in operation shall comply with air traffic control instructions.

Flights by night.

140. (1) Flights by night shall be conducted in accordance with the provisions of Part IV of Chapter XI of these regulations.

(2) By night all aircraft in flight or manœuvring on the ground shall display lights in accordance with the provisions of Chapter XII of these regulations, and all aircraft under way on the water shall display such lights between sunset and sunrise.

(3) By night, at all aerodromes used or available for night-flying, all aircraft parked or moving on the movement area or in dangerous proximity thereto shall be clearly illuminated or lighted, or the area which they occupy marked by obstruction lights; and between sunset and sunrise, an aircraft on the water and not under way shall display the prescribed anchor lights unless within a specially exempted area.

CHAPTER XI

RULES OF THE AIR

PART I—GENERAL

Regulatory provisions.

141. Every pilot-in-command of—

(*a*) any aircraft in or over Ceylon; or

(*b*) any Ceylon aircraft, wherever such aircraft may be,

shall comply with the rules of the air specified in the Second Schedule hereto.

Avoidance of danger.

142. In compliance with the aforesaid rules, the person in command of an aircraft shall have due regard to all dangers of navigation and collision and to any special circumstances which may render a departure from these rules necessary in order to avoid immediate danger.

Negligence in the use of lights, &c.

143. Nothing in the aforesaid rules shall exonerate any person within Ceylon or in any Ceylon aircraft from the consequences of any neglect in the use of lights or signals or of the failure to take any precaution required by ordinary aviation practice or by the special circumstances of any particular case.

Signals.

144. (1) Where any signal is directed by these rules to be used for any particular purpose, no person in any aircraft or on any aerodrome shall make that signal except for that purpose.

(2) No person in any aircraft or on any aerodrome shall make any signal which may be confused with a signal directed by these rules.

(3) No person in an aircraft or on an aerodrome shall knowingly make without lawful authority, any naval, military or air-force signal.

PART II—OPERATION ON OR IN THE VICINITY OF AERODROMES

Responsibility for compliance with rules of this Part. [10.942/15-6-1956.]

145. When operating an aircraft on or in the vicinity of any aerodrome, the pilot-in-command shall be responsible for compliance by the aircraft with the rules contained in this Part and in paragraph 3. 2. 6 of the Second Schedule hereto.

Temporary suspension of rules.

146. (1) The Director may, in respect of any specified aerodrome temporarily suspend, either wholly or in part, the application of the rules prescribed in the last preceding regulation.

(2) Where such a suspension is in force it shall be so indicated at an aerodrome by the display of a red square in the signal area of the aerodrome.

Aerodromes at which traffic control is not operating.

147. At aerodromes at which aerodrome control is in operation, the pilot-in-command of an aircraft shall make all landings and take-offs into wind, in so far as practicable, and—

(*a*) every landing shall be preceded by a descent in a straight line commencing at such a distance from the perimeter of an aerodrome as is common to the ordinary course of navigation for the aircraft type concerned ; and

(*b*) aircraft, after taking off, shall not alter course from their take-off course at any altitude lower than 500 feet above the terrain, unless—

(i) the terrain does not permit, or

(ii) Air Traffic Controller directs otherwise.

Aerodromes at which the operation of aircraft is not restricted to runways.

148. At aeodromes at which the operation of aircraft is not restricted to prepared runways, every aircraft when landing and taking off shall, as far as possible, observe the following rules :—

(*a*) Aircraft, when landing, shall land on the right of any aircraft which has already landed, or is already landing or is taking off or about to take off ;

(*b*) Aircraft, when taking off, shall take off on the right side of any aircraft which is already taking off ;

(*c*) Aircraft, when landing or taking off, shall leave a reasonable space on the right for other aircraft to land or take off ;

(*d*) Aircraft, when manoeuvring, on the ground, shall normally do so in the direction of landing, but aircraft may cross the landing area if, in the course of such crossing, all turns are made to the left and the aircraft gives free way to all aircraft landing and taking off.

Prevention of collisions at sea.

149. Every aircraft in flight or in process of manoeuvring near the surface of the water, shall, as far as possible, keep clear of all vessels and avoid impending their navigation.

PART III—VISUAL FLIGHT RULES

Flights under Visual Flight Rules.

