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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF DEFENCE

Civil Aviation and Tourism Division

NOTIFICATION

Dhaka, the 6th July 1983

No. S.R.O. 252-L/83.—The following draft of the Aircraft Rules, 1983 which it is proposed to make in exercise of the powers conferred by sections 4, 5, 7 and 8 of the Civil Aviation Ordinance, 1960 (Ord. XXXII of 1960), section 10 of the Aircraft (Removal of Danger to Safety) Ordinance, 1965 (Ordinance No. XII of 1965), section 4 of the Telegraph Act, 1885 (XIII of 1885), and in supersession of the Aircraft Rules, 1937, and the Airport Obstruction Clearance Rules, 1981 is hereby published as required by sub-section (2) of section 15 of the said Ordinance for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after a period of three months of its publication in the official Gazette.

Any objection or suggestion which may be received with respect to the said draft within the aforesaid period will be considered by the Government :

THE CIVIL AVIATION RULES, 1983

PART 1

PRELIMINARY

1. **Short title and application.**—(1) These rules may be called the Civil Aviation Rules, 1983.

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(2) These rules shall apply, unless a contrary intention appears, to all aircraft for the time being in or over Bangladesh. Provided that, in the case of aircrafts registered elsewhere than in Bangladesh, the provisions (of Parts 2, 7, 8 and 9 of these rules) relating to Personnel Licensing, Operation of Aircraft, Aircraft Nationality and Registration Marks and Airworthiness of Aircraft shall not apply but the laws applicable to them in their respective countries shall apply.

(3) These rules shall not apply to, or in relation to, military aircrafts and military aerodromes of Bangladesh.

(4) Notwithstanding the provisions of sub-rule (3), the provisions of these rules relating to manoeuvre of aircrafts and air traffic control shall apply to, and in relation to, a flight by the military aircraft and State aircrafts when they operate at military aerodromes exclusively used for military purposes.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,—

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

“advisory area” means a designated area within a flight information region where air traffic advisory service is available;

“advisory route” means a route within a flight information region along which air traffic advisory service is available;

“aerial work aircraft” means an aircraft, not being a public transport aircraft, which is being flown for payment to be made to the operator of the aircraft, being payment for the flight or in respect of the purpose for which the flight is carried out, and any reference to an aerial work aircraft by any class shall be construed accordingly;

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

“aerodrome meteorological minima” means limiting meteorological conditions laid down for the purpose of determining the usability of an aerodrome either for take-off or landing;

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

“Aeronautical Information Publications” or “AIP” means the publications issued by, or with the authority of, a State containing aeronautical information of a lasting character essential to air navigation;

“aeronautical mobile radio service” means a radio communication service between aircraft radio stations and land stations and between two or more aircraft radio stations;

“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;

- “aeroplane flight manual” means a manual, associated with the certificate of airworthiness, containing limitations within which the aeroplane is to be considered airworthy, and instructions and information necessary to the flight crew members for the safe operation of the aeroplane ;
- “aerodrome control tower” means a unit established to provide air traffic control service to aerodrome traffic ;
- “aerodrome elevation” means the elevation of the highest point of the landing area ;
- “aerodrome taxi circuit” means the specified path of the aircraft on the manoeuvring area during specific wind conditions ;
- “agricultural operations” means the broadcasting of chemicals, seeds, fertilizers and other substances from aircraft for agricultural purposes including purposes of pest disease control ;
- “Air Navigation Order” means the orders published by the Chairman under rule 4 ;
- “air-report” means a report prepared by the pilot-in-command during the course of a flight in conformity with requirements for position, operational or meteorological, reporting in the AIREP form ;
- “airtraffic control clearance” means authorization for an aircraft to proceed under conditions specified by an air traffic control unit;
- “air traffic advisory service” means a service provided within the advisory area or advisory route to ensure separation, in so far as possible, among aircraft which are operating on an IFR flight plan ;
- “air traffic control service” means a service provided for the purposes of—
- (a) preventing collisions—
 - (i) between aircrafts, and
 - (ii) on the manoeuvring area, between aircrafts and obstructions ;and
 - (b) expediting and maintaining an orderly flow of air traffic ;
- “air traffic control unit” means an area control centre, approach control office or as the case may be, aerodrome control tower;
- “air traffic service” means flight information service, alerting service, air traffic advisory service, air traffic control service, area control service, approach control service or aerodrome control service;
- “air traffic service reporting office” means a unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure of an aircraft ;
- “airway” means a control area or a portion thereof established in the form of a corridor equipped with radio navigational aids;
- “air route facilities” means any facilities provided to permit safe navigation of an aircraft within the airspace of an air route, and includes visual and non-visual aids to approach and landing at aerodromes, communication services, meteorological and air traffic services and facilities;

- “airship” means a power driven Lighter-than-air aircraft;
- “air traffic” means all aircraft in flight or operating on the manoeuvring area of an aerodrome;
- “air traffic services” means services established by the Chairman in pursuance of these rules;
- “air traffic control instructions” means directions issued by an air traffic service for an aircraft to conduct its flight in the manner specified by that air traffic service;
- “air traffic controller licence” means a licence granted to a person in accordance with the provisions of these rules;
- “alternate aerodrome” means an aerodrome specified in the 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 a level or point, or an object considered as a point, measured from mean sea level;
- “alerting service” means service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and assist such organisations as required;
- “approach control office” means a unit established to provide air traffic control service to IFR flights arriving at, or departing from, one or more aerodromes;
- “approach control service” means air traffic control service for arriving or departing IFR flights;
- “approach sequence” means the order in which two or more aircrafts are cleared to approach to land at an aerodrome;
- “approved” means approved by the Chairman of the Civil Aviation Authority;
- “apron” means a defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading of passengers or cargo, refuelling, parking or maintenance of aircraft;
- “area control centre” means a unit established to provide air traffic control service to controlled flights in control area;
- “area control service” means an air traffic control service for controlled flights in control areas;
- “air traffic services route” or “ATS route” means specified route designed for channelling the flow of air traffic as necessary for the provision of air traffic services;
- “authorised” means authorised by the Chairman or by a person appointed by the Chairman to give the authority concerned;
- “base turn” means rate 1 turn executed by the aircraft during the intermediate approach between the end of the outbound track and the beginning of the final approach track, but these tracks are not reciprocal;

- “cargo” means any property carried on an aircraft other than mail, stores, and personal accompanied baggage of passengers;
- “ceiling” means the height above the ground or water of the base of the lowest layer of cloud below six thousand metres (twenty thousand feet) covering more than half of the sky;
- “Chairman” means the Chairman of the Civil Aviation Authority or any person performing the duties of the Chairman for the time being in force;
- “charter aircraft” means an aircraft employed in charter operations;
- “commercial operations” means an air operation for hire and reward;
- “compulsory reporting point” means specified geographical location in relation to which the position of an aircraft must be reported;
- “control area” means controlled airspace extending upwards from a specified height above the surface of the earth;
- “controlled flight” means any flight which is provided with air traffic control service;
- “controlled VFR flight” means controlled flight conducted in accordance with the visual flight rules;
- “control tower” means a unit established to provide air traffic control service to aerodrome traffic;
- “control zone” means controlled airspace in relation to an aerodrome extending upward from the surface of the earth to a specified upper limit;
- “controlled aerodrome” means an aerodrome at which air traffic control service is provided to aerodrome traffic;
- “controlled airspace” means an airspace of defined dimensions within which air traffic control service is provided to controlled flight;
- “co-pilot” means a licensed pilot serving in any piloting capacity other than as pilot-in-command, but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction;
- “convention” means the convention on International Civil Aviation signed in Chicago on the seventh day of December, 1944, and any amendments of the Convention or Annex thereto made in accordance with the provisions of Article 94 of the Convention;
- “crew member” means a person assigned by an operator to duty on an aircraft during the flight time;
- “cruising level” means a level maintained during a significant portion of a flight;
- “current flight plan” means the flight plan, including changes, if any, brought about by subsequent clearances;
- “danger area” means a specified area within or over which there may exist activities constituting potential danger to aircraft flying over it;
- “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;

“elevation” means the vertical distance of a point or a level on or affixed to the surface of the earth, measured from mean sea level;

“expected approach time” means the time at which ATC expects that an arriving aircraft will be cleared to commence its approach for a landing;

“filed flight plan” or “FPL” means the plan as filed with an air traffic service unit by the pilot or his designated representative without any subsequent changes;

“final approach” means that part of an instrument approach procedure from the time the aircraft has—

(a) completed the last procedure turn or base turn, where one is specified; or

(b) crossed a specified fix; or

(c) intercepted the last track specified for the procedure, until it has crossed a point in the vicinity of an aerodrome from which—

(i) a landing can be made; or

(ii) a missed approach procedure is initiated;

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

“flight time” means the total time from the moment 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 the flight;

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

“forecast” means a statement of expected meteorological conditions for a specified period and for specified area or portion of airspace;

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

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

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

“flight level” means surfaces of constant atmospheric pressure which are related to a specific pressure datum 1013.2 mbs (29.92 inches) and are separated by specific pressure intervals.

Notes 1: A pressure type altimeter calibrated in accordance with the standard atmosphere—

(a) when set to QNH altimeter setting, will indicate altitude;

(b) when set to QFE altimeter setting, will indicate height above the QFE reference datum;

(c) when set to a pressure of 1013.2 mbs (29.92 inches) may be used to indicate flight levels.

2. The terms height and altitude used in Note 1 indicate altimetric rather than geometric heights and altitudes;

- “flight status” means an indication of whether a given aircraft requires special handling by air traffic services unit or not;
- “glider” means a non-powers-driven heavier-than-air aircraft deriving its lift in flight chiefly from aero-dynamic reactions on surfaces remaining fixed under given conditions of flight;
- “ground visibility” means visibility at an aerodrome as reported by an authorised observer;
- “heading” means the direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic or compass);
- “holding point” means a specified location, identified by visual or other means, in the vicinity of which the position of an aircraft in flight is maintained in accordance with air traffic control clearances;
- “holding procedure” means a predetermined manoeuvre which keeps an aircraft within a specified airspace whilst awaiting further clearance;
- “helicopter” means a heavier-than-air aircraft supported in flight by reaction of the air on one or more power driven rotors on substantially vertical axis;
- “horizontal plane”, in relation to an aircraft, means the plane containing the longitudinal axis perpendicular to the plane of symmetry of the aircraft;
- “instrument flight rules weather conditions” or “IFR weather conditions” means weather conditions of such a nature that flight in compliance with the visual flight rules laid down in these rules is precluded;
- “instrument approach procedure” means a series of predetermined manoeuvres for the orderly transfer of an aircraft under instrument flight conditions from the beginning of the initial approach to a landing or to a point from which a landing may be made visually;
- “international air service” means an air service which passes through the airspace over the territory of more than one state;
- “instrument flight rules flight” or “IFR flight” means a flight conducted in accordance with the Instrument Flight Rules;
- “licence” includes any certificate of competency required to be held in connection with the licence by the law of the country in which the licence is granted;
- “missed approach procedure” means the procedure to be followed if, after an instrument approach, a landing is not effected and occurring normally:—
- (a) when the aircraft has descended to the decision height and has not established visual contact; or
 - (b) when directed by the air traffic control to pull up or to go around again;
- “meteorological minima” means the minimum values of meteorological elements as determined by the Chairman in respect of specified type of flight operation;

“meteorological observation” means the qualitative evaluation by instrument or visual means of one or more meteorological elements at a place at a given time;

“meteorological report” means a statement of observed meteorological conditions related to a specified time and location;

“mile” means a nautical mile (6,080 feet) ;

“military aircraft” means an aircraft of the Defence Force of Bangladesh (including any aircraft that is being constructed for the Defence Force) and any aircraft commanded by a member of that Force who is detailed for the purpose other than any aircraft that is registered under these rules as a Bangladesh aircraft;

“movement area” means the part of an aerodrome intended for the surface movement of aircraft;

“Night” means the hours between the end of evening civil twilight and the beginning of morning civil twilight or such other period between sunset and sunrise as may be specified by the Chairman.

Note : “civil twilight” ends in the evening when the centre of the sun’s disc is 6 degrees below the horizon and begins in the morning when the centre of the sun’s disc is 6 degrees below the horizon ;

“night flight” means flight during night when any unlighted aircraft or other unlighted prominent objects cannot be clearly seen at a distance of three miles ;

“Notices to Airmen” or “NOTAM” means notices containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations ;

“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, organisation or enterprise engaged in, or offering to engage in, an aircraft operations ;

“obstacle clearance limit” or “OCL” means the height above aerodrome elevation below which the specified minimum vertical clearance cannot be maintained either on approach or in the event of a missed approach ;

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

“procedure turn” means a manoeuvre in which a turn is made away from a designated track followed by a turn in the opposite direction, both turns being executed so as to permit the aircraft to intercept and proceed along the reciprocal designated track ;

“position report” means a message in a specified form containing information on the position and progress of an aircraft;

“private aircraft” means an aircraft employed in private operations as specified in these rules ;

“prohibited area” means a specified area within the land areas of Bangladesh or territorial waters adjacent thereto 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 sign signal, writing, facsimiles or sound of any kind by Hertzian waves;
- “rating” means an authorisation entered on a licence and forming part thereof, stating special conditions, privileges or limitation pertaining to such licence;
- “registered” means registered under these rules;
- “reporting point” means specified geographical location in relation to which the position of an aircraft can be reported;
- “reserve time” means a period during which a flight crew member is required by an operator to hold himself available for a tour of duty;
- “rest period” means any period of time on the ground during which a flight crew member is relieved by an operator of all duties associated with his employment;
- “restricted area” means a specified area within the land areas of Bangladesh or its territorial waters adjacent thereto declared by the Chairman under these rules over which the flight of aircraft is restricted;
- “route segment” means a route, or portion of a route, usually flown without an intermediate stop;
- “scheduled public transport aircraft” means an aircraft employed in scheduled public transport operations as specified in these rules;
- “signal area” means an area on an aerodrome used for the display of ground signals so that they will be visible to aircraft in the air;
- “state aircraft” means military aircraft and aircraft used in the military, customs or police services;
- “State of Registry” means the State on whose register the aircraft is entered;
- “threshold” means the beginning of that portion of the runway usable for landing;
- “track” means the projection on the earth’s surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from north (true, magnetic or compass);
- “transition altitude” means the altitude in the vicinity of an aerodrome at or below which the vertical position of an aircraft is controlled by reference to altitudes;
- “transition layer” means the airspace between the transition altitude and the transition level;
- “transition level” means the lowest flight level available for use above the transition altitude;
- “visual flight rules flight” or “VFR flight” means a flight conducted in accordance with the Visual Flight Rules;

“visibility” means the ability, as determined by atmospheric condition and expressed in units of distance, to see and identify prominent unlighted objects by day and prominent lighted objects by night;

“visual contact approach” means an approach by an IFR flight when either part or all of an instrument approach procedure is not completed and the approach is executed in visual reference to the terrain.

3. **Responsibility of the Chairman.**—The Chairman shall subject to the direction of the Government, be responsible with the administration of these rules, and shall exercise such powers and perform such functions conferred on him by these rules.

4. **Air Navigation Orders.**—For the purpose of giving effect to these rules, the Chairman may publish orders to be known as Air Navigation Orders.

5. **Prohibited areas.**—(1) No person shall fly, or assist in flying, an aircraft over any of the areas specified by the Chairman in Air Navigation Orders as prohibited.

(2) Every pilot who, when flying an aircraft, finds himself above a prohibited area in contravention of sub-rule (1), shall, as soon as he is aware of the fact, report the fact to the air traffic control units and if instructions so require shall land his aircraft as soon as possible at one of the nearer aerodromes.

(3) The Chairman shall, from time to time publish in the Air Navigation Orders, dimensions of airspace as restricted or danger areas within which the flight of aircraft is restricted with specified conditions.

6. **Photographs from aircraft in flight.**—No person shall take, or cause or permit to be taken from an aircraft in flight, any photograph except in accordance with and subject to the terms and conditions of a permission granted by the Chairman.

7. **Prohibition of carriage of persons without valid travel documents.**—

(1) No person in charge of any aircraft shall allow such aircraft to enter into Bangladesh from a place outside Bangladesh unless all persons on board the aircraft are in possession of valid travel documents as required by the immigration and other authorities:

(2) Where an aircraft is brought into Bangladesh in contravention of sub-rule (1), any authority empowered by the Government generally or specially in this behalf may direct the owner or the person in-charge of the aircraft to take on board and remove from Bangladesh or otherwise arrange for the immediate removal from Bangladesh of the person or persons without valid travel documents and the owner or, as the case may be, the person in-charge of the aircraft shall comply with such directions.

8. **Carriage of arms.**—No aircraft, whether national or foreign, shall carry munitions of war or implements of war in or across the territory of Bangladesh, except by permission of the Government.

9. **Radio equipment.**—(1) No person shall operate radio-equipment in any aircraft registered in Bangladesh unless he holds a licence of the type in accordance with the radio-communication rules.

(2) All public transport aircraft registered in Bangladesh and all other aircraft registered in Bangladesh when carrying out a flight under Visual Flight Rules over routes on which navigation is possible by visual reference to landmarks shall carry such radio-equipment as is necessary to accomplish the following :—

- (a) maintain two-way communication with the appropriate air traffic control unit for the purpose of aerodrome control service, using the frequencies and the type of emission notified for this purpose;
- (b) maintain two-way communication on designated frequencies and using the approved type of emission, with at least one air traffic control unit from any point on the route for the purpose of exchanging air traffic control service, meteorological and other information required by procedures in force.

10. **Cancellation, suspension or endorsement of licences.**—(1) Where any person is convicted of a contravention of or failure to comply with these rules in respect of any aircraft, the Chairman may cancel or suspend the registration of that aircraft under these rules.

(2) The Chairman may, for reasons which shall be recorded in writing, cancel, suspend or endorse any licence granted under these rules if he is satisfied that there is sufficient grounds for so doing and may suspend any such licence temporarily during the investigation of any matter forming a ground for action under this sub-rule.

(3) The Chairman may cancel or vary any particulars entered by him in any licence granted, or in any journey log book issue, under these rules.

(4) The Chairman may require the holder of any licence or other document granted or issued under these rules or any person having possession or custody of such licence or document to surrender the same to him for cancellation, suspension, endorsement or variation and any person failing to comply with any such requirement within a reasonable time shall be deemed to have acted in contravention of this rule.

11. **Construction of buildings, planting of trees, etc.**—No building or structure shall be constructed or erected or tree shall be planted in those areas which, in the opinion of the Chairman may affect aircraft operation or jeopardise the safety of aircraft operations.

12. **Aeronautical fees and charges.**—(1) The Chairman shall, by notification in the official Gazette, specify the aeronautical fees and charges.

(2) The following aeronautical fees and charges shall be payable in respect of—

- (a) personnel licensing;
- (b) aircraft registration;
- (c) licensing of air transport services;
- (d) certificate of airworthiness;
- (e) charges for approval of inspection, design, stockists and distributing organisation;
- (f) grant or renewal of a licence for an aerodrome;

- (g) landing fees;
- (h) housing of aircraft;
- (i) charges for route air navigation facilities;
- (j) charges for length of stay;
- (k) passengers' service fees; and
- (l) any other matters as may be required.

