

L.N. 132 of 2006**CIVIL AVIATION ACT
(CAP. 232)****Air Navigation (Amendment) (No. 2) Order, 2006**

IN exercise of the powers conferred by section 3 of the Civil Aviation Act, the Minister for Competitiveness and Communications, has made the following order:

1. The title of this order is the Air Navigation (Amendment) (No. 2) Order, 2006 and shall be read and construed as one with the Air Navigation Order, 1990, hereinafter referred to as “the principal Order”. L.N. 176 of 1990.

2. In paragraph (1) of Article 2 of the principal Order, immediately after the definition of “decision height”, there shall be inserted the following definition: Amends Article 2 of the principal Order.

““Directive 2004/36/CE” is the Directive 2004/36/CE of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports;”.

3. Article 82 of the principal Order shall be amended as follows: Amends Article 82 of the principal Order.

(a) in sub-paragraph (c) of paragraph (1) thereof, for the words “any schedule thereto,” there shall be substituted the words “any schedule thereto; or”.

(b) immediately after sub-paragraph (c) of paragraph (1) thereof, there shall be inserted the following new sub-paragraph:

“(d) when during a ramp inspection of an aircraft conducted in accordance with Directive 2004/36/CE findings of a category that make the aircraft not fit for flight are determined,”

4. The Thirteenth Schedule to the principal Order shall be amended as follows: Amends Thirteenth Schedule to the principal Order.

(a) in Rule 9 in Section III thereof the following new sub-paragraph shall be inserted:—

“(3) An aircraft shall at all times display its anti collision lights during flight, when operating in the manoeuvring area and aprons and when running engines on an apron.”;

(b) in Rule 17 in Section IV thereof, in sub-paragraph (c) of paragraph (1) after the words “... conduct of the flights” there shall be added the following:—

“The following conditions shall also apply:—

(i) the formation operates as a single aircraft with regard to navigation and position reporting;

(ii) separation between aircraft in flight shall be the responsibility of the pilots in command of the aircraft in formation, including during transition times when the formation is joining or breaking up;

(iii) lateral and longitudinal distance between aircraft shall not exceed 1 km and vertical distance between aircraft shall not exceed 100 feet.”;

(c) in Rule 17 in Section IV thereof, for sub-paragraph (d) of paragraph (1) there shall be substituted the following:—

“(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, taking into account the effects of aircraft wake turbulence.”;

(d) in Rule 17 in Section IV thereof, for sub-paragraph (e) of paragraph (1) there shall be substituted the following:

“(e) An aircraft which has the right of way under this Rule shall maintain its heading and speed but nothing shall relieve the commander from the responsibility of taking such action, including collision avoidance manoeuvres based on resolution advisories provided by Aircraft Collision Avoidance System equipment, as will best avert collision.”;

(e) in Rule 36 in Section VII thereof, for sub-paragraph (a) of paragraph (2) there shall be substituted the following:

“(a) observe other aerodrome traffic for the purpose of avoiding collision and conform to the pattern of traffic formed by other aircraft, or keep clear of the airspace in which the pattern is formed.”; and

(f) immediately after Rule 48 in Section IX thereof, there shall be added the following new Section X:

“Section X

Water Operations

General

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

Lights to be displayed by aircraft on the water

50. Between sunset and sunrise or such other period between sunset and sunrise as may be prescribed by the appropriate authority, all aircraft on the water shall display lights as required by the International Regulations for Preventing Collisions at Sea (revised 1972) unless it is impractical for them to do so, in which case they shall display lights as closely similar as possible in characteristics and position to those required by the International Regulations.”.