150. (1) A flight shall not be classed as a flight under the Visual Flight Rules unless the condition specified in this Part and in Part IV of the Second Schedule hereto can be complied with for the entire route to be flown.

(2) Flights conducted in accordance with the provisions of this Part shall be known as "flights under the Visual Flight Rules" and shall hereinafter be called "VFR Flights".

(3) The pilot-in-command of every aircraft conducting a VFR flight shall comply with the provisions of this Part.

(4) If during the conduct of a VFR flight, it is not found possible to comply with the provisions of this Part, the pilot-in-command of an aircraft shall either comply with the provisions of the Instrument Flight Rules or shall land at the nearest suitable aerodrome.

Ground visibility.

151. (1) Visibility, for the purposes of take-off and landing at an aerodrome shall be judged by a ground observer approved for the purpose by the Director, at the aerodrome concerned, using points of reference from a fixed point of observation.

(2) Visibility taken in accordance with this rule shall be known as "ground visibility".

Flight visibility.

152. (1) Except as provided in paragraph (4) of this regulation, visibility for all purposes other than the purposes of take-off and landing, shall be judged by the pilot-in-command of an aircraft forward from the cockpit of the aircraft.

(2) In judging visibility in accordance with this rule, the pilot-in-command shall take into account not only the meteorological conditions but sun glare and other conditions which may limit his effective vision through his windscreen.

(3) Visibility taken in accordance with this rule shall be known as "flight visibility".

(4) For the purpose of pre-flight planning, the visibility and meteorological conditions forecast for a route shall be used irrespective of any other opinion.

[10.942/15.6.1956.]
Flight in control zones.

153. (1) Notwithstanding anything contained in the Second Schedule hereto, the Air Traffic Controller may authorize VFR operation within controlled zones when the weather conditions are below those required for VFR flight—

(a) in the case of an aircraft without radio equipment, if the arrival or departure of the aircraft can be authorized without endangering any known traffic, or if the restricting weather element is known to be local and local traffic conditions permit ;

(b) in the case of an aircraft equipped with functioning two-way radio, if the ground visibility is less than 15 kilometers (1 mile) and the ceiling is below that which will permit minimum clearance from clouds so long as—

(i) the aircraft is operating on a flight plan approved by the Colombo Area Control Centre,

(ii) the pilot-in-command of the aircraft maintains visual reference to the ground during flight and if unable to do so, notifies forthwith the Air Traffic Controller responsible for aerodrome control,

(iii) the Air Traffic Controller responsible for aerodrome control, upon receiving the notification, issues the requisite instructions and information to effect separation of such aircraft from other known aircraft operating in the control zone, and

(iv) adequate provision is made for instantaneous communication between the Air Traffic Controller responsible for aerodrome control and the aircraft concerned, through the maintenance of appropriate listening watches ;

(c) in the case of an aircraft equipped with a functioning radio receiver, if the ground visibility is less than 5 kilometres (3 miles) but not less than 1.5 kilometres (1 mile) so long as—

(i) the pilot-in-command of the aircraft agrees to guard the appropriate communication frequency, and

(ii) adequate arrangements have been made for the termination of such operation;

(d) in the case of an aircraft not equipped with a functioning radio receiver, if the ground visibility is less than 5 kilometres (3 miles) but not less than 1.5 kilometres (1 mile) so long as—

(i) the operation is conducted within the range of vision of the Air Traffic Controller,

(ii) the landing area is visible to the pilot-in-command of the aircraft at all times during the flight, and

(iii) adequate arrangements have been made for the termination of such operation:

Provided, however, that in any case referred to in sub-paragraph (b)—

(i) only one aircraft shall be permitted to operate within the control zone when the visibility at cruising levels is less than 1.5 kilometres (1 mile) unless prescribed standards of separation are utilized; and

(ii) no operations of the type referred to in this regulation shall be authorized during a period when instrument approaches are in progress.

(2) An authorization under the preceding paragraph may be issued on a continuous basis for VFR operations in a control zone at any aerodrome when ground visibility is less than 5 kilometres (3 miles) but not less than 1.5 kilometres (1 mile) provided that adequate arrangements have been made for the termination of such flights upon notification by the appropriate Air Traffic Controller.

