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GUERNSEY STATUTORY INSTRUMENT

1985 No. 25

The Rules of the Air and Air Traffic Control (Guernsey)  
Regulations, 1985

Made ..... 21st November 1985

Coming into operation ..... 21st November 1985

THE STATES BOARD OF ADMINISTRATION, in exercise of the powers conferred upon it by Paragraph (1) of Article 61 of the Air Navigation Order 1980(a), as applied to Guernsey by the Air Navigation (Guernsey) Order 1981(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations -

1. These Regulations may be cited as the Rules of the Air and Air Traffic Control (Guernsey) Regulations, 1985 and shall come into operation on the 21st day of November, 1985.
2. The Rules set forth in the Schedule hereto are hereby prescribed as the Rules of the Air and Air Traffic Control (Guernsey) Regulations.
3. The following Regulations are hereby revoked, that is to say -

The Rules of the Air and Air Traffic Control (Guernsey) Regulations 1967(c);

The Rules of the Air and Air Traffic Control (Amendment) (Guernsey) Regulations 1969(d).

Dated this 21st day of November 1985.

(SIGNED)

R C Berry

President of the States Board of  
Administration for and on behalf  
of the Board

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- (a) S.I. 1980/1965;
  - (b) S.I. 1981/1805;
  - (c) Guernsey Statutory Instrument No. 15 of 1967;
  - (d) Guernsey Statutory Instrument No. 8 of 1969.

THE SCHEDULE

THE RULES OF THE AIR AND AIR TRAFFIC CONTROL (GUERNSEY)

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Section I

INTERPRETATION

1. (1) In these Rules, unless the context otherwise requires -

"Air traffic control clearance" means authorisation by an air traffic control unit for an aircraft to proceed under conditions specified by that unit;

"Anti-collision light" means a flashing red light showing in all directions for the purpose of enabling the aircraft to be more readily detected by the pilots of distant aircraft;

"Apron" means the part of an aerodrome provided for the stationing of aircraft for the embarkation and disembarkation of passengers, the loading and unloading of cargo and for parking;

"The Board" means the States Board of Administration;

"Ground visibility" means the horizontal visibility at ground level;

"Guernsey" means the Bailiwick of Guernsey and the territorial waters adjacent thereto;

"The Guernsey air traffic control unit" means the air traffic control unit established and maintained in Guernsey by the Board;

"IFR flight" means a flight conducted in accordance with the Instrument Flight Rules in Section VI of these Rules.

"Manoeuvring area" means the part of an aerodrome provided for the take-off and landing of aircraft and for the movement of aircraft on the surface, excluding the apron and any part of the aerodrome provided for the maintenance of aircraft;

"The Order" means the Air Navigation Order 1980 as applied to Guernsey by the Air Navigation (Guernsey) Order 1981;

"Runway" means an area, whether or not paved, which is provided for the take-off or landing run of aircraft;

"The United Kingdom Rules" means The Rules of the Air and Air Traffic Control Regulations 1981(a);

"VFR Flight" means a flight conducted in accordance with the Visual Flight Rules in Section V of these Rules.

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(a) SI 1981/34.

(2) Subject to the provisions of paragraph (1) of this Rule expressions used in these Rules shall, unless the context otherwise requires, have the same respective meanings as in the Order.

(3) The Interpretation (Guernsey) Law, 1948(b), applies for the purpose of the interpretation of these Rules as it applies for the purpose of the interpretation of an enactment.

(4) Except in so far as the context otherwise requires, any reference in these Rules to any other enactment shall be construed as a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment including these Rules.

## Section II

### GENERAL

#### Application of Rules to Aircraft

2. These Rules, in so far as they are applicable in relation to aircraft, shall, subject to the provisions of Rule 29 of these Rules, apply in relation to all aircraft within Guernsey.

#### Misuse of Signals and Markings

3. (1) A signal or marking to which a meaning is given by these Rules, or which is required by these Rules to be used in circumstances or for a purpose therein specified, shall not be used except that meaning, or for that purpose.

(2) A person in an aircraft or on an aerodrome or at any place at which an aircraft is taking off or landing shall not make any signal which may be confused with a signal specified in these Rules, and, except with lawful authority, shall not make any signal which he knows or ought reasonably to know to be a signal in use for signalling from any of Her Majesty's naval, military or air force aircraft.

#### Reporting hazardous conditions

4. The commander of an aircraft shall, on meeting with hazardous conditions in the course of a flight, or as soon as possible thereafter, send to the Guernsey air traffic control unit by the quickest means available information containing such particulars of the hazardous conditions as may be pertinent to the safety of other aircraft.

Low Flying

5. (1) Subject to the provisions of paragraphs (2) and (3) of this Rule -

(a) An aircraft other than a helicopter shall not fly over Guernsey below -

(i) such height as would enable the aircraft to alight without danger to persons or property on the surface, in the event of failure of a power unit; or

(ii) a height of 1,500 feet above the highest fixed object within 2,000 feet of the aircraft,

whichever is the higher.

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

(c) Except with the permission in writing of the Board and in accordance with any conditions therein specified a helicopter shall not fly over Guernsey below a height of 1,500 feet above the highest fixed object within 2,000 feet of the helicopter.