(3) The Chairman may on such terms and conditions as he may deem fit to impose, authorise a company or agency to undertake any work on an aerodrome.

13. **Inspection.**—(1) Any person authorised by the Chairman by special or general order in writing in this behalf may—

- (a) at all reasonable times enter any place to which access is necessary for the purpose of exercising his powers or carrying out his duties under this rule;
- (b) at all times during working hours enter that portion of any place in which aircraft or parts of aircrafts or aero-engines or parts of aero-engines are overhauled, repaired or assembled and inspect any such place, aircraft, aero-engines or parts and any drawings relating to such aircraft, aero-engines or parts;
- (c) at any time inspect any flying machine which is required under these rules to be certified as airworthy or in respect of which a certificate of airworthiness is in force;
- (d) examine all documents associated with the work; and
- (e) conduct and direct in person such tests of the efficiency of the pilot or any other crew member of any aircraft registered in Bangladesh and recommend measures that may be considered necessary for the purpose of ensuring safety.

(2) No person shall voluntarily or otherwise obstruct any person acting in the exercise of his powers or in the discharge of his duties under this rule.

14. **False statements.**—A person shall not make, either orally or in writing, a statement that is false or misleading in a material particular or in connection with—

- (a) an application for the grant, issue, renewal or endorsement of a licence, rating, certificate, permit, permission, authority or approval under these rules; or
- (b) a return, report, notice, form or other document furnished in accordance with these rules.

15. **Foreign military aircraft.**—No person shall fly or land, or assist in flying or landing, any foreign military aircraft over or in Bangladesh except on or with the invitation or permission in writing of the Government and on such conditions as may be specified in the invitation or permission.

16. **International airport.**—(1) The Government may, by notification in the official Gazette, declare any aerodrome in Bangladesh to be an international airport.

(2) No person in charge of an aircraft entering Bangladesh shall cause it to be landed in Bangladesh for the first time in any journey except at an international airport unless the aircraft is compelled to land before arriving at an international airport by accident, stress of weather or other unavoidable cause.

(3) No person in charge of an aircraft shall fly the aircraft or allow it to be flown to a place outside Bangladesh save from an international airport.

(4) No person in any aircraft entering or departing from Bangladesh shall carry, or allow to be carried in the aircraft any cargo the import or export of which is prohibited by or under any law for the time being in force.

(5) No person shall except an officer of customs, break or alter any seal placed upon any part of an aircraft or upon any cargo therein entering Bangladesh by an officer of customs at the aerodrome at which such aircraft departed for Bangladesh.

(6) The person in charge of an aircraft at an international airport from a place outside Bangladesh shall, on landing, forthwith cause the aircraft to be taken to the examination station at such airport or, if, owing to circumstances over which he has no control, he is unable so to do shall deliver the documents to the Collector of Customs as required by these rules and thereafter remove all cargo carried in the aircraft to the examination station in the presence of an officer of customs.

(7) The person in charge of an aircraft shall, if required so to do, after the landing at an international airport, coming from a place outside Bangladesh—

- (a) disembark at such aerodrome for examination of all passengers and their baggage carried in such aircraft and produce, and, if required to do so, unload, all cargo in such aircraft for examination;
- (b) deliver to the Collector of Customs his journey log book and declaration of cargo and stores on board the aircraft signed by an officer of customs of the aerodrome from which he departed for Bangladesh.

(8) The person in-charge of an aircraft proceeding to any place outside Bangladesh shall deliver to the Collector of Customs at the airport of departure his journey log book, and, if the aircraft carries any cargo, a manifest and declaration in duplicate in such form as may be approved by the Collector of Customs declaring the cargo and stores on such aircraft, and shall state therein the particulars required in such form. The journey log book and, if the aircraft carries any cargo one copy of the manifest and declaration shall be signed by an officer of Customs and returned to the person in-charge.

(9) No customs duty shall be levied on an aircraft not registered in Bangladesh which is brought into Bangladesh for the purpose of a flight to or across Bangladesh and which it is not intended to register in Bangladesh and which it is intended to remove from Bangladesh within six months from the date of entry, provided that the person in-charge makes a written declaration to that effect to the Collector of Customs on arrival.

(10) In the case of an aircraft in respect of which a declaration under sub-rule (9) has been made and which is not removed from Bangladesh within six months, the duty leviable in respect of it shall be paid to the Collector of Customs before the aircraft is again flown.

17. **Forced landing.**—If any aircraft arriving from a place outside Bangladesh is forced to land at any place other than that of an international airport, or if any aircraft is so forced after departure from such an airport for a foreign destination, the person in-charge of the aircraft shall, if the place of landing is not an aerodrome, forthwith report to the nearest Collector of Customs or a police officer and to the nearest Air Traffic Service unit and shall depart from such place only after being inspected by the appropriate authorities.

18. **Customs examination.**—(1) The person in charge of an aircraft shall permit any officer of Customs authorised in this behalf by the Collector of Customs to board and examine the aircraft at any time and any cargo loaded therein.

(2) The person in-charge of such cargo shall produce such documents relating to such cargo to an officer of Customs at the airport of departure or arrival, and permit him to examine such cargo.

19. **Designation of air-routes and airways.**—The Chairman may designate air routes and airways and may determine the conditions of use thereof and shall publish the same in the Aeronautical Information Publications or by Notices to Airmen.

20. **Noise and vibration caused by aircraft at Aerodromes.**—The Chairman may specify the limit of noise and vibration that may be caused by an aircraft (including a military aircraft) at a Government aerodrome, licensed aerodrome or at aerodromes at which the manufacture, repair or maintenance of aircraft is carried out.

PART II

PERSONNEL LICENSING

21. **General rules concerning licences.**—(1) Every aircraft shall carry, and be operated by, the personnel specified in this Part and such personnel shall be licensed in the manner as specified in this Part.

(2) Subject as hereinafter provided in this rule, no member of the operating crew of an aircraft registered in Bangladesh fly, or attempt to fly, such aircraft unless he holds a licence granted or rendered valid under these rules.

(3) No member of the operating crew of an aircraft registered outside Bangladesh shall fly, or attempt to fly, such aircraft within Bangladesh unless he is the holder of a valid licence granted under the law of the country in which the aircraft is registered.

(4) No person in charge of an aircraft shall allow such aircraft to be flown unless every member of the operating crew thereof is the holder of a valid licence which he is required to hold under these rules.

(5) A person shall not be deemed to be a member of the operating crew of an aircraft if he is flying for the purpose of becoming qualified for grant or renewal of a licence.

(6) The holder of a pilot's licence of any class may fly as pilot-in-command of an aircraft other than a type to which the provisions of, and the conditions set out in, these rules for the purpose of qualifying for, and included in, the licence to cover an additional type of aircraft.

(7) A person may fly in accordance with the provisions of sub-rule (6) as pilot-in-command 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 set out in these rules for the purpose of being trained to perform duties as a member of the operating crew of an aircraft.

(8) For the purpose of entitling persons to act as members of the operating crew of an aircraft registered in Bangladesh, the Chairman may, subject to such conditions and limitations as he may specify in the Air Navigation Orders, grant licences and ratings of any of the classes specified in this Part and the provisions of this Part shall have effect with respect to all such licences and ratings.

22. Licences and ratings for pilots.—Student Pilot's Licence (for Aeroplanes, Helicopters or Gliders).—(1) Requirements for the issue of a Student Pilot's Licence (for Aeroplanes, Helicopters or Gliders).—An applicant for a Student Pilot's Licence shall satisfy the following requirements:—

(a) *Age.*—He shall be not less than 16 years of age on the date of application.

(b) *Academic qualification and knowledge.*—He shall have passed at least Higher Secondary Certificate Examination in Science group or its equivalent and shall pass a written examination in the following subjects:

(i) Aviation Laws, particularly flight rules and air traffic control practices and procedures mainly pertaining to local and cross-country flights under visual flights rules;

(ii) Air Navigation—elementary principles of air navigation including elementary knowledge of aeronautical maps, magnetism, magnetic compasses, navigational instruments and flight planning and the use of AIP and NOTAM;

(iii) Aviation Meteorology—elementary knowledge of aviation meteorology;

(iv) Airframes and engines—elementary knowledge of aerodynamics and theory of flight, aircraft, engines, instruments and operating limitations pertaining to the type of aircraft concerned.

(c) *Medical fitness.*—He shall comply with the following medical requirements:

(i) Physical and mental requirement	..	No. 3
(ii) Visual requirement	..	No. 2
(iii) Colour perception requirement	..	No. —
(iv) Hearing requirement	..	No. 2

(2) *Validity*.—The period of validity of the Student Pilot's Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 12 months from the date of passing the medical examination. The licence shall lapse on the holder obtaining a pilot's licence of a higher order for the same category of aircraft.

(3) *Renewal*.—The Student Pilot's Licence may be renewed for a period not exceeding 12 months from the date of a fresh medical examination, subject to the total validity of the licence not exceeding 24 months from the date of issue.

(4) *Aircraft rating*.—The Student Pilot's Licence shall indicate the class and type of aeroplanes or helicopters or gliders the holder is entitled to fly. Only those types of aircraft may be entered in respect of which the candidate has passed the examination in aircraft and engines:

Provided that in respect of aeroplanes, aircraft rating shall not include types of aeroplanes having an all-up weight exceeding 1,500 kgs. except where a student pilot has previously held a higher order of pilot's licence for aeroplanes having aircraft rating on that type.

(5) *Privileges*.—Subject to the validity of endorsements and ratings in the licence, the holder of a Student Pilot's Licence is entitled to fly within the territory of Bangladesh only as pilot-in-command of any aeroplane, helicopter or glider entered in the aircraft rating of his licence:—

Provided that—

- (a) he shall fly at all times under the authority and supervision of a flight instructor or an approved examiner;
- (b) he shall fly under visual flight rules only;
- (c) he shall not carry passengers, animals and cargo or fly for hire, reward or remuneration of any kind; and
- (d) he shall not undertake cross-country flights unless he has a minimum of 10 hours of solo flight time.

Note:—“Cross-country flight” means in this rule, a flight to a point beyond a radius of 15 miles from the aerodrome of departure.

23. Private Pilot's Licence (Aeroplanes).—(1) **Requirements for the issue of the Private Pilot's Licence.**—An applicant for a Private Pilot Licence shall satisfy the following requirements:—

- (a) *Age*.—He shall be not less than 17 years of age on the date of application;
- (b) *Academic qualification and knowledge*.—He shall have passed at least Higher Secondary Certificate Examination in science group or its equivalent and shall pass a written examination in the following subjects:
 - (i) Aviation Law;
 - (ii) Air Navigation;
 - (iii) Aviation Meteorology;

- (iv) Airframes and Engines (general);
 - (v) Airframes and Engines (specific type); and
 - (vi) Seamanship, if the licence is to include a seaplane or amphibian type of flying machine;
- (c) *Experience.*—He shall produce evidence of having satisfactorily completed as a pilot of an aeroplane not less than 40 hours of flight time—dual and solo which shall include—
- (i) not less than 20 hours of solo flight time;
 - (ii) not less than five hours of cross-country flight time as the sole occupant of an aeroplane; including a flight over a designated landmark situated at a distance of not less than 50 miles from the point of departure and at least two full stop landings at a suitable aerodrome or landing ground other than the aerodrome of departure;
 - (iii) not less than 10 hours of solo flight time completed within a period of 12 months immediately preceding the date of application for the licence and must include the cross-country flight time.

Notes: (1)—“Cross-country flight” for the purposes of sub-clause (ii) of clause (c) means a flight to a point beyond a radius of 40 miles from the aerodrome of departure.

(2) Flight time required under sub-clauses (i) and (ii) of clause (c) may be included in the total solo flight time indicated in sub-clause (i).

(3) 50% of solo gliding experience shall count towards solo flying experience requirements, subject to a maximum of 10 hours.

- (d) *Skill.*—He shall have demonstrated his competency to the satisfaction of the Examiner by undergoing the following flying tests on the type of aeroplane to which the application for licence relates within a period of 6 months immediately preceding the date of such application—

(i) The flying test shall include preflight inspection and ground handling of aeroplanes; take-offs, climb general and cross-country flying; descent and glide; stalling, spinning and recovery; landing and emergency manoeuvres including simulated engine failure on take-off;

(ii) For multi-engine aeroplanes, the test shall include all manoeuvres used in normal flight with symmetric and asymmetric power, approach, landings and over-shoot with one or more engines.

Note:—Stalling and spinning shall be carried out only on the types of aeroplanes approved for the purpose and from the minimum altitude laid down by the Chairman.

- (e) *Medical fitness.*—He shall comply with the following requirements:—

(i) Physical and mental requirement	..	No. 3
(ii) Visual requirement	..	No. 2
(iii) Colour perception requirement		No. —
(iv) Hearing requirement		No. 2

Provided that—

in the case of an applicant for instrument rating, Hearing requirement shall be No. 1.

(2) **Validity.**—The period of validity of the Private Pilot's Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 24 months from the date of passing the medical examination, if the applicant is below 38 years of age and not exceeding 12 months from the date of passing the medical examination if the applicant is 38 years of age or above.

(3) **Renewal.**—The private Pilot's Licence may be renewed on receipt of satisfactory evidence of the applicant—

- (a) having undergone the required medical examinations;
- (b) having satisfactorily completed not less than 5 hours of flight time as pilot-in-command within a period of 12 months immediately preceding the date of application for renewal or, in lieu thereof, having satisfactorily completed the flying tests as laid down in clause (d), of sub-rule (d) within the same period.

(4) **Ratings.**—

(a) **Aircraft rating.**—The Private Pilot's Licence shall indicate the class and the types of aeroplanes the holder is entitled to fly. An open rating for all conventional types of aeroplanes having an all-up weight not exceeding 1,500 kgs. may also be granted, if he has completed not less than 250 hours of flight time as pilot-in-command and has at least four different types of aeroplanes entered in the aircraft rating of his licence;

(b) **Night rating.**—Night rating entitles the holder of a Private Pilot's Licence to carry passengers at night. Conditions for the issue of this rating are detailed below:—

- (i) he must have completed not less than 50 hours of flight time as pilot-in-command and as sole manipulator of the controls, including not less than 5 hours by night which must include a minimum of 5 take-offs and 5 landings carried out within the preceding 6 months of the date of application;
- (ii) he must have completed a dual cross-country flight by night of at least 75 miles with an intermediate landing before he can be permitted to undertake solo cross-country flights by nights;
- (iii) he must have completed not less than 5 hours of dual instrument flying together with an instructor which may include not more than $2\frac{1}{2}$ hours on an approved synthetic flight training.

Note: Night rating is valid only when the holder has, within a period of 6 months immediately preceding the intended flight, carried out 5 take-offs and 5 landings by night as pilot-in-command;

(c) **Instrument rating.**—Instrument rating entitles the holder to fly under Instrument Flight Rules. The conditions for the issue of this rating have been laid down in rule 32.

(5) **Extension of aircraft rating.**—For extension of the aircraft rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of having passed a written examination in aircraft and engines, and of having satisfactorily completed the flying tests in respect of the type of aeroplane for which extension of aircraft rating is desired. The flying test shall have been completed within a period of 6 months immediately preceding the date of application for extension of the aircraft rating.

(6) **Privileges.**—Subject to the validity of endorsements and ratings in the licence, the privileges of the holder of a Private Pilot's Licence shall be to act, but not for hire or remuneration, as pilot-in-command or as co-pilot of any aeroplane with passengers therein.

24. Commercial Pilot's Licence (Aeroplanes).—(1) **Requirements for issue of a commercial pilot's Licence.**—An applicant for a Commercial Pilot's Licence shall satisfy the following requirements:—

- (a) **Age.**—He shall be not less than 18 years of age on the date of application;
- (b) **Academic qualification and knowledge.**—He shall have passed at least Higher Secondary Certificate Examination in science group or its equivalent and pass a written examination in the following subjects:—
 - (i) Aviation Law;
 - (ii) Flight Operation;
 - (iii) Flight Navigation;
 - (iv) Aviation Meteorology;
 - (v) Signals;
 - (vi) Airframes and Engines (General);
 - (vii) Airframes and Engines (Specific type); and
 - (viii) Seamanship, if the licence is to include a seaplane or amphibian type of flying machine.
- (c) **Experience.**—He shall produce evidence of having satisfactorily completed as a pilot of an aeroplane within a period of five years immediately preceding the date of application for a Commercial Pilot's Licence and not less than 250 hours of flight time, which shall include:—
 - (i) not less than 100 hours of flight time as pilot-in-command of which not less than 15 hours shall have been completed within a period of 6 months immediately preceding the date of application for the licence;
 - (ii) not less than 20 hours of cross-country flight time as pilot-in-command including one flight of not less than 300 miles in the course of which not less than 2 full-stop landings at different points shall be made;
 - (iii) not less than 10 hours of instrument time of which not more than 5 hours may be on an approved synthetic flight training;

- (iv) not less than 5 hours of flight time by night including a minimum of 10 take-offs and 10 landings as pilot-in-command and as sole manipulator of controls carried out within 6 months immediately preceding the date of application for the licence;
- (d) *Skill*.—He shall have demonstrated his competency to the satisfaction of the Examiner by undergoing the following flying tests on the type of aeroplane for which the application relates within a period of 6 months immediately preceding the date of application:—
- (i) General flying test by day shall include pre-flight inspection and ground handling of aeroplanes; take-offs, climb and general flying; descend and glide; stalling, spinning and recovery; landings and emergency manoeuvres including simulated engine failure on take-off. For multi-engine aeroplanes, the test shall also include at maximum landing weight all manoeuvres used in normal flight with symmetric power; approach, landings and overshoot with one or more engines inoperative.

Notes: (1) Stalling and spinning shall be carried out only on the type of aeroplanes approved and from the minimum altitude laid down by the Chairman.

- (2) Exercise on engine failure on take-off may not be carried out for aeroplanes having an all-up weight exceeding 5,700 kgs;
- (ii) General flying test by night shall include take-offs, landings, general flying and emergency manoeuvres.

For multi-engine aeroplanes, the test shall also include at maximum landing weight all manoeuvres used in normal flight including use of a symmetric power, landing and overshoot with one or more engines inoperative;

- (iii) Cross-country flying test by day shall consist of a flight on a stipulated route of not less than 250 miles, and in the course of which at least one full stop landing on a designated aerodrome along the route shall be made;
- (iv) Cross-country flying test by night shall consist of a flight on a stipulated route of not less than 120 miles and returning to the place of departure without landing elsewhere.
- (e) *Medical fitness*.—He shall comply with the following medical requirements:—

(i) Physical and mental requirement	..	No. 1
(ii) Visual requirement	..	No. 1
(iii) Colour perception	..	No. --
(iv) Hearing requirement	..	No. 1

(2) *Validity*.—The period of validity of the Commercial Pilot's Licence shall commence from the date of issue or renewal of the Licence. The licence shall be valid for a period not exceeding 12 months from the date of passing the medical examination, if the applicant is below 38 years of age and not exceeding 6 months from the date of passing the medical examination, if the applicant is 38 years of age or above.