Flight in control areas.

154. Notwithstanding anything to the contrary contained in the Second Schedule hereto, the Air Traffic Controller may authorize VFR flights in a control area but outside a control zone—

(*a*) if traffic conditions permit, or

(*b*) if the aircraft is flown clear of the clouds, or

(*c*) if the aircraft is in sight of ground or water or at an altitude specified by the Air Traffic Controller.

Flight in areas other than control areas and control zones.

155. (1) Where an aircraft is flown in any area other than a control zone or a control area, the requirements of VFR flights shall be as follows :—

(*a*) when at a height of not more than 1,500 feet above the ground or water, the aircraft shall be flown with a flight visibility of not less than one mile and shall be flown clear of clouds and in sight of the ground or water,

(*b*) when at a height of more than 1,500 feet above the ground or water, the aircraft shall be flown—

(i) with a flight visibility of not less than three miles ; and

(ii) with no cloud nearer than 500 feet vertically and 2,000 feet horizontally.

(2) Notwithstanding anything contained in the last preceding paragraph, flights may be conducted when at a height of more than 1,500 feet above the ground or water with a flight visibility of less than three miles, but not less than one mile, if the aircraft is flown clear of clouds and at such an altitude appropriate to its magnetic track as is specified in Appendix C of the Second Schedule hereto.

156. (1) When flying under VFR, it is the direct responsibility of the pilot-in-command of every aircraft to avoid collision with other aircraft, notwithstanding that the flight is being conducted on an airtraffic clearance.

(2) Whenever aircraft is unable to comply with the rules in this Part such aircraft shall be flown in accordance with the Instrument Flight Rules.

PART IV—INSTRUMENT FLIGHT RULES

Flights under Instrument Flight rules.

157. (1) Flights conducted in accordance with the provisions of this Part, and of Chapter V of the Second Schedule hereto, shall be known as "flights under the Instrument Flight Rules" or "IFR Flights".

(2) Every pilot-in-command of an aircraft conducting an IFR flight shall comply with the rules referred to in the last preceding paragraph.

(3) Any flight which falls into the following categories of flight shall be classed as a flight under Instrument Flight Rules :—

(*a*) Flights by night, except training flights conducted in accordance with the written permission of the Director given under regulation 159 of these regulations ;

(*b*) Flights made in weather conditions which are below the minima for flights under the Visual Flights Rules ;

(*c*) Flights to points beyond Ceylon in cases where such flights involve a sea crossing of more than one hour's flight or are operated more than 100 nautical miles seaward from the shore line.

(4) Notwithstanding anything contained in this regulation, the Director may give special permission for flights of the kind specified in sub-paragraph (*c*) of paragraph (3) of this regulation to proceed when they cannot comply with the provisions of this Part, in cases where passengers are not carried for hire or reward.

Qualifications of pilot-in-command.

158. A pilot-in-command of an aircraft shall not conduct a flight under the IFR, unless he holds an instrument rating issued or rendered valid by the Director.

Equipment of aircraft for IFR Flights.

159. (1) No aircraft shall be flown under the Instrument Flight Rules unless it is equipped—

(*a*) with flight instruments and equipment as prescribed in Part VI of the Sixth Schedule hereto ;

(*b*) with suitable radio navigation apparatus appropriate in the route to be flown ; and

(c) with suitable radio apparatus capable of maintaining two-way radio communication with the appropriate air traffic control centre.

(2) No aircraft shall be flown under the Instrument Flight Rules by night unless, in addition to the equipment referred to in paragraph (1) it is equipped—

(a) with two landing lights;
(b) with illumination for all instruments and equipment, used by the flight crew, that are essential for the safe operation of the aeroplane;
(c) with lights in all passenger compartments; and
(d) with an electric torch for each crew member.

(3) Notwithstanding anything contained in the preceding provisions of this regulation, the Director may give permission to an aircraft—

(a) to conduct flights under the Instrument Flight Rules if passengers are not carried for hire or reward and the flight is made for ferrying purposes and is conducted outside control zones and control areas; or
(b) to undertake night flying for the purposes of practice or instruction, if traffic and weather conditions permit and the aircraft complies with such conditions as the Director specifies, although the aircraft does not comply with one or more of the requirements referred to in paragraph (1) or Paragraph (2) of this regulation.