(d) An aircraft shall not fly -

(i) over, or within 3,000 feet of, any assembly in the open air of more than 1,000 persons assembled for the purpose of witnessing or participating in any organised event, except with the permission in writing of the Board and in accordance with any conditions therein specified and with the consent in writing of the organisers of the event; or

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

Provided that where a person is charged with an offence under the Order by reason of a contravention of this sub-paragraph, it shall be a good defence to prove that the flight of the aircraft over, or within 3,000 feet of, the assembly was made at a reasonable height and for a reason not connected with the assembly or with the event which was the occasion for the assembly.

(e) An aircraft shall not fly closer than 500 feet to any person, vessel, vehicle or structure.

~~(2) (a) The provision of paragraphs (1)(a)(ii) and (1)(c) of this Rule shall not apply to an aircraft flying -~~

- (i) on a route notified for the purposes of this Rule; or
- (ii) on a Special VFR flight as defined in Rule 23 of these Rules in accordance with instructions given for the purposes of that Rule by the appropriate air traffic control unit; or
- (iii) on a flight in respect of which a Special VFR clearance has been given pursuant to Rule 36 of these Rules in accordance with instructions given by the appropriate air traffic control unit.

(b) Paragraphs (1)(d) and (1)(e) of this Rule shall not apply to an aircraft in the service of the States of Guernsey.

(c) Paragraphs (1)(d) and (1)(e) of this Rule shall not apply to the flight of an aircraft over or within 3,000 feet of an assembly of persons gathered for the purpose of witnessing an event which consists wholly or principally of an aircraft race or contest or an exhibition of flying, if the aircraft is taking part in such race, contest or exhibition or is engaged on a flight arranged by, or made with the consent in writing of, the organisers of the event.

(d) Paragraph (1)(e) of this Rule shall not apply to -

- (i) any aircraft while it is landing or taking off in accordance with normal aviation practice;
- (ii) any aircraft while it is flying in accordance with proviso (f) of Article 39(2) of the Order.

(3) Nothing in this Rule shall prohibit an aircraft from flying in such a manner as is necessary for the purpose of saving life.

(4) Nothing in this Rule shall prohibit any aircraft from flying in accordance with normal aviation practice, for the purpose of taking off from, landing at or practising approaches to landing at, or checking navigational aids or procedures at an aerodrome in Guernsey:

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

(5) Nothing in this Rule shall apply to any captive balloon or kite.

#### Simulated instrument flight

6. An aircraft shall not be flown in simulated instrument flight conditions unless -

- (a) the aircraft is fitted with dual controls which are functioning properly;
- (b) an additional pilot (in this Rule called "a safety pilot") is carried in a second control seat of the aircraft for the purpose of rendering such assistance as may be necessary to the pilot flying the aircraft; and
- (c) if the safety pilot's field of vision is not adequate both forward and to each side of the aircraft, a third person, being a competent observer, occupies a position in the aircraft which from his field of vision makes good the deficiencies in that of the safety pilot, and from which he can readily communicate with the safety pilot.

For the purposes of this Rule the expression "simulated instrument flight" means a flight during which mechanical or optical devices are used in order to reduce the field of vision or the range of visibility from the cockpit of the aircraft.

#### Practice Instrument Approaches

7. Within Guernsey an aircraft shall not carry out instrument approach practice when flying in Visual Meteorological Conditions unless -

- (a) the appropriate air traffic control unit has previously been informed that the flight is to be made for the purpose of instrument approach practice; and
- (b) if the flight is not being carried out in simulated instrument flight conditions, a competent observer is carried in such a position in the aircraft that he has an adequate field of vision and can readily communicate with the pilot flying the aircraft.

### Section III

#### LIGHTS AND OTHER SIGNALS TO BE SHOWN OR MADE BY AIRCRAFT

##### General

8. (1) For the purposes of this Section of these Rules the horizontal plane of a light shown in an aircraft means the plane which would be the horizontal plane passing through the source of that light, if the aircraft were in level flight.

(2) Where by reason of the physical construction of an aircraft it is necessary to fit more than one lamp in order to show a light required by this Section of these Rules, the lamps shall be so fitted and constructed that, so far as is reasonably practicable, not more than one such lamp is visible from any one point outside the aircraft.

(3) Where in these Rules a light is required to show through specified angles in the horizontal plane, the lamps giving such light shall be so constructed and fitted that the light is visible from any point in any vertical plane within those angles throughout angles of 90° above and below the horizontal plane, but, so far as is reasonably practicable, through no greater angle, either in the horizontal plane or the vertical plane.

(4) Where in these Rules a light is required to show in all directions, the lamps giving such light shall be so constructed and fitted that, so far as is reasonably practicable, the light is visible from any point in the horizontal plane and on any vertical plane passing through the source of that light.

#### Display of Lights by Aircraft

9. (1) By night an aircraft shall display such of the lights specified in these Rules as may be appropriate to the circumstances of the case, and shall not display any other lights which might obscure or otherwise impair the visibility of, or be mistaken for, such lights:

Provided that nothing in this paragraph shall prevent the display of an anti-collision light.