(3) **Renewal.**—The Commercial Pilot's Licence may be renewed on receipt of satisfactory evidence of the applicant—

- (a) having undergone the medical examination in accordance with clause (e) of sub-rule 1;
- (b) having satisfactorily completed not less than 10 hours of flight time as pilot-in-command (50 per cent of flight time as a co-pilot may be counted towards the requirement of flight time as pilot-in-command) within a period of six months immediately preceding the date of application for renewal or in lieu thereof having satisfactorily completed the general flying tests by day and night as laid down in clause (d) of sub-rule 1 within the same period.

(4) **Ratings.**—

- (a) *Aircraft rating.*—The Commercial Pilot's Licence shall indicate the class and the types of aeroplane the holder is entitled to fly. An open rating for all conventional types of aeroplanes having an all-up weight not exceeding 1,500 kgs. may also be granted if he has completed not less than 1,000 hours of flight time including not less than 500 hours as pilot-in-command, and has at least 4 different types of aeroplanes entered in the aircraft rating of his licence.
- (b) *Instructor's rating.*—Instructor's rating entitles the holder to impart flying instructions. The privileges and conditions for the issue of these ratings are laid down in sub-rule (6) of rule 23.
- (c) *Instrument rating.*—Instrument rating entitles the holder to fly under Instrument Flight Rules. Conditions for the issue of this rating are laid down in rule 32.

(5) **Extension of aircraft rating.**—For extension of the aircraft rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of having passed a written examination in aircraft and engines and of having satisfactorily completed the general flying tests by day and by night in respect of the type of aeroplane for which the extension of aircraft rating is desired. The flying tests shall have been completed within a period of 6 months immediately preceding the date of application for extension of the aircraft rating.

(6) **Privileges.**—Subject to the validity of endorsements and ratings in the licence, the privileges of the holder of a Commercial pilot licence shall be—

- (a) to exercise all the privileges of a private pilot;
- (b) to act as pilot-in-command of any aeroplane having an all-up weight not exceeding 5,700 kgs. and which is entered in the aircraft rating of his licence, provided that when passengers are to be carried at night he shall have carried out within a period of 6 months immediately preceding the intended flight not less than 10 take-offs and 10 landings by night as pilot-in-command;

- (c) to act as co-pilot of any aeroplane, where a co-pilot is required to be carried and which is entered in the aircraft rating of his licence:

Provided that for all flights under Instrument Flight Rules either as pilot-command or as co-pilot, he shall be required to have a current instrument rating:

Provided further that for all flights as co-pilot on transport aeroplanes having an all-up weight exceeding 5,700 kgs., he shall have carried out within the preceding 6 months of the intended flight appropriate proficiency checks in respect of that type of aircraft as required by the Chairman.

25. Senior Commercial Pilot's Licence (Aeroplanes).—(1) Requirements for the issue of a Senior Commercial Pilot's Licence.—An applicant for a Senior Commercial Pilot's Licence shall satisfy the following requirements:—

- (a) *Age.*—He shall be not less than 21 years of age on the date of application;
- (b) *Academic qualification and knowledge.*—He shall have passed at least Higher Secondary Certificate Examination in science group or its equivalent and shall pass a written examination in the following subjects:—
- (i) Aviation Law;
 - (ii) Flight Planning;
 - (iii) Form of the Earth and Aeronautical Charts;
 - (iv) Flight Navigation;
 - (v) Radio Aids to navigation;
 - (vi) Aircraft Magnetism, Compasses and Instruments;
 - (vii) Aviation Meteorology;
 - (viii) Signals;
 - (ix) Airframes and Engines (General);
 - (x) Airframes and Engines (Specific type); and
 - (xi) Seamanship, if the licence is to include a sea plane or amphibian type of flying machine;
- (c) *Experience.*—He shall—
- (i) have completed not less than 900 hours of total aeroplane flight time or 700 hours of flight time if completed in a course of approved flying training. Of such time, not less than 150 hours shall have been completed as pilot-in-command and additional flight time make a total of not less than 200 hours shall have been completed either as pilot-in-command or as co-pilot performing under the supervision of a pilot-in-command, the duties and functions of a pilot-in-command, providing the method of supervisions employed is satisfactory to the Chairman; flight

time thus acquired as a co-pilot performing under supervision of a pilot-in-command shall be credited to—

- (a) the total of 200 hours specified above shall include 50 hours of cross-country flight time of which at least 10 hours shall be by night, and 25 hours of night flight time, including ten take-offs and landings; or
 - (b) in lieu of the ten hours' cross-country flight by night, ten hours of cross-country instrument flight time;
- (ii) have completed not less than 20 hours of instrument flight time of which not more than ten hours shall be instrument ground time:

Provided that the requirement to complete the experience specified in this clause may be reduced in accordance with the degree of skill and experience of the holder of a licence to fly rotorcraft and gliders.

Note: The co-pilot flying under supervision of a pilot-in-command shall be credited with not more than 50 per cent of the co-pilot's flight time towards the total flight time required for a higher grade of Senior Commercial Pilot's Licence as follows:—

- (i) not less than 150 hours of total cross-country flight time;
 - (ii) not less than 25 hours of flight time by night;
 - (iii) not less than 50 hours of instrument time under actual or simulated conditions of which not be less than 25 hours of actual flight;
 - (iv) not less than 50 hours of flight time completed within a period of 12 months immediately preceding the date of application for the licence.
- (d) *Other requirements.*—He shall be the holder of, or shall have held, a Commercial Pilot Licence;
- (e) *Skill.*—He shall have demonstrated his competency to the satisfaction of the Examiner by undergoing the following flying tests on the type of aeroplane for which the application relates within a period of 6 months immediately preceding the date of application:—
- (i) General flying test by day shall include pre-flight inspection and ground-handling of aeroplanes; take-offs, climb and general flying; manoeuvres at slow speed; steep turns; descent and glide; stalling, spinning and recovery landing and emergency manoeuvres including simulated engine failure on take-off.

For multi-engine aeroplanes, the test shall also include at maximum landing weight of all manoeuvres used in normal flight with symmetric and asymmetric power; approach, landings and overshoot with one or more engines inoperative.

- Notes:*
- (1) Stalling and spinning shall be carried out only on the types of aeroplanes approved and from the minimum altitude laid down by the Chairman.
 - (2) Exercise on engine failure on take-off may not be carried out on aeroplanes having an all-up weight exceeding 20,000 kgs.

- (ii) General flying test by night shall include take-offs, landings, general flying and emergency manoeuvres.

For multi-engine aeroplanes, the test shall also include at maximum landing weight of all manoeuvres used in normal flight including use of asymmetric power; landing and overshoot with one or more engines inoperative.

- (f) *Medical fitness.*—He shall comply with the following medical requirements:—

(i) Physical and mental requirement	..	No. 1
(ii) Visual requirement	..	No. 1
(iii) Colour perception requirement	..	No. —
(iv) Hearing requirement	..	No. 1

(2) *Validity.*—The period of validity of the Senior Commercial Pilot's Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 6 months from the date of passing the medical examination except when an applicant is medically examined for the renewal of his licence during 30 days immediately preceding the date of expiry of the licence, full period of the previous validity of the licence may be allowed from the date of expiry.

(3) *Renewal.*—The Commercial Pilot's Licence may be renewed on receipt of satisfactory evidence of the applicant—

- (a) having undergone the medical examination as required by clause (f) of sub-rule (i);
- (b) having satisfactorily completed not less than 10 hours of flight time as a pilot-in-command (50 per cent of flight time as co-pilot may be counted towards requirement of flight time as pilot-in-command) within a period of 6 months immediately preceding the date of application for renewal or, in lieu thereof; having satisfactorily completed the general flying tests by day and by night.

(4) *Ratings.*—

- (a) *Aircraft rating.*—The Senior Commercial Pilot's Licence shall indicate the class and the types of aeroplanes the holder is entitled to fly. An open rating for all conventional types of aeroplanes having an all-up weight not exceeding 2,500 kgs. may also be granted if he has completed not less than 3,000 hours of flight time including not less than 1,000 hours as pilot-in-command and has at least 4 different types of aeroplanes entered in the aircraft rating of his licence;
- (b) *Instructor's rating.*—Instructor's rating entitles the holder to impart flying instructions. The privileges and conditions for the issue of ratings are laid down in rules 33 and 34;
- (c) *Instrument rating.*—Instrument rating entitles the holder to fly under Instrument Flight Rules. The conditions for issue of this rating are laid down in rule 32;

(5) *Extension of aircraft rating.*—For extension of the aircraft rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of having passed a written examination in Aircraft and Engines and of

having satisfactorily completed the general flying test by day and by night in respect of the type of aeroplane for which the extension of the aircraft rating is desired. The flying tests shall have been completed within a period of 6 months immediately preceding the date of application for extension of the aircraft rating.

(6) **Privileges.**—Subject to the endorsements and ratings in the licence, the privileges of the holder of a Senior commercial pilot licence shall be—

- (a) to exercise all the privileges of private and commercial pilots;
- (b) to act as pilot-in-command in any commercial air transportation of any aeroplane having an all-up weight not exceeding 20,000 kgs. provided that, to act as a pilot-in-command of any passenger carrying aeroplane, his total experience shall be not less than 1,250 hours;
- (c) to act as co-pilot in any commercial air transportation of any aeroplane required to be operated with a co-pilot:

Provided that such type of aeroplane is entered in the aircraft rating of his licence:

Provided further that he shall not act as pilot-in-command of an aeroplane having an all-up weight exceeding 5,700 kgs. unless he had completed on that type of aeroplane not less than 100 hours of flight time as co-pilot, 10 flights under the supervision of a check pilot the duties and functions of a pilot-in-command and has demonstrated his competency to fly as a pilot-in-command to the satisfaction of the Chairman:

Provided further that for all flights under Instrument Flight Rules either as pilot-in-command or as co-pilot, he shall have a current instrument rating:

Provided further that, for all flights as pilot-in-command or as co-pilot on transport aeroplanes having an all-up weight exceeding 5,700 kgs., he shall have undergone satisfactorily within the preceding 6 months of the intended flight appropriate proficiency checks in respect of that type of aircraft as required by the Chairman.

26. Airline Transport Pilot's Licence (Aeroplanes).—(1) **Requirements for the issue of a Airline Transport Pilot's Licence.**—An applicant for an Airline Transport Pilot's Licence shall satisfy the following requirements:—

- (a) *Age.*—He shall be not less than 21 years of age on the date of application;
- (b) *Academic qualification and knowledge.*—He shall have passed at least Higher Secondary Certificate Examination in science group or its equivalent and shall pass a written examination in the following subjects:—
 - (i) Aviation Law;
 - (ii) Flight Planning;
 - (iii) Form of the Earth and Aeronautical Charts;
 - (iv) Flight Navigation;
 - (v) Radio Aids to Navigation;

- (vi) Aircraft Magnetism Compasses and Instruments ;
 - (vii) Aviation Meteorology ;
 - (viii) Radio Telephony ;
 - (ix) Signals ;
 - (x) Airframes and Engines (General);
 - (xi) Airframes and Engines (Specific type);
 - (xii) Seamanship, if the licence is to include a seaplane or amphibian type of flying machine.
- (c) *Experience.*—He shall have all the experience required for Senior Commercial Pilot's Licence (aeroplane) specified in clause (c) of sub-rule (1) of rule 25, subject to the condition that he shall have completed not less than 1,500 hours of aeroplane flight time including—
- (i) 100 hours of night flight as pilot-in-command or as co-pilot;
 - (ii) 250 hours either as pilot-in-command or made up by not less than 150 hours as pilot-in-command and the necessary additional flight time as co-pilot under the supervision of a pilot-in-command performing the duties and functions of a pilot-in-command. The 250 hours shall include 100 hours of cross-country flight time of which not less than 25 hours shall have been by night;
 - (iii) 200 hours of cross-country flight time as co-pilot in an aeroplane required to be operated with a co-pilot or, in lieu thereof, 100 additional hours of cross-country flight time as pilot-in-command which may be part of the 250 hours specified in this clause;
 - (iv) 50 hours of instrument flight time and not more than 25 hours instrument ground time;

Provided that the requirement to complete the experience specified in this clause may be reduced in accordance with the degree of skill and experience of the holder of a licence to fly rotocraft and gliders.

- (d) *Other requirements.*—He shall be a holder of a Commercial or a Senior commercial pilot licence and shall have a current instrument rating.
- (e) *Skill.*—He shall have demonstrated his competency to the satisfaction of the Examiner by undergoing the following flying tests on the type of aeroplane for which the application relates within a period of 6 months immediately preceding the date of such application:—
- (i) General flying test by day shall include pre-flight inspection and ground handling of aeroplanes, take-offs, climb and general flying, manoeuvres at slow speed, steep turns, descent and glide, stalling,

spinning and recovery, landings and emergency manoeuvres including simulated engine failure on take-off.

For multi-engine aeroplanes, the test shall also include at maximum landing weight of all manoeuvres used in normal flight with symmetric and asymmetric power; approach, landing and overshoot with one or more engines inoperative.

Note: Stalling and spinning shall be carried out only on the types of aeroplanes approved and from the minimum altitude laid down by the Chairman.

- (ii) General flying test by night shall include take-off, landings, general flying and emergencies.

For multi-engine aeroplanes, the test shall also include at maximum landing weight of all manoeuvres used in normal flight including use of asymmetric power; landing and overshoot with one or more engines inoperative.

(f) *Medical fitness.*—He shall comply with the following medical requirements:—

- | | |
|-------------------------------------|----------|
| (i) Physical and mental requirement | .. No. 1 |
| (ii) Visual requirement | .. No. 1 |
| (iii) Colour perception requirement | .. No. — |
| (iv) Hearing requirement | .. No. 1 |

(2) *Validity.*—The period of validity of the Airline Transport Pilot's Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 6 months from the date of passing the medical examination except when an applicant is medically examined for the renewal of his licence during 30 days immediately preceding the date of expiry of the licence, full period of the previous validity of the licence may be allowed from the date of expiry.

(3) *Renewal.*—The Airline Transport Pilot's Licence may be renewed on receipt of satisfactory evidence of the applicant—

- (a) having undergone the medical examination as required by clause (f) of sub-rule (i);
- (b) having satisfactorily completed not less than 10 hours of flight time as pilot-in-command (50 per cent of flight time as a co-pilot may be counted towards this requirement of flight time as pilot-in-command) within a period of 6 months immediately preceding the date of application for renewal or, in lieu thereof, having satisfactorily completed the flying tests by day and by night within the same period.

(4) *Ratings.*—

- (a) *Aircraft rating.*—The Airline Transport Pilot's Licence shall indicate the class and the types of aeroplanes the holder is entitled to fly. An open rating for all conventional types of aeroplanes having an all-up weight not exceeding 5,700 kgs. may also be granted if he has completed not less than 1,000 hours of flight time as a pilot-in-command on any aeroplane having an all-up weight of 14,000 kgs. or above;

- (b) *Instructor's rating.*—Instructor's rating entitles the holder to impart flying instruction. The privileges and conditions for the issue of this rating are laid down in rules 33 and 34;
- (c) *Instrument rating.*—The privileges of instrument rating are included in the privileges of this Licence provided that the instrument rating flight tests have been carried out to the satisfaction of the Chairman within a period of 12 months immediately preceding the intended flight under Instrument Flight Rules.

(5) *Extension of aircraft rating.*—For extension of the aircraft rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of having passed a written examination in Airframe and Engines and of having satisfactorily completed the general flying tests by day and by night in respect of the type of aeroplane for which the extension of aircraft rating is desired. The flying tests shall have been completed within a period of 6 months immediately preceding the date of application for extension of aircraft rating.

(6) *Privileges.*—Subject to the validity of endorsements and ratings in the licence, the privileges of the holder of an Airline Transport Pilot's Licence shall be—

- (a) to exercise the privileges of a Private, a Commercial and a Senior Commercial Pilot (aeroplane) and also of a controlled VFR flight rating and of an instrument rating (aeroplane);
- (b) to act as a pilot-in-command or as co-pilot of any aeroplane where a co-pilot is required to be carried and which is entered in the aircraft rating of his licence;
- (c) to act as pilot-in-command in air transportation:

Provided that he shall not act as a pilot-in-command of any aeroplane having an all-up weight exceeding 5,700 kgs. unless he has completed on that type of aeroplane not less than 100 hours of flight time as a co-pilot and not less than 10 flights under supervision of a Check-Pilot and has performed the duties and functions of a pilot-in-command and has demonstrated his competency to fly as a pilot-in-command to the satisfaction of the Chairman:

Provided further that, for all flights as pilot-in-command or as co-pilot on a transport aeroplane having an all-up weight exceeding 5,700 kgs. he shall have undergone satisfactorily within the preceding six months of the intended flight appropriate proficiency checks in respect of that type of aircraft as required by the Chairman.

27. Glider Pilot's Licence.—(1) **Requirement for the issue of a Glider Pilot's Licence.**—An applicant for a Glider Pilot's Licence shall satisfy the following requirements:—

- (a) *Age.*—He shall be not less than 16 years of age on the date of application;
- (b) *Academic qualification and knowledge.*—He shall have passed at least Higher Secondary Certificate Examination in science group or its equivalent and shall pass a written examination in the following subjects:—
- (i) basic theory of flight relating to gliders and, in particular, the nature and possible consequences of the stall;

- (ii) operating limitations of appropriate gliders;
 - (iii) the use of AIP and NOTAM;
 - (iv) rules and Air Navigation Orders including the appropriate air traffic services, practices and procedures;
 - (v) elementary knowledge of aviation meteorology;
 - (vi) knowledge of cross-country flight, navigation, dead-reckoning techniques and the use of aeronautical charts;
 - (vii) use of instruments and equipments for VFR flight including altimeter setting procedures; and
 - (viii) knowledge regarding safety practices and emergency procedures, including action to be taken for the avoidance of hazardous weather condition.
- (c) *Experience*.—He shall produce evidence of having satisfactorily completed as pilot of a glider not less than 10 hours of flight time of which not less than 5 hours shall be of solo flight time and not less than 75 take-offs and landings of which not less than 25 solo take-offs and landings in a glider shall have been completed within a period of 6 months immediately preceding the date of application for licence;
- (d) *Skill*.—He shall have demonstrated his competency to the satisfaction of the Examiner by undergoing the following flying tests on the type of glider for which the application relates and within a period of 6 months immediately preceding the date of application. The flying tests shall include a pre-flight inspection, checks and ground handling of a glider take-offs, climb, release of cable, turns, stalling, spinning and recovery, soaring, landing and emergencies;
- (e) *Medical fitness*.—He shall comply with the following medical requirements:—
- | | | |
|-------------------------------------|----|--------|
| (i) Physical and mental requirement | .. | No. 3 |
| (ii) Visual requirement | .. | No. 2 |
| (iii) Colour perception requirement | .. | No. -- |
| (iv) Hearing requirement | .. | No. 2 |

(2) *Validity*.—The period of validity of a Glider Pilot's Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 24 months from the date of passing the medical examination, if the applicant is below 38 years of age and not exceeding 12 months from the date of passing the medical examination, if the applicant is 38 years of age or above.