Minimum altitude for IFR flights.

160. The minimum height for IFR flight shall be as prescribed in paragraph 5. 1. 2 of the Second Schedule hereto.

Flight plan.

161. Before taking off on a flight conducted under the provisions of this Part, a flight plan shall be filed with the Controller of the appropriate Air Traffic Control Unit and that flight plan shall be in the form prescribed in Appendix D of the Second Schedule hereto.

Air traffic clearance.

162. Such of the rules applicable to IFR flight within controlled air space as are set out in paragraph 5. 3 of the Second Schedule hereto shall be strictly complied with.

CHAPTER XII

SIGNALS FOR THE CONTROL OF AIR TRAFFIC

PART I—AERODROME TRAFFIC

Use of signals.

163. The signals prescribed in this part shall not be used to indicate any fact other than those mentioned in this Part.

Responsibility for compliance with this Part.

164. The pilot-in-command of an aircraft being operated on and in the vicinity of an aerodrome shall comply with the provisions of this Part.

Aerodrome control radio telephone communication.

165. (1) Where aerodromes are equipped with aerodrome control radio telephone apparatus the Air-Traffic Controller shall give control instructions by this means to all aircraft equipped to receive radio-telephone messages.

(2) All such communication between aircraft and an Air Traffic Control Centre shall be in the English language:

Provided however that—

(a) when authorized by the Director in special cases and if personnel of the Air Traffic Control Centre are available who can intelligently speak both the English language and the other language concerned, or

(b) when the owner or operator of the aircraft has furnished properly qualified personnal who can intelligently speak both the English language and the language concerned in communicating with the aircraft,

the communications may be made in the language concerned.

Visual signals.

166. (1) Where, due to lack of radio equipment in the case of aerodrome control or the aircraft, the means of control referred to in the last preceding regulation cannot be used, the appropriate visual signals prescribed in Appendix A of the Second Schedule hereto shall be used.

(2) Nothing in the preceding provisions of this regulation shall prevent any combination of radio telephone signals and visual signals being used at any aerodrome, but a visual signal shall not be used in any case where it is possible to use radio telephone.

Pilot-in-command to maintain lookout for visual signals.

167. Where radio communication is being used, the pilot-in-command of an aircraft shall not thereby be relieved of the responsibility of keeping a lookout for any instructions which may be issued by visual means.

Ground and light signals.

168. (1) When ground and light signals are displayed for the control of aerodrome traffic, they shall be in accordance with the signals prescribed in paragraph 3. 4 of Appendix A of the Second Schedule hereto, and shall be strictly complied with.

(2) For the purpose of this regulation "aerodrome traffic" shall mean all traffic, vehicular and pedestrian, on the manoeuvring area of an aerodrome.

Control of persons and vehicles at aerodromes.

169. (1) At any aerodrome no person or vehicle or water-craft shall have access to the manoeuvring area except under the permission of the person for the time being in charge of such aerodrome.

(2) When an aircraft is being towed, the person in charge of the towing vehicle or water-craft shall be responsible for compliance with the provisions of this regulation.

(3) Nothing in this regulation or in the last preceding regulation, shall relieve the pilot-in-command of an aircraft or the person in charge of a vehicle or water-craft from the responsibility of taking such action as will best aid the avoidance of any collision.

Signals displayed by water aerodromes.

170. The signals specified in the following table, when displayed by day at a water aerodrome in Ceylon where aerodrome control is in operation, shall have the meanings specified in that table in relation to the respective signals :—

(*a*) A red flag displayed from the mast-head of the control launch shall mean that there is total prohibition of landing or take-off, or that sweeping operations are in progress ;

(b) A green flag displayed from the mast-head of the control launch shall mean that the area up-wind from and to star-board of the control launch has been swept and is clear for take-off or landing.

Marshalling signals.

171. The signals adopted for marshalling operations at aerodromes shall be those marshalling signals adopted by the Council of the International Civil Aviation Organization, being signals prescribed in the Second Schedule hereto.

PART II—SPECIAL SIGNALS RELATING TO PROHIBITED AREAS

Warning signals.