(2) A flying machine on a land aerodrome in Guernsey at which aircraft normally land or take off at night shall, unless it is stationary on the apron or a part of the aerodrome provided for the maintenance of aircraft, display by night either the lights which it would be required to display if it were flying, or the lights specified in Rule 11(2)(a) or 11(2)(c) of these Rules.

#### Failure of Navigation Lights

10. In Guernsey, in the event of the failure of any light which is required by these Rules to be displayed in flight, if the light cannot be immediately repaired or replaced the aircraft shall land as soon as in the opinion of the commander of the aircraft it can safely do so, unless authorised by the Guernsey air traffic control unit to continue its flight.

#### Flying Machines

11. (1) A flying machine when flying at night shall display lights as follows:

(a) in the case of a flying machine registered in the United Kingdom having a maximum total weight authorised of more than 5,700 kg. the system of lights specified in paragraph (2)(b) of this Rule;

(b) in the case of a flying machine registered in the United Kingdom having a maximum total weight authorised of 5,700 kg. or less, any one of the following systems of lights -

- (i) that specified in paragraph (2)(a) of this Rule, or that specified in paragraph (2)(b); or
  - (ii) that specified in paragraph (2)(d), excluding sub-paragraph (ii);
  - (c) in the case of any other flying machine one of the systems of lights specified in paragraph (2) of this Rule.
- (2) The systems of lights referred to in paragraph (1) of this Rule are as follows -

- (a) (i) a green light of at least 5 candela showing to the starboard side through an angle of  $110^\circ$  from dead ahead in the horizontal plane;
- (ii) a red light of at least 5 candela showing to the port side through an angle of  $110^\circ$  from dead ahead in the horizontal plane; and
- (iii) a white light of at least 3 candela showing through angles of  $70^\circ$  from dead astern to each side in the horizontal plane,

all being steady lights;

- (b) (i) the lights specified in sub-paragraph (a) of this paragraph; and
- (ii) an anti-collision light;
- (c) the lights specified in sub-paragraph (a) of this paragraph, but all being flashing lights flashing together;
- (d) the lights specified in sub-paragraph (a) of this paragraph, but all being flashing lights flashing together in alternation with one or both of the following -
  - (i) a flashing white light of at least 20 candela showing in all directions;
  - (ii) a flashing red light of at least 20 candela showing through angles of  $70^\circ$  from dead astern to each side in the horizontal plane.

(3) If the lamp showing either the red or the green light specified in paragraph (2)(a) of this Rule is fitted more than 2 metres from the wing tip, a lamp may notwithstanding the provision of Rule 9(1) of these Rules, be fitted at the wing tip to indicate its position showing a steady light of the same colour through the same angle.

#### Gliders

12. A glider while flying at night shall display either a steady red light of at least 5 candela, showing in all directions, or lights in accordance with Rule 11(2) and (3) of these Rules.

### Free Balloons

13. A free balloon while flying at night shall display a steady red light of at least 5 candela showing in all directions, suspended not less than 5 metres and not more than 10 metres below the basket, or if there is no basket, below the lowest part of the balloon.

### Captive Balloons and Kites

14. (1) A captive balloon or kite while flying at night at a height exceeding 60 metres above the surface shall display lights as follows -

(a) a group of two steady lights consisting of a white light placed 4 metres above a red light, both being of at least 5 candela and showing in all directions, the white light being placed not less than 5 metres or more than 10 metres below the basket, or if there is no basket, below the lowest part of the balloon or kite;

(b) on the mooring cable, at intervals of not more than 300 metres measured from the group of lights referred to in sub-paragraph (a) of this paragraph, groups of two lights of the colour and power and in the relative positions specified in that sub-paragraph, and, if the lowest group of lights is obscured by cloud, an additional group below the cloud base; and

(c) on the surface, a group of three flashing lights arranged in a horizontal plane at the apexes of a triangle, approximately equilateral, each side of which measures at least 25 metres; one side of the triangle shall be approximately at right angles to the horizontal projection of the cable and shall be delimited by two red lights; the third light shall be a green light so placed that the triangle encloses the object on the surface to which the balloon or kite is moored.

(2) A captive balloon while flying by day at a height exceeding 60 metres above the surface shall have attached to its mooring cable at intervals of not more than 200 metres measured from the basket, or, if there is no basket, from the lowest part of the balloon, tubular streamers not less than 40 centimetres in diameter and 2 metres in length, and marked with alternate bands of red and white 50 centimetres wide.

(3) A kite flown in the circumstances referred to in paragraph (2) of this Rule shall have attached to its mooring cable either-

(a) tubular streamers as specified in paragraph (2) of this Rule, or

(b) at intervals of not more than 100 metres measured from the lowest part of the kite, streamers of not less than 80 centimetres long and 30 centimetres wide at their widest point and marked with alternate bands of red and white 10 centimetres wide.

### Airships

15. (1) Except as provided in paragraph (2) of this Rule, an airship while flying at night shall display the following steady lights -

- (a) a white light of at least 5 candela showing through angles of  $110^{\circ}$  from dead ahead to each side in the horizontal plane;
- (b) a green light of at least 5 candela showing to the starboard side through an angle of  $110^{\circ}$  from dead ahead in the horizontal plane;
- (c) a red light of at least 5 candela showing to the port side through an angle of  $110^{\circ}$  from dead ahead in the horizontal plane; and
- (d) a white light of at least 5 candela showing through angles of  $70^{\circ}$  from dead astern to each side in the horizontal plane.