(3) *Renewal*.—The Glider Pilot's Licence may be renewed on receipt of satisfactory evidence of the applicant—

- (a) having undergone the required medical examination specified in clause (f) of sub-rule (1);

- (b) having satisfactorily completed not less than 3 hours of flight time or 20 take-offs and landings as pilot-in-command of a glider within a period of 6 months immediately preceding the date of application for renewal or, in lieu thereof, having satisfactorily completed the flying test.

(4) Ratings.—

- (a) *Aircraft rating.*—The licence shall indicate the type of gliders the holder is entitled to fly. An open rating to fly all gliders having an all-up weight not exceeding 600 kgs. may also be granted to a glider pilot who has satisfactorily completed on a glider not less than 50 hours of flight as pilot-in-command in free flight including not less than 200 take-offs and landings as sole manipulator of the controls;

- (b) *Aero-tow rating.*—Aero-tow rating entitles the holder of a Glider Pilot's Licence to carry passengers in gliders in aero-tow flights. An aero-tow rating may be given if a glider pilot has satisfactorily completed in a glider not less than 10 aero-tow flights of a total duration of not less than 2 hours as pilot of glider of which at least 5 dual aero-tow flights have been carried out with qualified Instructor on board and a satisfactory report obtained from such Instructor.

(5) *Extension of aircraft rating.*—For extensions of aircraft rating to include an additional type of glider, the applicant shall be required to produce evidence of having satisfactorily carried out on that type of glider not less than 3 take-offs and landing as pilot-in-command and as sole manipulator of the controls.

(6) *Privileges.*—Subject to the validity of endorsements and ratings in the licence, the privileges of the holder of a Glider Pilot's Licence shall be to act as pilot-in-command of any glider and to carry passenger therein under Visual Flight Rules provided that for all-aero-tow flights he shall hold an aero-tow rating.

28. Private Helicopter Pilot's Licence.—(1) Requirements for the issue of a Private Helicopter Pilot's Licence.—An applicant for a Private Helicopter Pilot's Licence shall satisfy the following requirements:—

- (a) *Age.*—He shall be not less than 17 years of age on the date of application;
- (b) *Academic qualification and knowledge.*—He shall have passed at least the Higher Secondary Certificate Examination in Science group or its equivalent and shall pass a written examination in the following subjects:
- (i) Aviation Law;
 - (ii) Air Navigation;
 - (iii) Aviation Meteorology;
 - (iv) Airframes and Engines (General);
 - (v) Airframes and Engines (Specific type); and
 - (vi) Seamanship.

(c) *Experience.*—He shall produce evidence of having satisfactorily completed as a pilot on a helicopter not less than 40 hours of flight time, dual and solo, which shall include—

- (i) not less than 15 hours of solo flight time of which not less than 10 hours shall have been completed within a period of 12 months immediately preceding the date of application;
- (ii) not less than 5 hours of cross-country flight time as the sole occupant of the helicopter, including a round-trip flight to an aerodrome not less than 25 miles distance from the point of departure and including a landing at the aerodrome:

Provided that a person who has satisfactorily completed not less than 300 hours of flight time as pilot-in-command of an aeroplane shall be required to complete on a helicopter not less than 20 hours of total flight time, dual and solo, which shall include not less than 10 hours of solo flight time completed within a period of 12 months immediately preceding the date of application for licence;

(d) *Skill.*—He shall have demonstrated his competency to the satisfaction of the examiner by undergoing the following flying tests by day on the type of helicopter for which the application relates and within a period not exceeding six months immediately preceding the date of application, namely, pre-flight inspection, ground handling, take-offs, circuits and landings, general flying turns, hovering—all normal and emergency manoeuvres appropriate to the type of the Helicopter.

(e) *Medical fitness.*—He shall comply with the following medical requirements:—

- | | | |
|-------------------------------------|----|--------|
| (i) Physical and mental requirement | .. | No. 3 |
| (ii) Visual requirement | .. | No. 2 |
| (iii) Colour perception requirement | .. | No. -- |
| (iv) Hearing requirement | .. | No. 2 |

(2) *Validity.*—The period of validity of a Private Helicopter Pilot's Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 24 months from the date of passing the medical examination, if the applicant is below 38 years of age and not exceeding 12 months from the date of passing the medical examination, if the applicant is 38 years of age or above.

(3) *Renewal.*—The licence may be renewed on receipt of satisfactory evidence of the applicant:—

- (a) having undergone a medical examination;
- (b) having satisfactorily completed not less than 5 hours of flight time as pilot-in-command of a helicopter within a period of 6 months immediately preceding the date of application for renewal or in lieu thereof having satisfactorily completed the flying tests.

(4) *Ratings.*—

(a) *Aircraft rating.*—The licence shall indicate the class and the types of helicopter the holder of a Private Helicopter Pilot's Licence is entitled to fly;

(b) *Night rating.*—Night rating entitles the holder of a Private Helicopter Pilot's Licence to carry passengers at night. Conditions for the issue of this rating are as follows:—

- (i) He must have completed not less than 50 hours of flight time as pilot-in-command of a helicopter and as sole manipulator of the controls, including not less than 10 take-offs and 10 landing patterns by night within a period of 6 months immediately preceding the date of application; and
- (ii) He must have completed not less than 5 hours of dual instructions in night flying and has, within a period of 6 months immediately preceding the intended flight, carried out 5 take-offs and 5 landing patterns by night as pilot-in-command of a helicopter.

(5) *Extension of aircraft rating.*—For extension of the aircraft rating to include an additional type of helicopter, an applicant shall be required to produce evidence of having passed a written examination in airframes and engines of that type of helicopter.

(6) *Privileges.*—Subject to the validity of endorsements and rating in the licence, the privileges of the holder of a Private Helicopter Pilot's Licence shall be to act as pilot-in-command or as co-pilot of any helicopter which is entered in the aircraft rating of his licence and carry passengers therein:

Provided that no flight is undertaken for hire or remuneration of any kind whatsoever:

Provided further that no passenger is carried by night without a valid night rating:

Provided further that all flights are undertaken under Visual Flight Rules.

29. *Commercial Helicopter Pilot's Licence.*—(1) *Requirements for issue of a Commercial Helicopter Pilot's Licence.*—An applicant for a Commercial Helicopter Pilot's Licence shall satisfy the following requirements:—

- (a) *Age.*—He shall be not less than 18 years of age on the date of application;
- (b) *Academic qualification and knowledge.*—He shall have passed at least Higher Secondary Certificate Examination in Science Group or its equivalent and shall pass a written examination in the following subjects:—
 - (i) Aviation Law;
 - (ii) Flight Operation;
 - (iii) Flight Navigation;
 - (iv) Aviation Meteorology;
 - (v) Signals;
 - (vi) Airframes and Engines (General);
 - (vii) Airframes and Engines (Specific type); and
 - (viii) Seamanship;

- (c) *Experience*.—He shall produce evidence of having satisfactorily completed as a pilot of a helicopter not less than 100 hours of flight time which shall include—
- (i) not less than 50 hours of flight time as pilot-in-command of a helicopter;
 - (ii) not less than 10 hours of cross-country flight time as pilot-in-command of a helicopter;
 - (iii) not less than 10 hours of flight time as pilot-in-command of a helicopter within a period of 6 months immediately preceding the date of application for licence out of which not less than five hours of flight time by night as pilot-in-command of a helicopter which shall include not less than ten take-offs and ten landings by night;

Provided that a person who is the holder of any class of Pilot's Licence and has satisfactorily completed not less than 500 hours of flight time as pilot-in-command in an aeroplane shall be required to complete on a helicopter not less than 30 hours of flight time, dual and solo, including not less than 20 hours of flight time as pilot-in-command which shall include not less than 5 hours of cross-country flight time, not less than 10 take-offs and 10 landings by night and not less than 5 hours of flight time within a period of 6 months immediately preceding the date of application for licence.

- (d) *Skill*.—He shall have demonstrated his competency to the satisfaction of an examiner by undergoing the following flying tests by day and by night on the type of helicopter for which the application relates and within a period of 6 months immediately preceding the date of application, namely:—

pre-flight inspection, ground handling, take-off circuits and landings, general flying terms, hovering and all other emergency manoeuvres appropriate to the type of helicopter;

- (e) *Medical fitness*.—He shall comply with the following medical requirements:—

(i) Physical and mental requirement	..	No. 1
(ii) Visual requirement	..	No. 1
(iii) Colour perception requirement	..	No. —
(iv) Hearing requirement	..	No. 1

(2) *Validity*.—The period of validity of a Commercial Helicopter Pilot's Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 12 months from the date of passing the medical examination if the applicant is below 38 years of age and not exceeding 6 months from the date of passing the medical examination, if the applicant is 38 years of age and above.

(3) *Renewal*.—The Commercial Helicopter Pilot's Licence may be renewed on receipt of satisfactory evidence of the applicant:—

- (i) having undergone the medical examination specified in clause (e) of sub-rule (i);

- (ii) having satisfactorily completed not less than 5 hours of flight time as pilot-in-command of a helicopter within a period of 6 months immediately preceding the date of application for renewal of, in lieu thereof, having satisfactorily completed the flying tests.

(4) **Rating.**—

- (a) *Aircraft rating*—The Commercial Helicopter Pilot's Licence shall indicate the class and the types of helicopters the holder is entitled to fly. An open rating for all conventional types of helicopter having an all-up weight not exceeding 1,500 kgs. may also be granted if he has completed not less than 1,000 hours of flight time including not less than 200 hours as pilot-in-command on helicopters and has at least 4 different types of helicopters entered in the aircraft rating of his licence;
- (b) *Instructor's rating*.—Instructor's rating entitles the holder to impart flying instruction on types of helicopter entered in the rating. Conditions for the issue of this rating shall be as under—
- (i) He must have completed not less than 200 hours of flight time as pilot-in-command of a helicopter including not less than 20 hours of flight time by night; and
- (ii) He must have undergone an approved course of training if required by the Chairman.

(5) *Extension of aircraft rating*.—For extension of the aircraft rating to include an additional type of helicopter, an applicant shall be required to produce evidence of having passed a written examination in airframes and engines and having satisfactorily completed the flying tests in respect of that type of helicopter for which the aircraft rating is desired. The flying tests shall have been completed within a period of 6 months immediately preceding the date of application for extension of the aircraft rating.

(6) *Privileges*.—Subject to the validity endorsements and ratings in the licence, the privileges of the holder of a Commercial Helicopter Pilot's Licence shall be to act as pilot-in-command or co-pilot of any helicopter which is entered in the aircraft rating of his licence :

Provided that when passengers are to be carried at night, he shall have carried out within a period of 6 months immediately preceding the intended flight not less than 5 take-offs and 5 landings by night as pilot-in-command of a helicopter :

Provided further that he shall not fly under Instrument Flight Rules :

Provided further that he shall have undergone satisfactorily appropriate proficiency checks within the preceding 6 months of any intended flight carrying passengers in respect of such types of helicopters entered in the aircraft rating of his licence as specified by the Chairman.

30. **Airline Transport Pilot (Helicopter).**—(1) **Requirement for the issue of a Airline Transport Pilot (Helicopter) Licence.**—An applicant for an Airline Transport Pilot (Helicopter) Licence shall satisfy the following requirements :—

- (a) *Age*.—He shall be not less than 21 years of age on the date of application.

(b) *Academic qualification and knowledge.*—He shall have passed at least Higher Secondary Certificate Examination in science group or its equivalent and shall pass a written examinations in the following subjects :—

- (i) Aviation Law ;
- (ii) Flight Planning;
- (iii) Flight Navigation ;
- (iv) Radio Aids to Navigation ;
- (v) Aircraft Magnetism, Compasses and Instruments;
- (vi) Aviation Meteorology ;
- (vii) Radio Telephony ;
- (viii) Signals ;
- (ix) Airframes and Engines (General);
- (x) Airframes and Engines (Specific type); and
- (xi) Seamanship.

(c) *Experience.*—He shall have at least all the experience required for the holder of a Commercial Helicopter Pilot's Licence. He shall have completed not less than 200 hours as pilot-in-command in helicopters and, in addition, not less than 1000 hours of flight time.

(d) *Skill.*—He shall have demonstrated his ability—

- (i) to pilot helicopters satisfactorily in all normal manoeuvres on the ground, in hover and in-flight including water-borne or altitude manoeuvres, where applicable;
- (ii) to execute emergency manoeuvres applicable to the type of the helicopter.

(e) *Medical fitness.*—He shall comply with the following medical requirements :—

- | | | |
|-------------------------------------|----|-------|
| (i) Physical and mental requirement | .. | No. 1 |
| (ii) Visual requirement | .. | No. 1 |
| (iii) Colour perception requirement | .. | -- |
| (iv) Hearing requirement | .. | No. 1 |

(2) *Validity.*—The period of validity of the Airline Transport Pilot (Helicopter) Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 6 months from the date of passing the medical examination except when an applicant is medically examined for the renewal of his licence during 30 days immediately preceding the date of expiry of the licence, full period of the previous validity of the licence may be allowed from the date of expiry.

(3) *Renewal.*—The Airline Transport Pilot (Helicopter) Licence may be renewed on receipt of satisfactory evidence of the applicant—

- (a) having undergone the medical examination as required in clause (e) of sub-rule (i);

- (b) having satisfactorily completed not less than 5 hours of flight time as pilot-in-command of a helicopter within a period of 6 months immediately preceding the date of application for renewal or, in lieu thereof, having satisfactorily completed the flying tests.

(4) **Rating.**—

- (i) *Aircraft rating.*—The licence of Airline Transport Pilot (Helicopter) shall indicate the class and type of helicopters the holder is entitled to fly. An open rating for all conventional type of helicopter having an all-up weight of 1,500 kgs. or more may also be granted if he has completed not less than 1,500 hours of flight time including not less than 300 hours as pilot-in-command on helicopters and has at least 4 different types of helicopters entered in the aircraft rating of his licence;

- (ii) *Instructor's ratings.*—Instructor's rating entitles the holder to impart flying instructions on types of helicopter entered in the rating. Conditions for the issue of this rating shall be as under—

- (a) He must have completed not less than 300 hours of flight time as pilot-in-command of a helicopter including not less than 30 hours of flight time by night; and
- (b) He must have undergone an approved course of training if required by the Chairman.

(5) **Extension of aircraft rating.**—For extension of the aircraft rating to include an additional type of helicopter, an applicant shall be required to produce evidence of having passed a written examination in airframe and engines and having satisfactorily completed the flying tests in respect of the type of helicopter for which the aircraft rating is desired. The flying test shall have been completed within a period of 6 months immediately preceding the date of application for extension of the aircraft rating.

(6) **Privileges.**—The privileges of the holder of an Airline Transport Pilot (Helicopter) Licence shall be—

- (i) to exercise all the privileges of a commercial pilot-helicopter and those of the holder of a controlled VFR flight rating;
- (ii) to act as a pilot-in-command of any helicopter engaged in any operation.

31. **Controlled VFR flight rating.**—(1) **Requirement for the issue of the Controlled VFR flight rating.**—An applicant for a controlled VFR flight rating shall be required to meet the following requirements in respect of knowledge, experience and skill:—

- (a) *Knowledge.*—He shall satisfy the Chairman as to his knowledge of—
- (i) Aviation law;
- (ii) Flight Operation;
- (iii) Air Navigation;
- (iv) Aviation Meteorology; and
- (v) Radio Telephony.

(b) *Experience.*—He shall—

- (i) have completed not less than 100 hours of flight time and at least 60 hours thereof as pilot-in-command, including 20 hours of cross-country flight; or
 - (ii) have satisfactorily completed an approved training course to ensure attainment of the level of skill required under clause (c);
- (c) *Skill.*—He shall have demonstrated his ability to comply with appropriate rules relating to provision of airtraffic control service to controlled VFR flights, including adherence to current flight plan in terms of track keeping and maintenance of speed and vertical position.

(2) *Privileges.*—He shall act as pilot of aircraft operated as en-route controlled VFR flights which shall comprise all controlled VFR flights with the exception of those forming part of aerodrome traffic and of special VFR flights.

32. *Instrument rating.*—(1) *Requirement for the issue of the Instrument rating.*—An applicant for an Instrument Rating shall satisfy the following requirements:—

(a) *Knowledge.*—He shall pass a written examination in the following subjects:—

- (i) Aviation Law;
- (ii) Flight Operation;
- (iii) Air Navigation;
- (iv) Aviation Meteorology;
- (v) Radio Telephony; and
- (vi) Interpretation of the Signals given in Morse Code.

(b) *Experience.*—He shall produce evidence of having satisfactorily completed as a pilot of an aeroplane having—

- (i) not less than 150 hours of flight time as a pilot-in-command including not less than 50 hours of cross-country flight time;
- (ii) not less than 40 hours of instrument time of which not more than 20 hours shall be instrument ground time. A minimum of 5 hours of instrument time shall have been completed within a period of 6 months immediately preceding the date of application for the Instrument rating;

(c) *Other requirements.*—He shall be a holder of a valid pilot's licence for aeroplanes:

(d) *Skill.*—He shall have demonstrated to the satisfaction of the Examiner his competency to fly an aeroplane solely with the aid of instrument using full and limited instrument panel by undergoing the flying test specified below within a period of 6 months immediately preceding the date of application for this rating:—

The flying test shall include pre-flight action all normal inflight manoeuvres, recovery from unusual attitudes, airways and air traffic procedures, instrument approach procedures including descent through

cloud using stipulated radar aids, missed approach, overshoot and emergencies;

For multi-engine aeroplanes, the test shall also include manoeuvres carried out on asymmetric power with one or more engines inoperative and emergencies.

Note: Stalling and spinning shall be carried out only on the types of aeroplanes approved and from the minimum altitude laid down by the Chairman.

(2) **Validity.**—The period of validity of the instrument rating shall commence from the date of issue or renewal of the rating. The instrument rating shall be valid for a period not exceeding 12 months from the date of the satisfactory completion of instrument rating flight tests, except when instrument rating flight tests are completed during 30 days immediately preceding the date of expiry of the rating, the full period of validity may be allowed from the date of expiry.

(3) **Renewal.**—Instrument rating may be renewed on receipt of satisfactory evidence of the applicant—

- (i) having satisfactorily completed not less than 10 hours of instrument flight time during the preceding 12 months and, out of 10 hours of instrument flying experience, not more than 5 hours may be carried out on an approved synthetic flight trainer;
- (ii) having satisfactorily carried out at least two instrument approach procedures on different aerodromes under the supervision of a Check Pilot either during actual or simulated instrument flying conditions;
- (iii) having satisfactorily completed the instrument rating flight tests.

(4) **Privileges.**—The privileges of the holder of an instrument rating shall be to fly under instrument flight rules and to exercise the privileges of the holder of a controlled VFR flight rating.