172. For the purpose of warning an aircraft that it is in the vicinity of a prohibited area or a restricted area and should change its course, the signals prescribed in paragraph 2 of Appendix A of the Second Schedule to these regulations shall be used.

Signal to land.

173. For the purpose of instructing an aircraft to land at the nearest aerodrome of a prohibited area or a restricted area the signal used shall be, by day and by night, a series of projectiles, discharged at intervals of 10 seconds each, showing bursting green lights or stars.

PART III—EMERGENCY SIGNALS

Transmission of signals.

174. (1) The pilot-in-command of an aircraft shall transmit or display the signals specified in this Part, according to the degree of emergency in each case.

(2) The signals specified in relation to each successive degree of emergency may be sent either separately, or together, for any one degree of emergency.

Distress signals.

175. Distress signals shall be transmitted or displayed as provided in paragraph 1/1 of Appendix A of the Second Schedule hereto.

Urgency signals.

176. Urgency signals shall be transmitted or displayed as provided in paragraph 1. 2 of Appendix A of the Second Schedule hereto.

Safety signals.

177. Safety signals shall be transmitted as provided in paragraph 1. 3 of Appendix A of the Second Schedule hereto.

Visual distress and urgency signals.

178. Notwithstanding the provisions of this Part, nothing in these regulations shall be construed as preventing the use, by an aircraft in distress, of any means at its disposal for the purpose of attracting attention, or for the purpose of making known its position and obtaining help.

PART V—LIGHTS TO BE DISPLAYED BY AIRCRAFT

Lights to be displayed by aircraft.

179. (1) All aircraft in flight on the manoeuvring area of an aerodrome shall, between sunset and sunrise and in conditions of poor visibility, display lights as prescribed in paragraph 1 of Appendix B of the Second Schedule hereto. All aircraft on the water shall, between sunset and sunrise and in conditions of poor visibility, display lights as prescribed in paragraph 2 of Appendix B of the Second Schedule hereto.

(2) During such periods as are referred to in paragraph (1) no other lights shall be displayed which may be mistaken for the lights required to be displayed in pursuance of this Part.

(3) The lights required to be displayed shall not be dazzling.

(4) In the event of the failure of any light which is required by the provisions of Appendix B of the Second Schedule hereto to be displayed by an aircraft in flight, the aircraft concerned shall, if the light cannot immediately be repaired, notify the Air Traffic Controller immediately, or, if this is not possible, land as soon as it can do so without danger.

CHAPTER XIII

AIR SERVICE OPERATIONS

PART I—CLASSIFICATION AND LICENSING OF OPERATIONS

Classification of operations.

180. For the purposes of this Part, air transport shall be divided into the following classes of operations :—

(*a*) private operations, being all operations in which an aircraft is used for the private use of the owner, or for the carriage of persons or goods not for hire or reward, or for the carriage of goods other than for purposes of trade ;

(*b*) aerial work operations, being all air service operations in which an aircraft is used for—

(i) aerial observation ;

(ii) aerial spotting ;

(iii) pest and disease control ;

(iv) seed sowing ;

(v) advertising ;

(vi) flying training ;

(vii) ambulance functions ;

(viii) carriage, for purposes of trade, of goods which are the property of the pilot, or the owner or the hirer of the aircraft ; or

(ix) police or customs functions or the services of a Government Department ;

(*c*) charter operations, being all air service operations in which an aircraft is used for the carriage of passengers or cargo for hire or reward to or from any place, but which are not conducted in accordance with fixed schedules to and from fixed terminals ; and

(*d*) regular public transport operations, being all air service operations in which aircraft are used for the carriage of passengers or cargo for hire or reward in accordance with fixed schedules to and from fixed terminals over specific routes, with or without stopping places between terminals.

Classification of aircraft.

181. An aircraft shall be classified in accordance with the type of operations in which it is employed at any time, as follows :—

(*a*) When an aircraft is being employed in private operations, it shall be classified as a private aircraft ;

(*b*) When an aircraft is being employed in aerial work operations, it shall be classified as an aerial work aircraft ;

(*c*) When an aircraft is being employed in charter operations, it shall be classified as a charter aircraft ;

(*d*) When an aircraft is being employed in regular public transport operations, it shall be classified as a regular public transport aircraft.

Requirements according to operations on which aircraft is to be used.