(2) An airship while flying at night shall display, if it is not under command, or has voluntarily stopped its engines, or is being towed, the following steady lights -

- (a) the white lights referred to in paragraph (1)(a) and (d) of this Rule;
- (b) two red lights, each of at least 5 candela and showing in all directions suspended below the control car so that one is at least 4 metres above the other and at least 8 metres below the control car; and
- (c) if the airship is making way but not otherwise, the green and red lights referred to in paragraph (1)(b) and (c) of this Rule:

Provided that an airship while picking up its moorings, notwithstanding that it is not under command, shall display only the lights specified in paragraph (1) of this Rule.

(3) An airship, while moored within Guernsey by night, shall display the following lights -

- (a) when moored to a mooring mast, at or near the rear a white light of at least 5 candela showing in all directions;
- (b) when moored otherwise than to a mooring mast -
  - (i) a white light of at least 5 candela showing through angles of  $110^{\circ}$  from dead ahead to each side in the horizontal plane;
  - (ii) a white light of at least 5 candela showing through angles of  $70^{\circ}$  from dead astern to each side in the horizontal plane.

(4) An airship while flying by day, if it is not under command, or has voluntarily stopped its engines, or is being towed, shall display two black balls suspended below the control car so that one is at least 4 metres above the other and at least 8 metres below the control car.

(5) For the purposes of this Rule -

(a) an airship shall be deemed not to be under command when it is unable to execute a manoeuvre which it may be required to execute by or under these Rules;

(b) an airship shall be deemed to be making way when it is not moored and is in motion relative to the air.

#### Section IV

#### GENERAL FLIGHT RULES

##### Weather reports and forecasts

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

(2) An aircraft which is unable to communicate by radio with an air traffic control unit at the aerodrome of destination shall not begin a flight to an aerodrome within a control zone if the information which it is reasonably practicable for the commander of the aircraft to obtain indicates that it will arrive at that aerodrome when the ground visibility is less than 5 nautical miles or the cloud ceiling is less than 1,500 feet, unless the commander of the aircraft has obtained from an air traffic control unit at that aerodrome permission to enter the aerodrome traffic zone.

##### Rules for avoiding aerial collisions

###### General

17. (1) (a) Notwithstanding that the flight is being made with air traffic control clearance it shall remain the duty of the commander of an aircraft to take all possible measure to ensure that his aircraft does not collide with any other aircraft.

(b) An aircraft shall not be flown in such proximity to other aircraft as to create a danger of collision.

(c) Aircraft shall not fly in formation unless the commanders of the aircraft have agreed to do so.

(d) An aircraft which is obliged by these rules to give way to another aircraft shall avoid passing over or under the other aircraft, or crossing ahead of it, unless passing well clear of it.

(e) An aircraft which has the right-of-way under this Rule shall maintain its course and speed.

(f) For the purposes of this Rule a glider and a flying machine which is towing it shall be considered to be a single aircraft under the command of the commander of the towing flying machine.

#### Converging

(2) (a) Subject to the provisions of paragraphs (3) and (4) of this Rule, an aircraft in the air shall give way to other converging aircraft as follows -

(i) flying machines shall give way to airships, gliders and balloons;

(ii) airships shall give way to gliders and balloons;

(iii) gliders shall give way to balloons.

(b) Subject to the provisions of sub-paragraph (a) of this paragraph, when two aircraft are converging in the air at approximately the same altitude, the aircraft which has the other on its right shall give way:

Provided that mechanically driven aircraft shall give way to aircraft which are towing other aircraft or objects.

#### Approaching Head-on

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

#### Overtaking

(4) An aircraft which is being overtaken in the air shall have the right-of-way and the overtaking aircraft whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering course to the right, and shall not cease to keep out of the way of the other aircraft until that other aircraft has been passed and is clear, notwithstanding any change in the relative positions of the two aircraft:

Provided that a glider overtaking another glider in Guernsey may alter its course to the right or to the left.

Flight in the vicinity of an aerodrome

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

(a) conform to the pattern of traffic formed by other aircraft intending to land at that aerodrome, or keep clear of the airspace in which the pattern is formed;

(b) make all turns to the left unless ground signals otherwise indicate.

Order of landing

(6) (a) An aircraft while landing or on final approach to land shall have the right-of-way over other aircraft in flight or on the ground or water;

(b) In the case of two or more flying machines, gliders or airships approaching any place for the purpose of landing, the aircraft at the lower altitude shall have the right-of-way, but it shall not cut in front of another aircraft which is in final approach to land or overtake that aircraft:

Provided that -

(i) when an air traffic control unit has communicated to any aircraft an order of priority for landing, the aircraft shall approach to land in that order; and

(ii) when the commander of an aircraft is aware, that another aircraft is making an emergency landing, he shall give way to that aircraft, and at night, notwithstanding that he may have received permission to land, shall not attempt to land until he has received further permission to do so.