33. Assistant Flight Instructor's Rating (Aeroplanes).—(1) **Requirements for the issue of the Assistant Flight Instructor's Rating.**—An applicant for an Assistant Flight Instructor's rating shall satisfy the following requirements:—

- (a) **Age.**—He shall be not less than 20 years of age on the date of application;
- (b) **Knowledge.**—He shall pass a written examination in the following subjects:—
 - (i) the mechanics of flights;
 - (ii) the principles of flying instructions; and
 - (iii) instrument flying.
- (c) **Experience.**—He shall produce evidence of having satisfactorily completed as pilot of an aeroplane within a period of 5 years immediately preceding the date of application for this rating—
 - (i) not less than 200 hours of flight time as a pilot-in-command of aeroplane of which not less than 50 hours shall have been completed within a period of 12 months immediately preceding the date of application; and
 - (ii) not less than 10 hours of flying training as an Instructor under an approved Flight Instructor;

- (d) *Other requirements.*—He shall be holder of a valid Commercial Pilot's Licence;
- (e) *Skill.*—He shall have demonstrated his competency to the satisfaction of an Examiner by undergoing the flying tests specified below in an aeroplanes fitted with dual control within a period of 6 months immediately preceding the date of application for his rating:—

The flying tests shall include pre-flight briefing; pre-flight inspection and ground handling of aeroplanes, take-offs, climb and general flying; descent and glide; stalling, spinning and recovery; landings; emergency manoeuvres including simulated engine failure on take-offs and de-briefing.

For multi-engine aeroplanes, the test shall also include at maximum landing weight all manoeuvres used in normal flight with symmetric and asymmetric power, approach, landings and overshoot with one or more engines inoperative.

Note: Stalling and spinning shall be carried out only on the types of aeroplanes approved and from the minimum altitude laid down by the Chairman.

(2) *Validity.*—The period of validity of an Assistant Flight Instructor's Rating shall commence from the date of issue or renewal of the rating. This rating shall be valid for a period not exceeding 12 months from the date of the successful completion of the flying tests, except when the flying tests are carried out during 30 days immediately preceding the date of expiry of the rating, the full period of validity may be allowed from the date of expiry.

(3) *Renewal.*—The Assistant Flight Instructor's Rating may be renewed on receipt of satisfactory evidence of the applicant:—

- (i) having undergone a medical examination in accordance with the renewal requirements of the basic licence on which the rating is entered; and
- (ii) having satisfactorily completed not less than 20 hours of flight time as an Assistant Flight Instructor within a period of 12 months immediately preceding the date of application for renewal; or having satisfactorily completed the flying tests within a period of 6 months immediately preceding the date of application for renewal.

(4) *Privileges.*—Subject to the validity of endorsements and rating in his pilot's licence of which this Assistant Instructor's Rating forms a part and also to any endorsement on this rating, the privileges of the holder of an Assistant Flight Instructor's Rating shall be to impart instructions during flight by day only and under the authority and supervision of a Flight Instructor on all types of aeroplanes having an all-up weight not exceeding 1,500 kgs., and which are entered in the aircraft rating, of his licence, provided that he shall not authorise any Student Pilot to undertake his first solo flight and shall not give instructions on aerobatics and night flying.

34. Flight Instructor's Rating (Aeroplanes).—(1) *Requirements for the issue of the Flight Instructor's rating.*—An applicant for a Flight Instructor's Rating shall satisfy the following requirements:—

- (a) *Age.*—He shall be not less than 21 years of age on the date of application;

- (b) *Knowledge*.—He shall pass a written examination in the following subjects:—
- (i) the mechanics of flight;
 - (ii) the principles of flying instructions; and
 - (iii) Instrument flying;
- (c) *Experience*.—He shall produce evidence of having satisfactorily completed within a period of 5 years immediately preceding the date of the application for this rating:—
- (i) not less than 500 hours of flight time as pilot-in-command of an aeroplane including not less than 20 hours by night during which at least 20 take-offs and 20 landings have been carried out and 100 hours of flight time satisfactorily completed in the capacity of an Assistant Flight Instructor; and
 - (ii) an approved Flight Instructor's Course;
- (d) *Other requirements*.—He shall be—
- (i) the holder of a Commercial or Senior Commercial Pilot's Licence;
 - (ii) the holder of a valid Instrument Rating;

Note: In the absence of a valid Instrument Rating, an applicant shall not be permitted to impart instructions in instrument flying;

- (e) *Skill*.—He shall have demonstrated his competency as a Flight Instructor to the satisfaction of an Approved Examiner by undergoing satisfactorily the following flying tests in an aeroplane fitted with dual controls, by day and by night, within a period of 6 months immediately preceding the date of the application for this rating:—
- (i) General flying test by day shall include pre-flight briefing inspection and ground handling of aeroplanes; take-offs, climb and general flying; manoeuvres at slow speed, steep turns; descent and glide; stalling, spinning and recovery; landings; emergency manoeuvres including simulated engine failure on take-offs and and de-briefing.

For multi-engine aeroplanes, the test shall also include at maximum landing weight all manoeuvres used in normal flight with symmetric and asymmetric power; approach, landings and overshoot with one or more engines inoperative.

Note: Stalling and spinning shall be carried out only on the types of aeroplanes approved and from the minimum altitude laid down by the Chairman;

- (ii) General flying test by night shall include pre-flight briefing, take-offs, landings, general flying, emergencies and de-briefing.

For multi-engine aeroplanes, the test shall also include at maximum landing weight all manoeuvres used in normal flight including use of asymmetric powers; landing and overshoot with one or more engines inoperative.

(2) *Validity*.—The period of validity of the Flight Instructor's rating shall commence from the date of issue or renewal of the rating. The rating shall be valid for a period not exceeding 12 months from the date of passing the medical examination for issue or renewal of the pilot's licence in which this rating is

entered, except when the said medical examination is completed during 30 days immediately preceding the date of expiry of the rating, full period of validity may be allowed from the date of expiry.

(3) **Renewal.**—The Flight Instructor's Rating may be renewed on receipt of satisfactory evidence of the applicant:—

- (i) having passed the medical examination in accordance with the renewal requirements of the licence on which this rating is entered;
- (ii) having satisfactorily completed not less than 20 hours of flight time as a Flight Instructor within a period of 12 months immediately preceding the date of application for renewal or, in lieu thereof, having satisfactorily completed the flying tests within a period of 6 months immediately preceding the date of application for renewal.

(4) **Aircraft rating.**—The aircraft rating shall indicate the class and the types of aeroplanes on which the holder is entitled to impart instructions.

(5) **Extension of aircraft rating.**—For extension of aircraft rating to include additional types of aeroplanes having an all-up weight exceeding 5,700 kgs., the applicant shall be required to produce evidence of—

- (i) having obtained appropriate aircraft rating for that type of his pilot's licence;
- (ii) having satisfactorily completed not less than 500 hours of flight time as pilot-in-command; and
- (iii) having satisfactorily completed the flying tests on the type desired to be included in this rating.

(6) **Privileges.**—Subject to the validity of endorsements and ratings in pilot's licence of which this Flight Instructor's rating forms a part and also any endorsement on this rating, the privileges of the holder of a Flight Instructor's rating shall be—

- (i) to impart flying instructions on any aeroplane which is entered in the aircraft rating of his licence and in his Instructor's rating;
- (ii) to supervise and authorise solo flights by student pilots and supervise flying instructions imparted by Assistant Flight Instructors.

35. **Flight Navigator's Licence.**—(1) **Requirements for the issue of the Flight Navigator's Licence.**—An applicant for a Flight Navigator's Licence shall satisfy the following requirements:—

- (a) **Age.**—He shall not be less than 21 years of age on the date of application;
- (b) **Academic qualification and knowledge.**—He shall have passed the Higher Secondary Certificate Examination in science group or its equivalent and shall pass a written examination in the following subjects:—

- (i) Aviation Law including Flight Rules and Procedures;
 - (ii) Air Navigation including Form of the Earth, Maps and Charts;
 - (iii) Flight Navigation;
 - (iv) Flight Planning ;
 - (v) Radio Aids to Navigation ;
 - (vi) Air Navigation Instruments, Magnetism and Compasses;
 - (vii) Aviation Meteorology ;
 - (viii) Astronomical Navigation ; and
 - (ix) Signals.
- (c) *Experience*.—He shall produce evidence of having satisfactorily completed within a period of 2 years immediately preceding the date of application the following air navigation experience as a Navigator—
- (i) not less than 200 hours of cross-country flight time of which not less than 100 hours including 50 hours by night shall have been completed on flights of not less than 600 miles without landing or of at least 3 hours duration each during which he shall have navigated an aircraft by the use of dead reckoning, radio bearings and such other aids as may be available to him and shall have made 50 astronomical observations of heavenly bodies including not less than 25 nights and that he shall have appropriately and satisfactorily used the results of those observations in navigating an aircraft. Out of this flight time of 100 hours, not less than 50 hours including not less than 15 hours by night shall have been completed and out of these 50 astronomical observations, not less than 15 by day and 10 by night shall have been made within a period of 12 months immediately preceding the date of application for licence;
 - (ii) the remainder of 200 hours as mentioned in sub-clause (i) shall have been completed on flights of not less than 3 hours duration each, provided that a pilot who has satisfactorily completed as a pilot-navigator on flights of not less than 3 hours duration each, at least 300 hours including not less than 50 hours by night shall not be required to produce evidence of experience required under this clause;
- (d) *Skill*.—He shall demonstrate in flight by day and by night within a period of six months immediately preceding the date of application that he is competent to navigate an aircraft by dead reckoning, celestial and radio or radar observations.

(2) *Validity*.—The period of vality of the Flight Navigator's Licence shall commence from the date of issue or renewal of the licence. The licence may be valid for a period not exceeding 12 months from the date of passing the medical examination, except when a candidate has been medically examined during 30 days immediately preceding the date of expiry of the licence, full period of validity may be allowed from the date of the expiry.

(3) **Renewal.**—The Flight Navigator's Licence may be renewed on receipt of satisfactory evidence of applicant:—

- (i) having passed the medical examination;
- (ii) having completed as a Flight Navigator not less than 20 hours of flight time during which he shall have navigated an aircraft by the use of dead reckoning, radio bearings and such other aids as are available to him and shall have made 10 astronomical observations of heavenly bodies and having appropriately and satisfactorily used the results of those observations in navigating an aircraft within a period of 12 months immediately preceding the date of application for renewal, or in lieu thereof, having satisfactorily completed the tests within the same period.

(4) **Privileges.**—The privileges of the holder of a Flight Navigator's Licence shall be to act as a Flight Navigator on any flight where a Flight Navigator is required to be carried.

36. Student Flight Engineer Licence.—(1) **Requirements for the issue of the Student Flight Engineer Licence.**—An applicant for a Student Flight Engineer Licence shall satisfy the following requirements:—

- (a) **Age.**—He shall be not less than 21 years of age on the date of application ;
- (b) **Experience.**—He shall produce satisfactory evidence of having gained experience in one of the following categories :—
 - (i) at least three year's of diversified practical experience in aircraft and aircraft engine maintenance, of which at least one year was in maintaining multi-engine aircraft with engines of at least 800 horse power each, or the equivalent in turbine engine powered aircraft, and of that one year at least three months were spent on maintenance of the type of aircraft which is desired to be included in the aircraft rating of the licence;
 - (ii) has undergone an approved course of training of at least two years duration in maintenance of aircraft and aircraft engines, of which at least six months were on maintenance of multi-engine aircraft with engines of at least 800 horsepower each, or the equivalent in turbine engine powered aircraft, and of that six months at least three months were spent on the maintenance of the type of aircraft which is desired to be included in the aircraft rating of the licence; or
 - (iii) obtained a degree in aeronautical, electrical or mechanical engineering from a recognised University or College and at least six calendar months of practical experience in maintaining multi-engine aircraft with engines of at least 800 horsepower each, or the equivalent in turbine engine powered aircraft, and of that six months at least three months were spent on maintenance of the type of aircraft which is desired to be included in the aircraft rating of the licence;

(c) *Medical fitness.*—He shall comply with the following medical requirements :—

(i) Physical and mental requirement	..	No. 2
(ii) Visual requirement	..	No. 3
(iii) Colour perception requirement	..	No. 1
(iv) Hearing requirement	..	No. 1

(3) *Validity.*—The period of the Student Flight Engineer Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 12 months from the date of passing the medical examination. The licence shall cease to be valid from the date of the holder obtains a flight engineer licence.

(4) *Renewal.*—The Student Flight Engineer Licence may be renewed for a period not exceeding 12 months from the date of a fresh medical examination, provided that the applicant produces satisfactory evidence that the licence is required to enable him to continue his training in flight engineering duties in flight.

(5) *Aircraft rating.*—The Student Flight Engineer Licence shall indicate the types of aeroplanes which have a separate flight engineer station and in which the holder is entitled to fly as a Student Flight Engineer.

(6) *Privileges.*—Subject to the endorsements and ratings in the licence and the authority of an aircraft operator, the holder of a Student Flight Engineer Licence is entitled to perform the duties of flight engineer under the personal supervision of a licensed flight engineer solely for the purpose of gaining the flight experience required for obtaining a Flight Engineer Licence.

37. *Flight Engineer Licence.*—(1) *Requirements for issue of the Flight Engineer Licence.*—An applicant for a Flight Engineer Licence shall satisfy the following requirements :—

(a) *Age.*—He shall be not less than 21 years of age on the date of application;

(b) *Experience.*—

(i) *Basic experience.*—Unless he is a holder of a Student Flight Engineer Licence under rule 36, he shall produce the satisfactory evidence of experience specified under clause (b) of sub-rule (1) of rule 36 as a prerequisite to taking the examinations referred to in clause (c) of this sub-rule ;

(ii) *Flight experience.*—He shall produce evidence of having satisfactorily completed within a period of 12 months immediately preceding the date of his application at least 50 hours of flight experience in flight engineering duties on board the type of aircraft for which the application relates, of which not less than 10 hours shall have been obtained on an approved synthetic flight trainer.

(c) *Knowledge*.—He shall pass written, followed by oral, examinations in the following subject:—

- (i) Aviation Law;
- (ii) Airframe and Engines (General);
- (iii) Airframe and Engines (specific type).

(d) *Skill*.—He shall have demonstrated his competence to the satisfaction of an approved flight engineer examiner by undergoing the following tests on the type of aircraft for which the application relates within a period of six months immediately preceding the date of the application within a period of 24 months immediately following completion of the written examination specified in clause (c):—

(i) Flight tests shall include—

- handling care;
- pre-flight inspection;
- emergency procedures and in particular, engine failures on take-offs and landings;
- normal duties and procedures relating to the aircraft, power-plants and systems;
- use of check lists;
- cruise control procedures including use of tables, graphs, charts and power computers;
- management of fuel system;
- operation of cabin pressurisation and air conditioning system;
- operation of deicing including anti-icing equipment;
- operation of electrical equipment and control of electrical load and power generation in both normal and faulty conditions;
- emergency operation of wing flap, landing gear and wheel brakes;
- fuel jettisoning; and
- recognition of malfunctioning of aircraft components and systems and the corrective actions including the flight engineer's participation in flight with one or more engines failed; and

(ii) Other tests shall include—

- towing procedure;
- picketing procedure;
- refuelling;
- engine starting;
- engine run-up;

-engine shut-down ; and

-control of aircraft centre of gravity by reference to load manifests, load sheets and trim sheets.

The requirement for flight test within a period of 24 months immediately following the completion of the written examination does not apply to an applicant who, after passing the written examination, continually participates in an aircraft maintenance or flight engineer training programme organised by his employing aircraft operator.

(c) *Medical fitness.*—He shall comply with the following medical requirements :—

(i) Physical and mental requirement	..	No. 2
(ii) Visual requirement	..	No. 3
(iii) Colour perception requirement	..	No. 1
(iv) Hearing requirement	..	No. 1

(2) *Validity.*—The period of validity of a Flight Engineer Licence shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period not exceeding 12 months from the date of passing the medical examination or from the expiry date if the medical examination is taken within the thirty days immediately preceding the date of expiry.

(3) *Renewal.*—The Flight Engineer Licence may be renewed on receipt of—

- (i) satisfactory evidence of the applicant having undergone a successful medical examination ;
- (ii) satisfactory evidence of the applicant having satisfactorily completed not less than 20 hours of flight time as a flight engineer within the period of six months immediately preceding the date of application for renewal ; and
- (iii) a certificate of continued proficiency in flight engineering duties from the check flight engineer of his employing aircraft operator or, in the absence of such a certificate, the applicant may be required to satisfy such of the requirements specified in these rules for the grant or extension of a Flight Engineer Licence as the Chairman may direct.

(4) *Aircraft rating.*—The Flight Engineer Licence shall indicate the types of aircraft in which the holder is entitled to fly in the capacity of flight engineer.

(5) *Extension of Aircraft rating.*—For extension of aircraft rating to include an additional type of aircraft, an applicant shall be required to produce satisfactory evidence of having—

- (i) completed to the satisfaction of the Chairman not less than three months' experience on maintenance of aircraft of the type desired to be included in the aircraft rating of the licence within the period of two years immediately preceding the date of application ;

- (ii) passed a written examination on the aircraft type and its engines; and
- (iii) successfully completed the flight tests in respect of the type of aircraft for which the rating is desired within the period of six months immediately preceding the date of application for the extension.

(6) **Privileges.**—Subject to the endorsements and rating in the licence, the privileges of the holder of a Flight Engineer Licence shall be to act as a flight engineer in any aircraft of a type specified in the aircraft rating of his licence.

38. **Flight Radio Telephone Operator's Licence.**—(1) **Requirements for issue of Flight Radio Telephone Operator's Licence.**—An applicant for a Flight Radio Telephone Operator's Licence shall satisfy the following requirements:—

- (a) **Age.**—He shall be not less than 18 years of age on the date of application;
- (b) **Knowledge.**—He must have proficiency in—
 - (i) the language or languages nationally designated for use in air traffic control and ability to speak such language or languages without impediment which would adversely affect radio communication;
 - (ii) those sections of the Convention (ICAO) publications relating to radio telephone and radio-telegraph operating practices and procedures;
 - (iii) pertinent sections of the Convention (ICAO) publications relating to Standards and Recommended Practices on air traffic control;
 - (iv) the elementary principles of all radio systems included in the minimum requirements specified in Annex 6 to the Convention.
- (c) **Experience.**—He shall produce satisfactory evidence of having completed not less than 2 months' satisfactory experience as a Flight Radio Telephone Operator and obtained at least 10 hours' experience in flight during the preceding 12 months in an aircraft equipped with radio apparatus:

Provided that an applicant who has not the experience as required under this clause may be granted a provisional licence for a period not exceeding one year in order to enable him to obtain the necessary experience:

Provided further that an applicant who is a licensed flight crew shall not be required to produce evidence of experience;

- (d) **Skill.**—He may, if it becomes so necessary, be subjected to a flight check to establish his competency as a Flight Radio Telephone Operator;
- (e) **Medical fitness.**—He shall comply with the following medical requirements:—
 - (i) Physical and mental requirement .. No. 2
 - (ii) Visual requirement .. No. 3
 - (iii) Colour perception requirement .. No. 1
 - (iv) Hearing requirement .. No. 1

(2) **Validity.**—The period of validity of a Flight Radio Telephone Operator's Licence shall commence from the date of issue or renewal of licence. The licence shall be valid for a period not exceeding 12 months from the date of medical examination.

(3) **Renewal.**—A Flight Radio Telephone Operator's Licence may be renewed on production of satisfactory evidence of having undergone a medical examination.