182. (1) No aircraft shall be used in any class of operations unless the particular type of aircraft is approved in writing for such use by the Director.

(2) No aircraft shall be used in any class of operations unless it carries or is fitted with such instruments including emergency equipment, as the Director may direct.

(3) For the purposes of this regulation, in addition to the instruments and equipment relating to airworthiness requirements, the instruments and equipment prescribed in Part VI of the Sixth Schedule hereto shall be installed in the aircraft according to the aircraft used and the circumstances under which the flight is to be conducted.

Number of operating crew.

183. (1) The minimum operating crew of an aircraft shall not be less in number than that specified in paragraph 9.2 of the Sixth Schedule hereto, and that number shall be varied as the Director may consider necessary having regard to—

(*a*) the type of aircraft used ;

(*b*) the class of operation involved ;

(*c*) the type of equipment installed ;

(*d*) the duration of flights between points where crews are changed ; and

(*e*) the safety of the aircraft.

(2) Where any aircraft carries two or more pilots as members of the operating crew, one of them shall, before the flight commences, be designated by the operator of the aircraft as the pilot-in-command and the other pilot or pilots shall act only under his direction. A public transport aircraft having a maximum total authorized weight of more than 22,500 lb. and flying in circumstances which require it to comply with the Instrument Flight Rules when departing from or arriving at an aerodrome, shall carry, to act in the capacity of second pilot and for the particular purpose of assisting the pilot-in-command during such departure or landing as aforesaid, a person who is the holder of a commercial, senior commercial or airline transport pilot's licence including an instrument rating.

(3) Every public transport aircraft carrying out—

(a) a flight during the course of which it may be over water for a great circle distance of more than one thousand nautical miles, or

(b) a flight without landing for a great circle distance of more than 1,500 nautical miles,

shall have on board, to act in the capacity of flight navigator, a person who is the holder of a flight navigator's licence. He shall be a separate person from any other member of the operating crew and shall not carry out any duties in the aircraft other than navigational duties: Provided however that in cases where a pilot and second pilot are carried, either the pilot or the second pilot, whichever is licensed as a navigator, may be responsible for the navigation of the aircraft if he holds a commercial, senior commercial, or airline transport pilot's licence, in respect of the particular type of aircraft, having an instrument rating.

(4) The provisions of this regulation shall have effect, subject to the provisions of paragraph (2) of regulation 52.

(5) Aircraft flight crew shall have route qualifications as defined in paragraph 9.1 of the Sixth Schedule hereto.

Private operations.

184. Every aircraft engaged in private operations shall comply with the provisions of these regulations and such additional conditions as the Director may by regulations made in that behalf specify, from time to time, in the interests of safety.

Aerial work licences.

185. No person shall after the first day of October 1955, use any aircraft in aerial work operations except under the authority of and in accordance with a licence (in these regulations referred to as "an aerial work licence") issued by the Director.

Charter licences.

186. (1) No person shall after the first day of October, 1955, use any aircraft in charter operations except under the authority of and in accordance with a licence (in these regulations referred to as a "charter licence") issued by the Director.

(2) A charter licence shall not empower the holder of such a licence to engage in charter operations on two or more occasions within any period of four weeks over a route or section of a route on which a regular public transport service is operating, but the Director may in particular circumstances specially authorize the holder of such a licence to engage in such operations, and that authority may be given subject to such conditions applicable in relation to the regular public transport service as the Director may consider necessary.

Airline licences.

187. No person shall after the first day of October, 1955, use any aircraft in regular transport operations except under the authority of and in accordance with a licence (in these regulations referred to as an "airline licence") issued by the Director.

Furnishing of informations.

188. (1) Every applicant for any aerial work licence, charter licence or airline licence, or for any exemption under these regulations, shall furnish such information in relation to the proposed service as the Director may require.

(2) Where the proposed service is an internal service, the Director may, if satisfied as to the safety of the proposed service, issue an aerial work licence,

charter licence or airline licence, as the case may be, subject to such conditions, in addition to compliance with these regulations, as the Director may specify in the licence.

Form and consolidation of licence.

189. (1) Every licence under these regulations shall be in such form as may be approved by the Director and, where the Director considers it convenient, he may issue to the operator of more than one service a licence in a consolidated form in respect of those services, although such services may include internal services as well as services other than internal services.