Landing and take-off

(7) (a) A flying machine, glider or airship shall take-off and land in the direction indicated by the ground signals or, if no such signals are displayed, into the wind, unless good aviation practice demands otherwise.

(b) A flying machine or glider shall not land on a runway

at an aerodrome if the runway is not clear of other aircraft unless, in the case of an aerodrome having an air traffic control unit, that unit otherwise authorises.

(c) Where take-offs and landings are not confined to a runway -

(i) a flying machine or glider when landing shall leave clear on its left any aircraft which has landed or is already landing or about to take-off; if such a flying machine or glider is about to turn it shall turn to the left after the commander of the aircraft has satisfied himself that such action will not interfere with other traffic movements; and

(ii) a flying machine about to take-off shall take up position and manoeuvre in such a way as to leave clear on its left any aircraft which has already taken-off or is about to take-off.

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

#### Aerobatic Manoeuvres

18. An aircraft shall not carry out any aerobatic manoeuvre over Guernsey without the consent of the Board.

#### Right-hand Traffic Rule

19. An aircraft which is flying within Guernsey in sight of the ground and following a road, railway, canal or coastline, or any other line of landmarks, shall keep such line of landmarks on its left:

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

#### Notification of Arrival and Departure

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

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

(3) Without prejudice to the provisions of Rule 27 of these Rules, before taking off on any flight from an aerodrome in Guernsey, being a flight whose intended destination is more than 40 kilometres from the aerodrome of departure, the commander of an aircraft of which the maximum total weight authorised exceeds 5,700 kg. shall cause a flight plan containing such particulars of the intended flight as may be necessary for search and rescue purposes to be communicated to the air traffic control unit notified for the purpose of this Rule.

#### Flight in Notified Airspace

21. In relation to flights in Visual Meteorological Conditions in controlled airspace notified for the purposes of this Rule, the commander of an aircraft shall comply with Rules 27 and 28 of these Rules as if the flights were IFR flights:

Provided that the commander of the aircraft shall not elect to continue the flight in compliance with the Visual Flight Rules for the purposes of Rule 27(3).

#### Choice of VFR or IFR

22. Subject to the provisions of Rule 21 of these Rules an aircraft shall always be flown in accordance with the Visual Flight Rules or the Instrument Flight Rules:

Provided that in Guernsey an aircraft flying at night -

- (a) outside a control zone shall be flown in accordance with the Instrument Flight Rules; or
- (b) in a control zone shall be flown in accordance with the Instrument Flight Rules or the provision of the proviso to Rule 23(b) of these Rules.

### Section V

#### VISUAL FLIGHT RULES

23. The Visual Flight Rules shall be as follows -

(a) Outside controlled airspace -

- (i) an aircraft flying outside controlled airspace above 3,000 feet above mean sea level shall remain at least one nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least 5 nautical miles;
- (ii) an aircraft other than a helicopter flying outside controlled airspace at or below 3,000 feet above mean sea level shall remain at least one nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least 3 nautical miles:

Provided that this sub-paragraph shall be deemed to be complied with if the aircraft is flown at a speed which according to its air speed indicator is 140 knots or less and remains clear of cloud, in sight of the surface and in a flight visibility of at least one nautical mile;

- (iii) a helicopter flying outside controlled airspace at or below 3,000 feet above mean sea level shall remain clear of cloud and in sight of the surface, or at least 1 nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least 3 nautical miles.

(b) Within controlled airspace

An aircraft flying within controlled airspace shall remain at least 1 nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least five nautical miles:

Provided that in a control zone, in the case of a special VFR flight, the aircraft shall be flown in accordance with any instructions given by the Guernsey air traffic control unit.

For the purposes of this Rule, "Special VFR flight" means a flight made in Instrument Meteorological Conditions or at night in a control zone or in a control zone notified for the purposes of Rule 21 of these Rules in respect of which the Guernsey air traffic control unit has given permission for the flight to be made in accordance with special instructions given by that unit instead of in accordance with the Instrument Flight Rules.

(c) Within airspace notified pursuant to Rule 36

An aircraft flying within airspace notified for the purposes of Rule 36 of these Rules shall be flown -

- (i) in the case of a flight in respect of which a Special VFR clearance has been given by the Guernsey air traffic control unit, clear of cloud, within sight of the surface and in accordance with any special instructions given by that unit;
- (ii) in the case of any other flight, in accordance with the provisions of paragraph (a) of this Rule.

#### Section VI

#### INSTRUMENT FLIGHT RULES

24. The Instrument Flight Rules shall be as follows -

(a) Outside controlled airspace

In relation to flights outside controlled airspace Rules 25 and 26 of these rules shall apply.

(b) Within controlled airspace

In relation to flights within controlled airspace Rules 25, 27 and 28 of these Rules shall apply.

#### Minimum Height

25. Without prejudice to the provisions of Rule 5 of these Rules, in order to comply with the Instrument Flight Rules an aircraft shall not fly at a height of less than 1,000 feet above the highest obstacle within a distance of 5 nautical miles of the aircraft unless -

- (a) it is necessary for the aircraft to do so in order to take off or land; or
- (b) the aircraft is flying on a route notified for the purposes of this Rule; or
- (c) the aircraft has been otherwise authorised by the Guernsey air traffic control unit; or

(d) the aircraft is flying at an altitude not exceeding 3,000 feet above mean sea level and remains clear of cloud and in sight of the surface.