(4) **Privileges.**—Subject to the endorsements in the licence, the privileges of the holder of a Flight Radio Operator's licence shall be to act as a Flight Radio Telephone Operator on any aircraft equipped with radio apparatus except that the holder of a provisional licence shall, at all times, operate under the supervision of a person holding a Flight Radio Operator's or Flight Radio Telephone Operator's licence.

39. Aircraft Maintenance Engineer Licence.—(1) The Chairman may grant to a qualified person an Aircraft Maintenance Engineer Licence in one of the following categories and may, from time to time, renew such a licence :—

- (a) Aircraft Maintenance Engineer—Category A (Air frame) ;
- (b) Aircraft Maintenance Engineer—Category B (Air frame) ;
- (c) Aircraft Maintenance Engineer—Category C (Engines) ;
- (d) Aircraft Maintenance Engineer—Category D (Engines) ;
- (e) Aircraft Maintenance Engineer—Category R (Radio) ; and
- (f) Aircraft Maintenance Engineer—Category X:—
 - (i) Compasses ;
 - (ii) Instruments ;
 - (iii) Electrical Equipment ; and
 - (iv) Automatic pilots :

Explanation.—[please see next page—sub-rule (4)].

(2) The Chairman may, when granting or renewing an Aircraft Maintenance Engineer Licence, endorse on the licence a rating or ratings specifying the types of airframes, engines or other components in which the licensee has acquired experience and may also endorse on the licence such conditions as he considers necessary.

(3) The Chairman may specify in an Aircraft Maintenance Engineer's licence the period during which the licence shall remain in force.

Explanation.—In this sub-rule, the expression "qualified person" means a person who—

- (a) has reached the age of 21 years ;
- (b) satisfies the Chairman that he possesses such knowledge as are required under these rules for the grant or renewal of a licence, as the case may be, of—
 - (i) the principles of flight of aircraft ;
 - (ii) the assembly, functioning and principles of construction of, and the methods and procedures for the maintenance of, those parts of an aircraft appropriate to the licence category and rating; and
 - (iii) the relevant rules and the Air Navigation Orders ;

- (c) satisfies the Chairman that he has such practical experience of the duties performed by a holder of such licence;
- (d) satisfies the Chairman that he is not suffering from any disability likely to affect his technical skill or judgement required of an Aircraft Maintenance Engineer; and
- (e) has passed such examinations as the Chairman requires for the grant or renewal, as the case may be, of such a licence :

Provided that the qualification specified above shall not be less than the corresponding minimum requirement adopted in pursuance of the Convention.

- (4) Where a person satisfies the Chairman that the person—
 - (a) is the holder of a valid licence equivalent to the licence sought granted by a competent authority in a country other than Bangladesh ;
 - (b) has complied with the minimum conditions required under the Convention and with such other requirements as the Chairman specifies ; and
 - (c) does not suffer from any disability likely to affect his technical skill or judgement, the Chairman may—

render valid the licence granted by the competent authority in the other country or, for the purposes of sub-rule (1), treat the person as if he were a qualified person.

(5) Notwithstanding anything contained in this rule, the Chairman may, at any time, require the holder of an Aircraft Maintenance Engineer Licence to undergo an examination in respect of the licence or a rating endorsed on the licence.

(6) An authorised person may, at any time, inspect an aircraft or aircraft component for the purpose of ascertaining the competency of the holder of an Aircraft Maintenance Engineer Licence.

40. **Air Traffic Controller.**—(1) The Chairman shall require an applicant for an Air Traffic Controller Licence to meet the following requirements :—

- (a) *Age.*—He shall be not less than 21 years of age ;
- (b) *Knowledge.*—He shall satisfy the Chairman as to his knowledge of—
 - (i) the English language for use in air traffic control and ability to speak such language without accent or impediment which would adversely affect radio communication ;
 - (ii) the rules of the Air as set out in the Civil Aviation Rules and relevant publications of the Convention (ICAO) ;
 - (iii) the air traffic control practices and procedures as set out in the relevant Air Navigation Orders and the publications of the Convention ;
 - (iv) pertinent sections of convention publications relating to communication facilities and procedures including radio telephony phraseologies and procedures ;
 - (v) the principles of air navigation including the use of altimeters ;

- (vi) pertinent types of aids to air navigation including visual aids, their use and limitations ;
 - (vii) synoptic charts, weather reports and forecasts ;
 - (viii) the performance of aircraft of different types in so far as it affects air traffic control operations ; and
 - (ix) basics of radar equipment, their use and limitations ;
- (c) *Experience.*—He shall have—
- (i) performed recently not less than 12 months' satisfactory service as pilot or flight navigator ; or
 - (ii) performed not less than nine months' satisfactory service in actual control of air traffic under the supervision of an appropriately rated Air Traffic Controller ;
 - (iii) satisfactorily completed an approved training course and not less than three months' satisfactory service in the actual control of air traffic under the supervision of an appropriately rated Air Traffic Controller ;
- (d) *Medical fitness.*—The applicant shall comply with the following medical requirements :—
- | | | |
|-------------------------------------|----|-------|
| (i) Physical and mental requirement | .. | No. 4 |
| (ii) Visual requirement | .. | No. 1 |
| (iii) Colour perception requirement | .. | |
| (iv) Hearing requirement | .. | No. 1 |

41. Air Traffic Control Rating.—(1) **Requirements for aerodrome control rating.**—The Chairman shall require an applicant for an aerodrome control rating to satisfy him on the following subjects in respect of the aerodrome for which the rating is sought :—

- (a) *Knowledge.*—He shall satisfy the Chairman as to his knowledge of—
- (i) the conditions governing the local aerodrome procedure and local air traffic ;
 - (ii) air navigation facilities within a radius of 25 miles, measured from the centre of the aerodrome ;
 - (iii) abbreviations and other pertinent data regarding meteorological reports and of effects of significant local weather characteristics on and around the aerodrome; or significant weather characteristics likely to affect his area of responsibility ;
 - (iv) electronic aids to air traffic control ;
 - (v) co-ordination procedures between the aerodrome control tower and the various air traffic services units ;
 - (vi) terrain and prominent landmarks ;
 - (vii) local procedures for the marking and use of runway visual range observations ;
 - (viii) search and rescue procedures and pertinent facilities ;
 - (ix) local procedures for alerting the various emergency services ;
 - (x) instrument holding, approach, missed approach and departure procedures.

(b) *Experience.*—He shall have—

- (i) satisfactorily completed an approved training course and have satisfactorily served under an air traffic controller having rating in aerodrome control for not less than three months within the 12 months period immediately preceding the making of the application; or
- (ii) in the case where no approved training course is undertaken, the period of service under an air traffic controller having rating in aerodrome control shall not be less than nine months within the 12 months period immediately preceding the making of the application; or
- (iii) in the case where the applicant is already holding an Air Traffic Controller Licence with any rating entered thereon, the period of service under an air traffic controller having rating in aerodrome control shall not be less than one month.

(c) *Skill.*—He shall have demonstrated his ability to perform those functions applicable to the privileges to be granted.

(2) **Requirement for approach control rating.**—The Chairman shall require an applicant for an approach control rating to satisfy him on the following subjects in respect of the aerodrome or aerodromes for which the rating is sought:—

(a) *Knowledge.*—He shall satisfy the Chairman as to his knowledge of—

- (i) the conditions governing the local aerodrome, procedure, local air traffic and control zone rules;
- (ii) air navigation facilities within, and adjacent to, his area of responsibility;
- (iii) abbreviations and other pertinent data regarding meteorological reports and of effects;
- (iv) co-ordination procedures between the approach control office and the various air traffic services units;
- (v) local terrain and prominent landmarks;
- (vi) local procedures for the marking and use of runway visual range observations;
- (vii) local procedures for alerting the various emergency services;

(b) *Experience.*—He shall have—

- (i) satisfactorily completed an approved training course and have served satisfactorily under an air traffic controller having rating in approach control for not less than one month within the 12 months period immediately preceding the making of the application; or
- (ii) in the case where no approved training course is undertaken, the period of service under an air traffic controller having rating in approach control shall not be less than nine months within the 12 months period immediately preceding the making of the application; or

(iii) in the case of applicants already holding an Air Traffic Controller Licence with any rating entered thereon, the period of service under an air traffic controller having rating in approach control shall not be less than one month.

(c) *Skill*.—He shall have demonstrated his ability to perform those functions applicable to the privileges to be granted.

(3) **Requirements for Area Control Rating**.—The Chairman shall require an applicant for an area control rating to satisfy him on the following subjects in respect of the control area for which the rating is sought:—

(a) *Knowledge*.—He shall satisfy the Chairman as to his knowledge of—

- (i) air navigation facilities within, and adjacent to, the control area;
- (ii) services of meteorological information and effects of significant weather characteristics likely to effect his area of responsibility;
- (iii) aerodrome and air traffic conditions;
- (iv) co-ordination procedures between the area control centre and other relevant air traffic services units;
- (v) pertinent data regarding radio communication facilities including frequencies and procedures;
- (vi) terrain and prominent landmarks;
- (vii) search and rescue procedures and pertinent facilities;
- (viii) appropriate instrument holding, approach, missed approach and departure procedures;

(b) *Experience*.—He shall have—

- (i) satisfactorily completed an approved training course, and have satisfactorily served under an air traffic controller having rating in area control for not less than three months within the 12 months period immediately preceding the making of the application; or
- (ii) in the case where no approved training course is undertaken, the period of service under an air traffic controller having rating in area control shall not be less than nine months within the 12 months period immediately preceding the making of the application; or
- (iii) in the case where the applicant is already holding an Air Traffic Controller Licence with an aerodrome approach control rating entered thereon, the period of service under an air traffic controller having rating in area control shall not be less than two months.

(c) *Skill*.—He shall have demonstrated his ability to perform those functions applicable to the privileges to be granted.

(4) **Requirements for radar rating**.—

- (a) The Chairman shall require an applicant for a radar rating to be a licensed air traffic controller as specified in rule 40 holding the control rating appropriate to the function to be performed and to satisfy him

as to his knowledge in respect of the aerodrome or aerodromes and the control area for which the radar rating is sought and in the specific radar equipment in use.

- (b) Radar ratings shall be divided into precision approach radar rating (PAR), surveillance radar equipment rating (SRE) and area surveillance radar rating.
- (c) *Knowledge.*—He shall satisfy the Chairman as to his knowledge of—
- (i) procedures to ensure appropriate terrain clearance, including relevant ATS routes and obstacle clearance limits;
 - (ii) the characteristics of aircraft of different types in so far as they affect radar control;
 - (iii) principles of radar;
 - (iv) relevant radar equipments, their use and limitations including the effect of local terrain, significant meteorological conditions and other factors affecting their performances;
 - (v) co-ordination procedures within the relevant air traffic services unit and with other appropriate air traffic services units, whether or not equipped with radar;
 - (vi) procedures for establishment of radar identify;
 - (vii) radar procedures, including approach, missed approach, departure and en-route procedures.
- (d) *Experience.*—He shall have—
- (i) satisfactorily completed a course of approved training and have satisfactorily served under an air traffic controller having rating in radar for not less than three months within the 12 months period immediately preceding the making of the application; or
 - (ii) satisfactorily served under an air traffic controller having rating in radar for not less than six months within the 12 months immediately preceding application:

Provided that—

- (a) in the case of a controller to be employed on precision approach radar duties, his experience shall have included not less than 200 precision approaches of which not more than 100 have been carried out using a training device approved by the Chairman and not less than 50 have been carried out on precision radar equipment of the type in use at the aerodrome of duty; and
 - (b) in the case of a controller to be employed on approach surveillance radar duties only, the experience shall have included not less than 25 plan position indicator (PPI) approaches or shall have included not less than 50 (PPI) approaches all approaches to have been carried out on surveillance equipment of the type in use for which a rating is sought.
- (e) *Skill.*—He shall have demonstrated his ability to perform these functions applicable to the privileges to be granted.

(5) **Privileges.**—The holder of an Air Traffic Controller Licence with one or more of the undermentioned ratings entered thereon shall have, for each rating, the following privileges, namely:—

- (i) Aerodrome control rating to provide or supervise the provision of the aerodrome control service for the aerodrome for which he is rated;
- (ii) Approach control rating to provide or supervise the provision of approach control service for the aerodrome or aerodromes for which he is rated;
- (iii) Area control rating to provide or supervise the provision of area control service within the control area for which he is rated;
- (iv) Radar rating to provide or supervise the provision of those control service for which he is rated.

(6) **Validity of ratings.**—A rating shall become invalid when an air traffic controller has ceased to exercise the privilege of the rating for a period of 90 days.

42. **Flight Operations Officer (Despatcher).**—(1) A person engaged in, or intended to be engaged in, any phase of airline flight operations may apply to the Chairman for the grant of a Flight Operations Officer's Licence. The Chairman shall require the applicant for such a licence to meet the following requirements:—

- (a) *Age.*—He shall be not less than 21 years of age;
- (b) *Academic qualification and knowledge.*—He shall have passed at least Higher Secondary Certificate Examination in science group or its equivalent and shall pass written, followed by oral, examination in the following subjects:—
 - (i) Aviation Law—Flight Rules and Procedures;
 - (ii) Flight Navigation;
 - (iii) Flight Planning and Operation;
 - (iv) Radio Aids to Navigation;
 - (v) Aviation Meteorology I;
 - (vi) Communication Procedures;
 - (vii) Principles of flight, Flight Instruments and Engines;
 - (viii) Airworthiness and Maintenance certification, Aircraft landing weight and balance.
- (c) *Experience.*—He shall, during the three years immediately preceding the date of his application, have completed two years service in any one or in any combination of the capacities specified in sub-clauses (i) to (iii) (both inclusive):

Provided that, in any combination of experience, the period served in any one of these capacities shall not be less than one year:—

- (i) a member of the crew in air transportation;
- (ii) a flight navigator in air transportation;
- (iii) a radio operator in air transportation;

- (iv) a meteorologist in an organization dispatching aircraft in air transportation;
- (v) an air traffic controller, or a technical supervisor of flight operations in air transportation;
- (vi) an assistant in the dispatching of air transport; or

Provided further that he shall have satisfactorily completed an approved training course in flight operation.

(d) *Skill*.—He shall have demonstrated his ability to:—

- (i) make an accurate and operationally acceptable weather analysis from a services of daily weather maps and weather reports and of weather conditions prevailing in the general neighbourhood of a specific air route and to forecast weather trends pertinent to air transportation with particular reference to designated terminals;
- (ii) determine optimal flight paths; and
- (iii) provide operating supervision and all other assistance to flights in adverse conditions appropriate to the duties of the holder of a Flight Operations Officer's Licence.

(2) The privileges of the holder of a Flight Operations Officer's Licence shall be to serve in that capacity with responsibility for any area in respect of which he meets the minimum requirements for area qualifications and maintenance of qualification specified in Part VI of these rules.

43. Licences or Certificates issued by authorities outside Bangladesh.—

(1) Where any person who is holder of a valid licence or certificate issued by the competent authority of any other State in conformity with at least the minimum conditions required under Annex 1 of the convention, the Chairman may grant a licence or certificate 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 the person's licence or certificate the same validity for the purpose of operating as a member of the flight crew of a Bangladesh aircraft or operating aircraft radio apparatus in Bangladesh.

(2) The Chairman may, after an examination of the applicant's licence and credentials, including an examination of the pilot's log book, determine the flying experience of the applicant and the period of validity of the licence.

(3) Whenever the Chairman considers it necessary in the interests of the safety of air navigation the holder of a flight crew licence shall demonstrate his continued fitness or proficiency in relation to his licence or any rating or other endorsement on the licence, and the Chairman may also require the holder of the licence to undergo such medical examination or such test of his proficiency as he thinks fit.

44. *Curtailement of Privileges of pilots*.—(1) The holder of a pilot licence shall not act as pilot-in-command or co-pilot of an aircraft engaged in scheduled international air services or non-scheduled air transport operations for remunerations or hire if the licence holder has attained his 60th birthday.

(2) An applicant who has at any time qualified as a pilot of the Bangladesh Air Force according to the applicant's qualifications and flying experience be exempted by the Chairman from all or any of the practical flying tests and the technical examinations specified in these rules for the grant of a pilot's licence, the extension of the aircraft rating in such a licence or the inclusion of an instrument rating:

Provided that—

- (a) such exemption may, if it relates to practical flying tests, be made conditional upon the satisfactory completion by the applicant of a special flying test; and
- (b) any exemption from the requirements for the extension of an aircraft rating shall be determined having regard to the applicant's flying experience on the type of aircraft to which the application relates.

45. **Pilot's without licence shall not fly aircraft.**—Every aircraft registered in Bangladesh shall comply with such of the following requirements in respect of the personnel which it carries and by which it is operated as are applicable to the aircraft and type of operation concerned, namely:—

- (1) **Private aircraft.**—Every private aircraft shall be flown by a person holding a valid pilot's licence issued in accordance with these rules;

Provided that—

- (a) a private aircraft shall not be flown by a person holding a Student Pilot's Licence;
- (b) a private aircraft shall not be flown by a person holding a Private Pilot's Licence for remuneration or hire of any kind;
- (c) a private aircraft carrying passengers at night shall not be flown by a person holding a Private Pilot's Licence without having a night rating.

- (2) **Public Transport and Aerial Work Aircraft.**—Every public transport or aerial work aircraft shall be flown by a person holding an appropriate professional pilot's licence *i.e.* a Commercial or Senior Commercial or Airline Transport Pilot's Licence issued in accordance with these rules, provided that an aircraft, other than a glider is the property of, or is being used by a duly constituted flying club, may be flown by a person holding a Student or Private Pilot's Licence for the purpose of receiving instructions or for qualifying for renewal of the licence or for issue of higher category of licence.

46. **Flight Instructor or Assistant Flight Instructor.**—(1) Every aircraft which is being used for the purpose of giving instructions in piloting shall have a dual contest and shall carry a person holding an appropriate professional pilot licence, that is, a Commercial, Senior Commercial or Airline Transport Pilot's Licence, which has an appropriate Flight Instructor's or Assistant Flight Instructor's rating issued in accordance with these rules.

(2) No person other than a person having a Flight Instructor's rating or Assistant Flight Instructor's rating shall impart instructions in piloting an aircraft.

47. **Flight Navigator.**—Every public transport aircraft engaged on a flight without landing over a great circle distance of more than 600 miles shall carry on board a Flight Navigator Licence in accordance with these rules, if the total distance between any two consecutive radio navigational fixing aids located within 30 miles of the air route of the proposed flight and capable of being used by the aircraft is more than 600 miles :

Provided that the Chairman may require a Flight Navigator to be carried on board an aircraft on any flight.

48. **Flight Engineer.**—When a Flight Engineer is required to be carried on board an aircraft as flight crew member, he shall be a person holding the appropriate licence in accordance with these rules.

49. **Flight Radio Operator.**—An aircraft which is required to be equipped with radio apparatus shall carry, in addition to the pilot and whether or not it participates in the international air transport service, a person holding a Flight Radio Operator's Licence issued in accordance with these rules to operate radio apparatus on such aircraft, provided the Chairman may, for such period and subject to such terms and conditions as he may determine, permit the operations of radio apparatus in any aircraft by a person holding a Flight Radio Telephone Operator's Licence.