(2) Where a licence is issued in consolidated form, the provisions of these regulations relating to the imposition and variation of conditions and the renewal, suspension, cancellation and amendment of licences shall apply in respect of each separate service authorized under the licence as if the licence in relation to that service were a separate licence.

Duration of licence.

190. Subject to the provisions of Chapter XV of these regulations, a licence issued under this Part shall remain in force for such period not exceeding one year from the date of issue as is specified in the licence, and may from time to time be renewed by the Director for a further period not exceeding one year.

Arrangement under which regular public transport services may be operated by persons other than licensees.

191. The holder of an airline licence may enter into a contract or arrangement with another person under which that person may operate the service for which the licence is issued if that contract or arrangement is approved by the Director, and

(a) where the service is an internal service, the Director may give the approval subject only to such conditions, in addition to compliance with these regulations, as the Director considers necessary to ensure the safety of the aircraft and of the persons to be carried by the aircraft; and

(b) where the service is other than an internal service, the Director may give that approval upon such conditions, in addition to compliance with these regulations, as the Director considers necessary, or may refuse approval.

Internal Services

192. In this Part "internal service" means a service having scheduled stopping places at two or more aerodromes in Ceylon.

Fees for issue or renewal of licences.

193. The fees payable in respect of the initial issue or renewal of a licence issued in pursuance of this Part shall be as follows :—

(a) in respect of every application for a licence under this Part except a temporary licence, the fee shall be rupees five hundred, thousand (Rs 6000/-)

(b) in respect of a temporary licence under this Part (i.e., for such period not exceeding 60 days) the fee shall be rupees one hundred, thousand (Rs 1000/-)

(c) in respect of the grant of a licence under ~~this~~ Regulation 180(a) or 180(b) Part for every year or part of a year of the period of validity of the licence, the fee shall be rupees five hundred, and Rs 10,000/-

(d) in respect of every amendment of a licence issued under this Part, the fee shall be rupees one hundred and fifty. Rs 2000/-

194. Where the holder of a licence voluntarily surrenders it before the expiry of the period of its validity, whether it is with a view to replacement by a new licence or otherwise, he shall not be entitled to a refund of any part of the fee paid under the preceding regulation.

Applications for licences.

195. (1) Every application for a licence referred to in this Part, other than a temporary licence, shall be made to the Director not less than two months before the date on which it is desired to commence the service.

(2) Every such application shall be made on a form supplied by the Director on request, shall be signed by the person applying for the licence and, if made by any corporate body, shall be signed by a person duly

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* In respect of the grant of a licence under Regulation 180(c) or Regulation 180(d) for every year or part of a year of the period of [illegible] of the licence the fee shall be rupees Rs 25,000/-

authorized in that behalf by such body and shall be accompanied by such information as may be required by the Director for the purposes of these regulations.

196. Every application received by the Director shall, except in the case of applications for a temporary licence, be published by the Director in the Gazette and in not less than two daily newspapers, giving particulars regarding such application for a licence and a statement of the date, not being less than fifteen days after the date of publication, on which the application will be taken into consideration.

Representations.

197. Any person may, not less than ten days before the date specified for the consideration of the application by the Director, make representations to the Director in writing, setting out the specific grounds on which such representations are made. A copy of every such representation shall be sent by the person making it to the applicant for the licence, at the same time as it is sent to the Director, and a certificate to that effect shall be attached to the representation. The Director may, at his discretion, give an opportunity to the person making the representation to state his views in the presence of the applicant for the licence. The Director may require any person making a representation under this regulation to produce evidence as to the truth of any statement he may make.

Grant of licences.

198. (1) The Director shall dispose of an application for a licence as speedily as possible; may hear and dispose jointly all applications relating to the same route or area; may allow any amendments of applications or representations as he may deem fit; summarily reject any representation or, for reasons to be recorded, dispense with the publication of an application under regulation 196.

(2) The Director may, if he so thinks fit, grant a licence to an applicant as soon as he is satisfied in regard to the conditions to be fulfilled as to the economic strength of the applicant, the need for the service and the capacity of an applicant as an operator, and the safety of the route to be operated on; and may