**Quadrantal Rule and Semi-Circular Rule**

26. In order to comply with the Instrument Flight Rules, an aircraft when in level flight above 3,000 feet above mean sea level or above the appropriate transition altitude, whichever is the higher, shall be flown at a level appropriate to its magnetic track, in accordance with the appropriate Table set forth in this Rule. The level of flight shall be measured by an altimeter set -

(a) in the case of flight over Guernsey, to a pressure setting of 1013.2 millibars; or

(b) in the case of any other flight, according to the system published by the competent authority in relation to the area over which the aircraft is flying:

Provided that an aircraft may be flown at a level other than the level required by this Rule if it is flying in conformity with instructions given by an air traffic control unit or in accordance with notified en-route holding patterns or in accordance with holding procedures notified in relation to an aerodrome.

For the purposes of this Rule "transition altitude" means the altitude so notified in relation to flight over such area or areas as may be notified.

TABLE I - FLIGHTS AT LEVELS BELOW 24,500 FEET

Magnetic Track	Cruising Level.
Less than 90° .....	Odd thousands of feet.
90° but less than 180° .....	Odd thousands of feet + 500 feet.
180° but less than 270° ....	Even thousands of feet.
270° but less than 360° ....	Even thousands of feet + 500 feet.

TABLE II - FLIGHTS AT LEVELS ABOVE 24,500 FEET

Magnetic Track	Cruising Level.
Less than 180° .....	25,000 feet.
	27,000 feet.
	29,000 feet or higher levels at intervals of 4,000 feet.

180° but less than 360° .... 26,000 feet.  
28,000 feet.  
31,000 feet or higher levels at  
intervals of 4,000 feet.

#### Flight Plan and Air Traffic Control Clearance

27. (1) In order to comply with the Instrument Flight Rules, before an aircraft either takes off from a point within controlled airspace or otherwise flies within controlled airspace the commander of the aircraft shall cause a flight plan to be communicated to the Guernsey air traffic control unit and shall obtain an air traffic control clearance based on such flight plan.

(2) The flight plan shall contain such particulars of the intended flight as may be necessary to enable the air traffic control unit to issue an air traffic control clearance, or for search and rescue purposes.

(3) The commander of the aircraft shall fly in conformity with -

(a) the air traffic control clearance issued for the flight, as amended by any further instructions given by an air traffic control unit; and

(b) the holding and instrument approach procedures notified in relation to the aerodrome of destination, unless he is otherwise authorised by the air traffic control unit there:

Provided that he shall not be required to comply with the foregoing provisions of this paragraph if -

(i) he is able to fly in uninterrupted Visual Meteorological Conditions for so long as he remains in controlled airspace; and

(ii) he has informed the appropriate air traffic control unit of his intention to continue the flight in compliance with Visual Flight Rules and has requested that unit to cancel his flight plan.

(4) If for the purpose of avoiding immediate danger any departure is made from the provisions of paragraph (3) of this Rule (as is permitted by Article 61 (3) of the Order) the commander of the aircraft shall, in addition to causing particulars to be given in accordance with Article 61 (4) of the Order, as soon as possible inform the Guernsey air traffic control unit of the deviation.

(5) The commander of the aircraft after it has flown in controlled airspace shall, unless he has requested the Guernsey air

traffic control unit to cancel his flight plan, forthwith inform that unit when the aircraft lands within or leaves the controlled airspace.

#### Position Reports

28. In order to comply with the Instrument Flight Rules the commander of an aircraft in IFR flight who flies in or is intending to enter controlled airspace shall report to the Guernsey air traffic control unit the time, and the position and level of the aircraft at such reporting points or at such intervals of time as may be notified for this purpose or as may be directed by the air traffic control unit.

### Section VII

#### AERODROME TRAFFIC RULES

##### Application of Aerodrome Traffic Rules

29. The Rules in this Section of these Rules which are expressed to apply to flying machines shall also be observed, so far as is practicable, in relation to all other aircraft.

##### Visual Signals

30. The commander of a flying machine on, or in the pattern of traffic at, an aerodrome shall observe such visual signals as may be displayed at, or directed to him from the aerodrome by the authority of the person in charge of the aerodrome and shall obey any instructions which may be given to him by means of such signals:

Provided that he shall not be required to obey the signals referred to in Rule 41 of these Rules (Marshalling Signals) if in his opinion it is inadvisable to do so in the interests of safety.

##### Movement of Aircraft on Aerodromes

31. An aircraft shall not taxi on the apron or the manoeuvring area of an aerodrome without the permission of the person in charge of the aerodrome or, where the aerodrome has an air traffic control unit for the time being notified as being on watch without the permission of that unit.

##### Access to and movement on the Manoeuvring Area and other parts of the aerodrome used by aircraft

32. (1) A person or vehicle shall not go on to any part of an

aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome without the permission of the person in charge of the aerodrome, and except in accordance with any conditions subject to which that permission may have been granted.