50. **Flight Radio Telephone Operator.**—An aircraft which is equipped, or required to be equipped, with radio apparatus in accordance with these rules and which is communicate by radio telephone system, shall carry a person holding a Flight Radio Telephone Operator's Licence issued in accordance with these rules to operate radio apparatus on such aircraft.

51. **Checks, tests and examinations.**—(1) The Chairman may,—

- (a) conduct examinations specified in these rules, appoint invigilators and lay down the procedure for conducting the examinations ;
- (b) appoint examiner for carrying out flying tests and technical examinations ; and
- (c) determine the manner in which the proficiency checks shall be carried out and may approve check pilots and examiners for this purpose.

(2) **Medical standards.**—No licence or rating referred to in these rules shall be issued or renewed unless the applicant undergoes a medical examination with an approved medical authority and satisfy the medical standards specified in these rules.

(3) The medical authority shall report to the Chairman any case where, in his judgement, an applicant had already demonstrated ability, skill and experience and could compensate for a failure to meet the prescribed medical standard without adversely affecting the safe performance of his duties, if allowed to exercise the privileges of the licence.

(4) The applicant shall give a statement, certified by himself, of medical facts concerning his personal, familiar and hereditary history.

(5) An applicant for a licence or rating for which medical fitness has been specified shall sign and furnish to the medical authority a declaration stating whether he has previously undergone such an examination, and if so, with what result.

(6) The medical requirements for renewal of a licence or rating shall be the same as those for initial issue of that licence or rating, except as specifically provided for in the medical requirements.

(7) (a) An applicant who does not satisfy the appropriate medical requirements may be accepted by the Chairman as eligible for the grant or renewal of a licence if the licence is to be restricted to flying within Bangladesh. Any licence granted or renewed in accordance with this provision may be made subject to such conditions and restrictions as the Chairman may consider appropriate in the particular case;

(b) If an applicant for the renewal of a licence is for the time being on duty as a member of the operating crew of an aircraft in a region far away from the official medical centres the medical examination which he should normally pass to obtain renewal of the licence may, if the Chairman so directs—

(i) be deferred once for a period of six months in the case of a member of the operating crew of a private aircraft; or

(ii) be deferred for a period of three months which may be entered to another period not exceeding three months in the case of a member of the operating crew of a public transport or aerial work aircraft on condition that such member obtains locally, in each case and forwards to the Chairman a medical certificate from a registered practitioner in modern medicine declaring his medical fitness in accordance with the medical standards specified in these rules.

(8) The medical examination in respect of aircrew licence shall be carried out by a Medical Officer of the Bangladesh Air Force or, in his absence, by such other medical authority as may be approved by the Chairman. Such examination shall be conducted in such manner as may be specified by the Chairman and shall be forwarded by the Medical Officer or, as the case may be, medical authority direct to the Director, Medical Services, Air Headquarters, Bangladesh for assessment under intimation to the Chairman. The Director Medical Services, Air Headquarters, shall, on completion of the assessment, forward the same to the Chairman.

(9) If the holder of a licence is aware, or has reasonable grounds to suspect, that he has physical, aural or eye condition has deteriorated in any respect, even if only temporarily as a result of a common minor ailment, which may be below the standard of medical fitness required for the grant of such a licence, he shall not act in any capacity for which he is so licenced until he is satisfied that his condition has been restored to the required standard.

(10) (a) If the holder of a licence—

(i) suffers any personal injury as a result of an accident occurring while he is acting in any capacity for which he is licensed;

(ii) suffers any personal injury involving incapacity for work as a result of any accident occurring otherwise than while acting in any capacity for which he is so licensed;

- (iii) suffers from any illness involving incapacity for work during twenty days or more,

he shall send intimation of the occurrence in writing to the Chairman as soon as possible in the case of accident, and in the case of illness, as soon as the period of twenty days has elapsed.

(b) The holder of a licence may, after suffering any person injury or illness referred to in clause (a) be required to undergo a medical examination and shall not resume acting in any capacity for which he is licensed until he has obtained a medical report, detailing the nature of the injury or illness, the treatment received, the progress made whilst under treatment and his present condition. Such report shall be forwarded to the Chairman.

(c) Pregnancy shall be regarded as incapacitating the holder of a licence from carrying out flying duties. As soon as the pregnancy has been diagnosed, the holder of a licence shall cease flying and shall not again fly until she has, in due course been examined and pronounced fit.

(d) Whenever the holder of a licence has performed a total of 125 hours flying in the capacity of a member of the operating crew of an aircraft within any period of thirty consecutive days since his last medical examination under these rules, he shall not continue to act in that capacity until he has been re-examined and pronounced fit.

52. Physical and Mental Requirements for Licences.—(1) Physical Requirement No. 1.—The medical examination and assessment shall be based on the following requirements of mental and physical fitness:—

- (a) The candidate shall be required to be free from any abnormality, congenital or acquired, or any active, latent, acute or chronic disability or any wound, injury or sequelae from operation such as would entail a degree of functional incapacity which is likely to interfere with the safe handling of an aircraft at any altitude throughout a prolonged or difficult flight.
- (b) *Examination of the nervous system.*—The candidate shall have no history of significant mental or nervous trouble. He shall be required to be free from any mental impairment, or presumptive evidence of latent epilepsy. He shall be required to be free from any progressive disease of the nervous system and from any non-progressive disease of that system the effects of which are likely to interfere with the safe handling of an aircraft. Cases of past or present insanity and cases in which syphilis, past or present, has affected the central nervous system, shall be assessed as permanently unfit.
- (c) injuries of the head:—
- (i) Cases of simple concussion or simple fracture of the skull without associated intracranial injury shall be assessed as temporarily unfit until such time as the medical examiner is satisfied that the effects of the concussion or fracture are no longer likely to jeopardize safety in flight. If the candidate has been incapacitated for a period in excess of one month, a designated medical examiner's decision as to ultimate fitness shall be determined in

the following manner, namely, when the licence is renewed, it shall be valid only for a period of two months in the first instance, thereafter its validity shall be restricted to consecutive periods of two months until the medical examiner reports that the after-effects of the concussion or fracture are no longer likely to cause a sudden incapacity in flight.

- (ii) Cases of head injury associated with intracranial injuries shall be assessed as permanently unfit if a local lesion of the brain or meninges persists.
- (iii) Cases of head injury in which there has been an operation on the skull with loss of bony substances involving the two tables of the cranial vault shall be assessed as permanently unfit.
- (d) *General surgical examination.*—The candidate shall neither suffer from any wound or injury nor have undergone any operation, nor possess any abnormality congenital or acquired which is likely to interfere with the safe handling of aircraft at any altitude throughout a prolonged or difficult flight. He shall be required to be completely free from hernia.
- (e) *Locomotor System.*—Any active disease of the bones, joints, muscles or tendons and all serious functional sequelae of congenital or acquired disease shall be assessed as unfit. On issue or renewal of a licence, functional after effects of lesion affecting the bones, joints, muscles or tendons, and certain anatomical defects compatible with safe handling of aircraft at any altitude and throughout a prolonged or difficult flight may be assessed as fit.
- (f) *Digestive tract.*—Any sequelae of disease or surgical intervention on any part of the digestive tract and its adnexae liable to cause sudden incapacity in flight, in particular any obstructions due to structure or compression, shall be assessed as unfit.
- (g) *Thoracic cage.*—Any extensive mutilation of the chest wall with collapse of the thoracic cage and sequelae of surgical procedures resulting in decreased respiratory efficiency at altitude shall be unfit.
- (h) *Urinary System.*—Any sequelae of disease or surgical procedures on the kidneys and the urinary tracts liable to cause sudden incapacity, in particular any obstructions due to structure or compression, shall be assessed as unfit. Compensated nephrectomy without hypertension or uraemia may be assessed as fit.

A candidate who has undergone a major surgical operation on the biliary passages or the digestive tracts or its adnexae, or the urinary system, which has involved a total or partial excision or a diversion of any of these organs, shall be assessed as unfit until such time as the medical authority, designated for the purpose and having access to the details of the operation concerned, considers that the effects of the operation are not liable to cause sudden incapacity in the air.

- (i) *General Medical Examination.*—The candidate shall have the minimum leg length of 39 inches combined with a height of 64 inches. Candidates found below the above standard shall be given a practical test to ascertain—
 - (i) their ability to manipulate rudder bar and brakes, and
 - (ii) that they have an unobstructed view from the cockpit.

The candidate shall not suffer from any disease or disability which renders him liable suddenly to become unable to handle aircraft safely.

The heart shall not possess any abnormality, congenital or acquired, which is likely to interfere with safe handling of aircraft.

Respiratory arrhythmia, occasional extra systoles which disappear on exercise, increase of pulse rate from excitement or exercise, or a slow pulse not associated with auriculoventricular dissociation may be regarded as coming within "normal" limits. The systolic and diastolic blood pressure shall be within normal limits.

There shall be no significant functional nor structural abnormality of the circulatory tree.

There shall be no acute disability of the lungs nor any active disease of the structures of the lungs, mediastinum or pleura. Radiography shall form a part of the medical examination in all doubtful clinical cases.

In the case of an examination for the first issue of a licence, radiography shall form a part of the chest examination and similar periodic examination shall be carried out thereafter.

Cases of pulmonary emphysema shall be assessed as unfit only if the condition is causing symptoms.

Cases of active pulmonary tuberculosis, duly diagnosed, shall be assessed as unfit. Cases of quiescent or healed lesions, which are known to be tuberculosis or are presumably tuberculous in origin, may be assessed as fit.

Cases of doubt about the activity of the disease are lacking clinically, shall be assessed as temporarily unfit for a period of not less than three months from the date of the medical examination. At the end of the said period, a further radiography record shall be made and compared carefully with the original.

If there is no sign of extension of the disease and there are no general symptoms nor symptoms referable to the chest, the candidate may be assessed as fit for three months. Thereafter provided there continue to be no sign of extension of the disease as shown by radiographic examinations carried out at the end of each three months period, the validity of the licence shall be restricted to consecutive periods of three months. When the candidate has been under observation under this scheme for a total period of at least two years and comparison of all the radiographic records show no changes or only retrogression of the lesion, the lesion shall be regarded as "quiescent" or "healed".

Cases of disabling disease with important impairment of function of the gastro-intestinal tracts and its adnexae shall be assessed as unfit.

Cases of significant metabolic, nutritional or endocrine disorders shall be assessed as unfit. Proven cases of diabetes mellitus shall be assessed as permanently unfit; doubtful cases shall be assessed as unfit until the condition is proven to be non-diabetic.

Cases of severe and moderate enlargement of the spleen persistently below the costal margin shall be assessed as unfit.

Cases of significant localized and general enlargement of the lymphatic glands and of diseases of the blood shall be assessed as unfit. Cases due to transient condition should be assessed as only temporarily unfit.

Cases presenting any sign of organic disease of the kidneys shall be assessed as unfit; those due to a transient condition may be assessed as temporarily unfit. The urine shall contain no abnormal element considered by the medical examiner to be pathological. Cases of affections of the urinary passages and of the genital organs shall be assessed as unfit; those due to transient condition may be assessed as temporarily unfit.

A candidate for the first issue of a licence who has a personal history of syphilis shall be required to furnish evidence, satisfactory to the medical examiner, that he has undergone adequate treatment.

A candidate showing any clinical signs of active syphilis shall be assessed as temporarily unfit for a period of not less than three months from the date of the medical examination. At the end of the said period, provided the candidate furnishes proof, satisfactory to the medical examiner, that he has undergone adequate treatment in the interim and that the serological reaction for syphilis is negative, he may be assessed as fit but where a licence is issued or renewed in these circumstances, it shall be valid only for a period of three months in the first instance. Thereafter, provided serological reactions for syphilis continue to be negative at the end of each three months' period, the validity of the licence shall be restricted to consecutive periods of three months.

When the candidate has been under observations under this scheme for a total period of at least three years and the serological reaction have continued to be negative, the restriction on the period of validity of the licence may be removed. In cases where the serological reaction for syphilis remains persistently positive, examinations of the cerebrospinal fluid at the end of each period of six months with negative results may be accepted in lieu of negative serological reactions at the end of each period of three months.

Candidates of the female sex who have a history of severe menstrual disturbances that have proved unamendable to treatment and that are likely to interfere with the safe handling of aircraft shall be assessed as unfit. In the event of presumed pregnancy, the candidate shall be assessed as temporarily unfit. After confinement or miscarriage, the candidate shall not be permitted to exercise the privileges of her licence until she has undergone re-examination and has been assessed as fit.

Candidates of the female sex who have undergone gynaecological operations shall be considered individually.

- (j) *Eye examination.*—The functions of the eye and its adnexae shall be normal. There shall be no active pathological condition, acute or chronic, of either eye or adnexae which is likely to interfere with its proper function to an extent that would jeopardize safety in flight.

Note.—The details of the visual requirements are set out in rule 53 and those for colour perception in rule 54.

- (k) *Ear examination.*—There shall be—
- (i) no active pathological process, acute or chronic, of the internal ear or middle ear cleft;
 - (ii) no unhealed (unclosed) perforation of the tympanic membranes except that a single dry perforation of non-infectious origin, need not render the candidate ineligible. Licences shall not be issued or renewed in these circumstances unless the appropriate hearing requirements in rules 55 are complied with;
 - (iii) no permanent obstruction of the Eustachian tubes;
 - (iv) no permanent disturbances of the vestibular apparatus. Transient conditions may be assessed as temporarily unfit.

Note:—The details of the hearing requirements are set out in rule 55.

- (1) *Nose, throat and mouth examination.*—There shall be free nasal air entry both sides. There shall be no serious malformation nor serious acute or chronic affection of the buccal cavity or upper respiratory tract. Defects of speech and stuttering shall be assessed as unfit.
- (2) **Physical Requirement No. 2.**—The medical examination and assessment shall be based on the following requirements of mental and physical fitness:—

It shall be noted that a very close similarity exists between the texts of rules 52 and 53. The essential difference lies in the use, in Physical Requirement No. 2 of phrases such as “safe performance of his duties” in place of the more explicit references of physical Requirement No. 1 such as “safe handlings of an aircraft”. Thus where such clauses are used the medical examiner might assess a candidate as medically fit for duties when the candidate’s condition might have rendered him medically unfit for the duties associated with physical requirement No. 1.

- (a) The candidate shall be required to be free from such active or latent, acute or chronic, physical disability, as would entail a degree of functional incapacity which is likely to interfere with the safe performance of his duties at any altitude throughout a prolonged or difficult flight.
- (b) *Examination of the nervous system.*—The candidate shall have no history of significant mental or nervous trouble. He shall be required to be free from any mental impairment or presumptive evidence of latent epilepsy. He shall be required to be free from any progressive disease of the nervous system and from any non-progressive disease of that system, the effects of which are likely to interfere with the safe performance of his duties. Cases of past or present insanity and cases in which syphilis, past or present, has affected the central nervous system shall be assessed permanently unfit.
- (c) *Injuries of the head.*—
 - (i) Cases of simple concussion or simple fracture of skull without associated intracranial injury shall be assessed as temporarily unfit until such time as the medical examiner is satisfied that the effects of the concession or fracture are no longer likely to jeopardize safety in flight.

If the candidate has been incapacitated for a period in excess of one month, a designated medical examiner's decision as to ultimate fitness shall be determined in the following manner, namely, when the licence is renewed, it shall be valid only for a period of two months in the first instance, thereafter its validity shall be restricted to consecutive period of two months until the medical examiner reports that the after-effects of the concussion or fracture are no longer likely to cause a sudden incapacity in flight.

- (ii) Cases of head injury associated with intracranial injuries shall be assessed as permanently unfit if a local lesion of the brain or meninges persists.
- (iii) Cases of head injury in which there has been an operation on the skull with loss of bony substance involving the two tables of the cranial vault shall be assessed as permanently unfit.
- (d) *General surgical examination.*—The candidate shall neither suffer from any wound or injury nor have undergone any operation, nor possess any abnormality, congenital or acquire, which is likely to interfere with the safe performance of his duties at any altitude throughout a prolonged or difficult flight. He shall be required to be completely free from hernia.
- (e) *Locomotor system.*—Any active disease of the bones, joints, muscles of tendons and all serious functional sequelae of congenital or acquired disease shall be assessed as unfit. On issue or renewal of a licence, functional after-effects of lesion affecting the bones, joints, muscles or tendons and certain anatomical defects compatible with safe performance of duties at any altitude and throughout a prolonged or difficult flight may be assessed as fit.
- (f) *Digestive tract.*—Any sequelae of disease or surgical intervention on any part of the digestive tract and its adnexae liable to cause sudden incapacity in flight, in particular any obstructions due to structure of compression, shall be assessed as unfit.
- (g) *Thoracic cage.*—Any extensive mutilation of the chest wall with collapse of the thoracic cage and sequelae of surgical procedures resulting in decreased respiratory efficiency at altitude shall be unfit.
- (h) *Urinary system.*—Any sequelae of disease or surgical procedures on the kidneys and the urinary tracts liable to cause sudden incapacity, in particular any obstructions due to structure or compression, shall be assessed as unfit. Compensated nephrectomy without hypertension or uraemia may be assessed as fit.

A candidate who has undergone a major surgical operation on the biliary passages or the digestive tract or its adnexae, or the urinary system which has involved a total or partial excision of a diversion of any of these organs shall be assessed as unfit until such time as the medical authority, designated for the purpose and having access to the details of the operation concerned, considers that the effects of the operation are not liable to cause sudden incapacity in the air.

- (i) *General Medical Examination.*—The candidate shall not suffer from any disease or disability which renders him liable suddenly to become unable to perform his duties safely.

The heart shall not possess any abnormality, congenital or acquired, which is likely to interfere with safe performance of duties.

Respiratory arrhythmia, occasional extra systoles which disappear on exercise, increase of pulse rate from excitement or exercise, or a slow pulse not associated with auriculoventricular dissociation may be regarded as coming within "normal" limits.

The systolic and diastolic blood pressures shall be within normal limits.

There shall be no significant functional nor structural abnormality of the circulatory tree.

There shall be no acute disability of the lungs nor any active disease of the structures of the lungs, mediastinum or pleura. Radiography shall form a part of the medical examination in all doubtful clinical cases.

In the case of an examination for the first issue of a licence, radiography shall form a part of the chest examination and similar periodic examinations shall be carried out thereafter.

Cases of pulmonary emphysema shall be assessed as unfit only if the condition is causing symptoms.

Cases of active pulmonary tuberculosis, duly diagnosed, shall be assessed as unfit. Cases of quiescent or healed lesions, which are known to be tuberculosis, or are presumably tuberculous in origin, may be assessed as fit. Cases of doubt about the activity of a lesion, where symptoms of activity of the disease are lacking clinically, shall be assessed as temporarily unfit for a period of not less than three months from the date of the medical examination. At the end of the said period, a further radiographic record should be made and compared carefully with the original. If there is no sign of extension of the disease and there are no general symptoms nor symptoms referable to the chest, the candidate may be assessed as fit for three months. Thereafter, provided there continues to be no sign of extension of the disease as shown by radiographic examinations carried out at the end of each three months' period, the validity of the licence shall be restricted to consecutive periods of three months. When the candidate has been under observation under this scheme for a total period of at least two years and comparison of all the radiographic records shows no changes or any retrogression of the lesion, the lesion shall be regarded as "quiescent" or "healed".