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

(3) Any permission granted for the purposes of this Rule may be granted whether, in respect of persons or vehicles generally, or in respect of any particular person or vehicle or any class of person or vehicle.

#### Right of Way on the ground

33. (1) This Rule shall apply to -

- (a) flying machines; and
- (b) vehicles

on any part of a land aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome.

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

- (3) (a) Flying machines and vehicles shall give way to aircraft which are taking off or landing.
- (b) Vehicles, and flying machines which are not taking off or landing, shall give way to vehicles towing aircraft.
- (c) Vehicles which are not towing aircraft shall give way to aircraft.

(4) Subject to the provisions of paragraph (3) of this Rule and of Rule 35 (2)(b) of these Rules, in case of danger of collision between two flying machines -

- (a) when the two flying machines are approaching head-on or approximately so, each shall alter its course to the right;
- (b) when the two flying machines are on converging courses, the one which has the other on its right shall give way to the other and shall avoid crossing ahead of the other unless passing well clear of it;

- (c) a flying machine which is being overtaken shall have the right-of-way, and the overtaking flying machine shall keep out of the way of the other flying machine by altering its course to the left until that other flying machine has been passed and is clear, notwithstanding any change in the relative positions of the two flying machines.

(5) Subject to the provisions of paragraph (3)(b) of this Rule a vehicle shall -

- (a) overtake another vehicle so that the other vehicle is on the left of the overtaking vehicle;
- (b) keep to the left when passing another vehicle which is approaching head-on or approximately so.

#### Dropping of Tow Ropes, etc.

34. Tow ropes, banners or similar articles towed by aircraft shall not be dropped from aircraft except at an aerodrome and -

- (a) in accordance with arrangements made with the Guernsey air traffic control unit or, with the person in charge of the aerodrome; or
- (b) in the area designated by the marking described in Rule 44 (7) of the United Kingdom Rules, and the ropes, banners or similar articles shall be dropped when the aircraft is flying in the direction appropriate for landing.

#### Flight within Aerodrome Traffic Zones

35. (1) An aircraft shall not fly, take off or land within the aerodrome traffic zone of an aerodrome unless the commander of the aircraft has obtained the permission of the air traffic control unit at the aerodrome or, where there is no air traffic control unit, has obtained from the aerodrome flight information unit at that aerodrome information to enable the flight within the zone to be conducted with safety or, where there is no air traffic control unit nor aerodrome flight information unit, has obtained information from the air/ground radio station at that aerodrome to enable the flight to be conducted with safety.

(2) The commander of an aircraft flying within the aerodrome traffic zone of an aerodrome shall:

- (a) cause a continuous watch to be maintained on the

appropriate radio frequency notified for communications at the aerodrome or, if this is not possible, cause a watch to be kept for such instructions as may be issued by visual means;

(b) where the aircraft is fitted with means of communication by radio with the ground, communicate his position and height to the air traffic control unit, the aerodrome flight information unit or the air/ground radio station at the aerodrome (as the case may be), on entering the zone and immediately prior to leaving it.

#### Special Rules

36. (1) The Provisions set out in this Rule shall apply in addition to the other Rules in this Section in relation to aerodromes in Guernsey.

(2) Except as may otherwise be authorised by the Guernsey air traffic control unit -

(a) an aircraft shall not fly at less than 2,000 feet above the notified elevation of an aerodrome within 5 nautical miles of the notified aerodrome reference point, unless the commander of the aircraft, before so flying, obtains the permission of the Guernsey air traffic control unit at the aerodrome, and informs the Guernsey air traffic control unit, on the notified radio frequency appropriate to the circumstances, of the aircraft's position, level and track;

(b) while the aircraft is at less than 2,000 feet above the notified elevation of the aerodrome and within 5 nautical miles of the notified aerodrome reference point, the commander of the aircraft shall cause a continuous watch to be maintained on that frequency and comply with any instructions which the Guernsey air traffic control unit may give in the particular case.

(3) For the purposes of this Rule, "Special VFR clearance" means a clearance given by the appropriate air traffic control unit to an aircraft for flight within airspace notified for the purposes of that paragraph if the aircraft remains clear of cloud, within sight of the surface and is flown in accordance with any special instructions given by that unit.

(4) Unless otherwise authorised by the Guernsey air traffic control unit at the aerodrome, an aircraft whilst flying at less than 2,000 feet above the notified elevation of an aerodrome and within 5 nautical miles of the notified aerodrome reference point, shall remain at least 1 nautical mile horizontally and 1,000 feet vertically away from cloud and in a flight visibility of at least 5

nautical miles, unless the commander of the aircraft holds a licence which includes a valid Instrument Rating except that -

(a) if the commander of the aircraft holds a Commercial Pilot's Licence, a Senior Commercial Pilot's Licence or an Airline Transport Pilot's Licence which does not include a valid Instrument Rating and he intends to take off or land within the notified airspace, the aircraft may be flown in accordance with any Special VFR clearance given to it; or

(b) if the aircraft is an aeroplane and the commander thereof being the holder of a Private Pilot's Licence which includes a valid Instrument Meteorological Conditions Rating, intends to land or take off within the notified airspace, the aircraft may be flown in accordance with any Special VFR clearance given to it if it remains in a flight visibility of at least  $1\frac{1}{2}$  nautical miles; or

(c) if the aircraft is a helicopter and the commander thereof intends to take off or land within the notified airspace, the aircraft may be flown in accordance with any Special VFR clearance given to it.

#### Use of Radio Navigation Aids

37. The commander of an aircraft shall not make use of any radio navigation aid provided in Guernsey without complying with such restrictions and procedures as may be notified in relation to that aid.

### Section VIII

#### AERODROME SIGNALS AND MARKINGS: VISUAL AND AURAL SIGNALS

##### General

38. (1) The signals and markings specified in Rules 42, 43, 44 and 45 of the United Kingdom Rules, shall, whenever any signal so specified is given or displayed or whenever any marking so specified is displayed by any person in an aircraft, or at an aerodrome, or at any other place which is being used by aircraft for landing or take-off, when given or displayed in Guernsey, have the meanings respectively assigned to them in those Rules and shall have the same effect in Guernsey as they have in the United Kingdom.

(2) All dimensions specified in the United Kingdom Rules referred to in the last preceding paragraph or in these Rules shall be subject to a tolerance of 10 per cent, plus or minus.

(3) Whenever any signal specified in Rule 42 of the United Kingdom Rules is displayed it shall be placed in a signal area, which shall be a square visible in all directions bordered by a white strip 30 centimetres wide the internal side measuring 12 metres.

#### Lights and Pyrotechnic Signals for Control of Aerodrome Traffic

39. Each signal described in the first column of Table A to Rule 46 of the United Kingdom Rules, when directed from an aerodrome to an aircraft or to a vehicle, or from an aircraft, shall have the meaning respectively appearing in the second, third and fourth columns of that Table opposite the description of the signal and shall have the same effect in Guernsey as it has in the United Kingdom.

#### Marshalling Signals (from a marshaller to an aircraft)

40. Each of the signals for the guidance of aircraft manoeuvring on or off the ground, described in the first column of Table B to Rule 47 of the United Kingdom Rules shall, in Guernsey, have the meaning set forth in the second column of that Table opposite the description of the signal and shall have the same effect in Guernsey as it has in the United Kingdom. By day any such signals shall be given by hand or by circular bats and by night by torches or illuminated wands.

#### Marshalling Signals (from a pilot of an aircraft to a marshaller)

41. Each of the Signals described in the first column of the Table to Rule 48 of the United Kingdom Rules shall when made by a pilot in an aircraft to a marshaller have the meaning set forth in the second column of the Table opposite the description of the Signal, and shall have the same effect in Guernsey as it has in the United Kingdom.

#### Distress, Urgency and Safety Signals

42. (1) The following signals, given either together or separately before the sending of a message, signify that an aircraft is threatened by grave and imminent danger and requests immediate assistance -

(a) by radiotelephony -

the spoken word "MAYDAY";

(b) visual signalling -

(i) the signal SOS (...---...);

(ii) a succession of pyrotechnic lights fired at short intervals each showing a single red light;

(iii) a parachute flare showing a red light;

(c) by sound signalling other than radiotelephony -

(i) the signal SOS (...---...);

(ii) a continuous sounding with any sound apparatus.

(2) The following signals, given either together or separately, before the sending of a message, signify that the commander of the aircraft wishes to give notice of difficulties which compel it to land but that he does not require immediate assistance -

(a) a succession of white pyrotechnic lights;

(b) the repeated switching on and off of the aircraft landing lights;

(c) the repeated switching on and off of its navigation lights, in such a manner as to be clearly distinguishable from the flashing navigation lights described in Rule 11 of these Rules.

(3) The following signals, given either together or separately, indicate that the commander of the aircraft has an urgent message to transmit concerning the safety of a ship, aircraft, vehicle or other property or of a person on board or within sight of the aircraft from which the signal is given -

(a) by radiotelephony -

the spoken word "PAN";

(b) by visual signalling -

the signal XXX (-..---..---.);

(c) by sound signalling other than radiotelephony -

the signal XXX (-..---..---.).

#### Section IX

#### AIR TRAFFIC CONTROL

##### Provision of Air Traffic Control Services

43. (1) At every aerodrome which is provided with means of two-way radio communication with aircraft and is either situated in a control zone or is an aerodrome in respect of which the Board has given a

direction to the proprietor or person in charge of the aerodrome requiring air traffic control service to be provided there, the person in charge of the aerodrome shall cause air traffic control service to be provided at all times when the aerodrome is open for the take-off and landing of aircraft.

(2) At every aerodrome which is provided with means of two-way radio communication with aircraft and with equipment for providing holding aid, let-down aid or approach aid by radio or radar the person in charge of the aerodrome shall inform the Board in advance of any period during which any of the said equipment will be in operation for the purpose of providing holding aid, let-down aid or approach aid and, without prejudice to paragraph (1) of this Rule, cause air traffic control service to be provided at all times when the said equipment is notified as being in operation for any of those purposes.

#### Use of Radio Call Signs at Aerodromes

44. The person in charge of an aerodrome provided with means of two-way radio communication shall not cause or permit any call sign to be used for a purpose other than a purpose for which that call sign has been notified.