Cases of disabling disease with important impairment of function of gastro-intestinal tract and its adnexae shall be assessed as unfit.

Cases of significant metabolic, nutritional or endocrine disorders shall be assessed as unfit. Proven case of diabetes mellitus shall be assessed as permanently unfit; doubtful cases shall be assessed as unfit until the condition is proven to be non-diabetic.

Cases of severe and moderate enlargement of the spleen persistently below the costal margin shall be assessed as unfit.

Cases of significant localized and generalized enlargement of the lymphatic glands and of diseases of the blood shall be assessed as unfit. Cases due to a transient condition should be assessed as only temporarily unfit.

Cases presenting any signs of organic disease of the kidneys shall be assessed as unfit; those due to a transient condition may be assessed as temporarily unfit. The urine shall contain no abnormal element considered by the medical examiner to be pathological. Cases of affections of the urinary passages and of the genital organs shall be assessed as unfit; those due to transient condition may be assessed as temporarily unfit.

A candidate for the first issue of a licence who has a personal history of syphilis shall be required to furnish evidence, satisfactory to the medical examiner, that he has undergone adequate treatment.

A candidate showing any clinical signs of active syphilis shall be assessed as temporarily unfit for a period of not less than three months from the date of the medical examination. At the end of the said period, provided the candidate furnishes proof, satisfactory to the medical examiner, that he has undergone adequate treatment in the interim and that the serological reaction for syphilis is negative, he may be assessed as fit but where a licence is issued or renewed in these circumstances, it shall be valid only for a period of three months. Thereafter, serological reactions for syphilis continue to be negative at the end of each three months' period, the validity of the licence shall be restricted to consecutive periods of three months. When the candidate has been under observation under this scheme for a total period of at least three years and the serological reactions have continued to be negative, the restrictions on the period of validity of the licence may be removed. In cases where the serological reaction for syphilis remains persistently positive, examinations of the cerebrospinal fluid at the end of each period of six months with negative results may be accepted in lieu of negative serological reactions at the end of each period of three months.

Candidates of the female sex who have a history of severe menstrual disturbances that have proved unamendable to treatment and that are likely to interfere with the safe performance of her duties shall be assessed as temporarily unfit. In the event of presumed pregnancy, the candidate shall be assessed as temporarily unfit. After confinement or miscarriage, the candidate shall not be permitted to exercise the privileges of her licence until she has undergone re-examination and has been assessed as fit.

Candidates of the female sex who have undergone gynaecological operations shall be considered individually.

- (j) *Eye Examination.*—The functions of the eye and its adnexae shall be normal. There shall be no active pathological condition, acute or chronic, of either eye or adnexae which is likely to interfere with its proper function to an extent that would jeopardize safety in flight.

Note.—The details of Visual Requirements are set out in rule 53 and those for colour perception in rule 54.

- (k) *Ear Examination.*—There shall be—

- (i) no active pathological process, acute or chronic, of the internal or middle ear cleft;
- (ii) no unhealed (unclosed) perforation of the tympanic membranes except that a dry perforation need not render the candidate ineligible. Licences shall not be issued or renewed in these circumstances unless the appropriate hearing requirements in rule 55 are complied with;

- (iii) no permanent obstruction of the Eustachian tubes ;
- (iv) no permanent disturbances of the vestibular apparatus. Transient conditions may be assessed as temporarily unfit.

The details of the hearing requirements are set out in rule 55.

- (1) *Nose, throat and mouth examination.*—There shall be free nasal air entry on both sides. There shall be no serious malformation nor serious, acute or chronic affection of the buccal cavity or upper respiratory tract. Candidates suffering from serious degree of stuttering shall be assessed as unfit.
- (3) **Physical Requirement No. 3.**—The medical examination and assessment shall be based on the following requirements of mental and physical fitness:—
 - (a) The candidate shall be required to be free from any congenital or acquired disability causing such degree of functional incapacity as is considered likely to interfere with the safe handling of the aircraft under ordinary conditions.
 - (b) *Examination of the nervous system.*—The candidates shall have no history of significant mental or nervous trouble. He shall be required to be free from any mental impairment or presumptive evidence of latent epilepsy. He shall be required to be free from any progressive disease of the nervous system, the effects of which are likely to interfere with the safe handling of an aircraft. Cases of past or present insanity and cases in which syphilis, past or present, has affected the central nervous system, shall be assessed as permanently unfit.
 - (c) *Injuries of the head*—
 - (i) Cases of simple concussion or simple fracture of the skull without associated intracranial injury shall be assessed as temporarily unfit until such time as the medical examiner is satisfied that the effects of the concussion or fracture are no longer likely to jeopardize safety in flight.
 - (ii) Cases of head injury associated with intracranial injuries shall be assessed as permanently unfit if a local lesion of the brain or meninges persists.
 - (iii) Cases of head injury in which there has been an operation on the skull with loss of bony substance involving the two tables of the cranial vault shall be assessed as permanently unfit; cases repaired by plates ensuring present and future integrity of the central nervous system may be assessed as fit and, in such case, one year's period shall expire before the licence is renewed.
 - (d) *General surgical examination.*—The candidate shall neither suffer from any wound or injury, nor have undergone any operation, nor possess any abnormality, congenital or acquired, which is likely to interfere with the safe handling of an aircraft. He shall be required to be free from hernia. Cases in which the medical examiner is satisfied that a wellfitted truss is worn may be assessed as fit.

- (e) *Locomotor system*.—Any active disease of the bones, joints, muscles or tendons and all serious functional sequelae of congenital or acquired disease shall be assessed as unfit. Certain qualifying functional after-effects of lesion affecting the bones, joints, muscles or tendons and certain anatomical defects compatible with safe handling of aircraft in flight may be assessed as fit.
- (f) *Digestive tract*.—Any sequelae of disease or surgical intervention on any part of the digestive tract and its adnexae, liable to cause sudden incapacity in flight, in particular any obstructions due to structure or compression, shall be assessed as unfit.
- (g) *Thoracic cage*.—Any extensive mutilation of the chest wall with collapse of the thoracic cage and sequelae of surgical procedures resulting in decreased respiratory efficiency at altitude shall be unfit.
- (h) *Urinary system*.—Any sequelae of disease or surgical procedures on the kidneys and the urinary tracts liable to cause sudden incapacity, in particular any obstructions due to structure or compression, shall be assessed as unfit. Compensated nephrectomy without hypertension or uraemia may be assessed as fit.

A candidate who has undergone a major surgical operation on the biliary passages or the digestive tract or its adnexae, or the urinary system, which has involved a total or partial excision or a diversion of any of these organs shall be assessed as unfit until such time as the medical authority, designated for the purpose and having access to the details of the operation concerned, considers that the effects of the operation are not liable to cause sudden incapacity in the air.

- (i) *General medical examination*.—The candidate shall not suffer from any disease or disability which renders him liable suddenly to become unable to handle aircraft safely.

The heart shall not possess any abnormality, congenital or acquired, which is likely to interfere with safe handling of aircraft.

Respiratory arrhythmia, occasional extra systoles which disappear on exercise, increase of pulse rate from excitement or exercise, or a slow pulse rate not associated with auriculoventricular dissociation may be regarded as coming within "normal" limits.

The systolic and diastolic blood pressures shall be within normal limits with due regard to age.

There shall be no significant functional nor structural abnormality of the circulatory tree. The presence of varicosities do not necessarily entail unfitness.

There shall be no acute disability of the lungs nor any active disease of the structures of the lungs, mediastinum or pleura. Radiography shall form a part of the medical examination in all doubtful clinical cases.

In the case of an examination for the first issue of a licence, radiography shall form a part of the chest examination and similar periodic examinations shall be carried out thereafter.

Cases of pulmonary emphysema shall be assessed as unfit only if the condition is causing symptoms.

Cases of active pulmonary tuberculosis, duly diagnosed, shall be assessed as unfit. Cases of quiescent or healed lesions, which are known to be tuberculosis, or are presumably tuberculous in origin, may be assessed as fit.

Cases of disabling disease with important impairment of function of the gastro-intestinal tract and its adnexae shall be assessed as unfit.

Proven cases of diabetes mellitus shall be assessed as unfit; doubtful cases shall be assessed as unfit until the condition is proven to be non-diabetic.

Cases of significant localized and generalized enlargement of the lymphatic glands and of diseases of the blood shall be assessed as unfit. Cases due to a transient condition should be assessed as only temporarily unfit.

Cases presenting any signs of organic disease of the kidneys shall be assessed as unfit; those due to a transient condition may be assessed as temporarily unfit. The urine shall contain no abnormal element considered by the medical examiner to be pathological. Cases of affections of the urinary passages and of the genital organs shall be assessed as unfit; those due to transient condition may be assessed as temporarily unfit.

A candidate for the first issue of a licence who has a personal history of syphilis shall be required to furnish evidence, satisfactory to the medical examiner, that he has undergone adequate treatment.

In the event of presumed pregnancy the candidate shall be assessed as temporarily unfit.

- (j) *Eye Examination.*—There shall be no active pathological condition, acute or chronic, of either eye or adnexae which is likely to interfere with its proper function to an extent that would jeopardize safety in flight.

Note.—The details of the Visual Requirements are set out in rule 53 and those for colour perception in rule 54.

- (k) *Ear examination.*—There shall be—

- (i) no active pathological process, acute or chronic, of the internal ear or middle ear cleft;
- (ii) no permanent disturbances of the vestibular apparatus. Transient conditions may be assessed as temporarily unfit.

Note.—The details of the hearing requirements are set out in rule 55.

- (l) *Nose, throat and mouth examination.*—There shall be no serious malformation nor serious, acute or chronic affection of the buccal cavity or upper respiratory tract.

(4) **Physical Requirement No. 4.**—The medical examination and assessment shall be based on the following requirements of mental and physical fitness:—

- (a) The candidate shall be required to be free from any congenital or acquired disability causing such degree of functional incapacity as is considered likely to interfere with the efficient performance of his duties while exercising the privileges of his licence or of his employment.

- (b) *Examination of the nervous system.*—The candidate shall have no history of significant mental or nervous trouble. He shall be required to be free from any mental impairment or presumptive evidence of latent epilepsy. He shall be required to be free from any progressive disease of the nervous system and from any non-progressive disease of that system, the effects of which are likely to interfere with the safe, efficient performance of his duties. Cases of insanity and cases in which syphilis, past or present, has affected the central nervous system, shall be assessed as permanently unfit.
- (c) *Injuries of the head*—
- (i) Cases of simple concussion or simple fracture of the skull without associated intracranial injury shall be assessed as temporarily unfit until such time as the medical examiner is satisfied that the effects of the concussion or fracture are no longer likely to jeopardize safety in the performance of his duties.
 - (ii) Cases of head injury associated with intracranial injuries shall be assessed as permanently unfit if a local lesion of the brain or meninges persists.
 - (iii) Cases of head injury in which there has been an operation of the skull with loss of bony substances involving the two tables of the cranial vault shall be assessed as permanently unfit; cases repaired by plates ensuring present and future integrity of the central nervous system may be assessed as fit and, in such case, one year's period shall expire before the licence is renewed.
- (d) *General surgical examination.*—The candidate shall neither suffer from any wound or injury, nor have undergone any operation, nor possess any abnormality, congenital or acquired, which is likely to interfere with the safe performance of his duties. He shall be required to be free from hernia. Cases in which the medical examiner is satisfied that a well fitted truss is worn may be assessed as fit.
- (e) *Locomotor system.*—Any active disease of the bones, joints, muscles or tendons and all serious functional sequelae of congenital or acquired disease shall be assessed as unfit. On issue or renewal of a licence, functional after-effects of lesion affecting the bones, joints, muscles or tendons and certain anatomical defects compatible with safe performance of duties may be assessed as fit.
- (f) *Digestive tract.*—Any sequelae of disease or surgical intervention on any part of the digestive tract and its adnexae, liable to cause sudden incapacity, in particular any obstruction due to structure compression, shall be assessed as unfit.
- (g) *Urinary system.*—Any sequelae of disease or surgical procedures on the kidneys and the urinary tracts liable to cause sudden incapacity, in particular any obstructions due to structure or compression, shall be assessed as unfit. Compensated nephrectomy without hypertension or uraemia may be assessed as fit.

- (h) *General medical examination.*—The candidate shall not suffer from any disease or disability which renders him liable suddenly to become unable to perform his duties safely.

The heart shall not possess any abnormality, congenital or acquired, which is likely to interfere with safe performance of duties.

Respiratory arrhythmia, occasional extra systoles which disappear on exercise, increase of pulse rate from excitement or exercise, or a slow pulse rate not associated with auriculoventricular dissociation may be regarded as coming within "normal" limits.

The systolic and diastolic blood pressures shall be within normal limits with due regard to age.

There shall be no significant functional nor structural abnormality of the circulatory tree. The presence of varicosities do not necessarily entail unfitness.

There shall be no acute disability of the lungs nor any active disease of the structures of the lungs, mediastinum or pleura. Radiography shall form a part of the medical examination in all doubtful clinical cases.

In the case of an examination for the first issue of a licence, radiography shall form a part of the chest examination and similar periodic examinations shall be carried out thereafter.

Cases of pulmonary emphysema shall be assessed as unfit only if the condition is causing symptoms.

Cases of active pulmonary tuberculosis, duly diagnosed, shall be assessed as unfit. Cases of quiescent or healed lesions which are known to be tuberculous, or are presumably tuberculous in origin, may be assessed as fit.

Proven cases of diabetes mellitus shall be assessed as unfit; doubtful cases shall be assessed as unfit until the condition is proven to be non-diabetic.

Cases of significant localized and generalized enlargement of the lymphatic glands and of diseases of the blood shall be assessed as unfit. Cases due to a transient condition shall be assessed as only temporarily unfit.

Cases presenting any sign of organic disease of the kidneys shall be assessed as unfit, those due to a transient condition may be assessed as temporarily unfit. The urine shall contain no abnormal element considered by the medical examiner to be pathological. Cases of affections of the urinary passages and of the genital organs shall be assessed as unfit; those due to transient condition may be assessed as temporarily unfit.

A candidate for the first issue of a licence who has a personal history of syphilis shall be required to furnish evidence, satisfactory to the medical examiner, that he has undergone adequate treatment.

- (i) *Eye Examination.*—The functions of the eye and its adnexae shall be normal. There shall be no active pathological condition, acute or chronic, of either eye or adnexae which is likely to interfere with its proper function to an extent that would jeopardize safe performance of duties.

Note.—The details of the Visual Requirements are set out in rule 53 and those for colour perception in rule 54.

- (j) *Ear examination.*—There shall be—

- (i) no active pathological process, acute or chronic, of the internal ear or middle ear cleft;
- (ii) no permanent disturbances of the vestibular apparatus. Transient conditions may be assessed as temporarily unfit.

Note.—The details of the Hearing Requirements are set out in rule 55.

- (k) *Nose, throat and mouth examination.*—There shall be no serious malformation nor serious, acute or chronic affection of the buccal cavity or upper respiratory tract. Defects of speech stuttering shall be assessed as unfit.

53. Visual Requirements for licences:—

- (a) For a visual acuity test in a lighted room, a test illumination level of approximately 50 lux, normally corresponding to a brightness of 30 nits shall be adopted. The light level of the room shall be approximately one-fifth of the test illumination level.
- (b) For a visual acuity test in a darkened or semidarkened room, a test illumination level of approximately 15 lux, normally corresponding to a brightness of 10 nits, shall be adopted.
- (c) Visual acuity shall be measured by means of a series of opto-types of Landolt or similar opto-types placed at a distance of six metres from the candidate or five metres, appropriate to the method of testing adopted.

(1) Visual Requirement No. 1—

- (i) The candidate shall be required to have—
- (a) normal fields of vision; and
- (b) a visual acuity of at least 20/30 (6/9, 0.7) in each eye separately with or without correcting glasses. If the visual acuity is obtained only by use of correcting glasses, the vision without glasses in either or both eyes must not be less than 20/60 (6/18, 0.3) when the candidate may be assessed as fit, provided that correcting glasses be worn when exercising the privileges of his licence.
- (ii) (a) The candidate shall not have more than +2.25 diopters of hypermetropia in the case of a candidate for the initial issue of a licence.

- (b) Any degree of heterophoria found in the test shall be noted in the candidate's medical record.
- (c) The candidate shall be required to have an accommodation permitting reading of the Jaeger Chart No. 3 or its equivalent at a distance of 30 cms, with each eye separately, allowing the use of correcting glasses for this test if it be the usual habit of the candidate to wear them.

(2) Visual Requirement No. 2—

- (i) The candidate shall be required to have—
 - (a) normal fields of vision;
 - (b) a visual acuity of at least 20/40 (6/12, 0.5) in each eye separately, with or without correcting glasses. If this visual acuity is obtained only by means of correcting glasses the vision without glasses in either or both eyes must be not less than 20/100 (6/30, .2) when the candidate may be assessed as fit provided that correcting glasses be worn while exercising the privileges of his licence.
- (ii) The candidate shall be required to have an accommodation permitting reading of the Jaeger Chart No. 3, or its equivalent at a distance of 30 cms, with each eye separately, allowing the use of correcting glasses for this test if it be the usual habit of the candidate to wear them.

(3) Visual requirement No. 3—

- (i) The candidate shall be required to have—
 - (a) normal fields of vision;
 - (b) a visual acuity of at least 20/40 (6/12, .5) in each eye separately, with or without correcting glasses. If this visual acuity is obtained only by means of correcting glasses, the vision without glasses in either or both eyes must be not less than 20/200 (6/60, .1) when the candidate may be assessed as fit provided that correcting glasses be worn while exercising the privileges of his licence.
- (ii) (a) Any degree of heterophoria found in the test shall be noted in the candidate's medical report.
- (b) the candidate shall be required to have an accommodation permitting reading of the Jaeger Chart No. 3, or its equivalent at a distance of 30 cms, with each eye separately, allowing the use of correcting glasses for this test if it be the usual habit of the candidate to wear them.

54. **Colour perception requirements :—**(1) Such methods of examination shall be used as will guarantee reliable testing of colour perception.

(2) The candidate shall be required to demonstrate his ability to perceive readily those colours the perception of which is necessary for the safe performance of his duties.

(3) The candidate who is able to obtain a correct score with pseudo-isochromatic tables used in day-light (or using an artificial light of the same colour temperature) shall be deemed fit without having to undergo any further test. However, a candidate who makes mistakes in such tests may nevertheless be assessed fit on condition that he identifies readily and correctly aviation coloured perception lantern.

55. Hearing requirements for licences.—The candidate shall be required to be free from any hearing defect which would interfere with the efficient performance of his duties in exercising the privileges of his licence.

(1) *Hearing Requirement No. 1:*

(a) The candidate shall be required not to have a hearing loss, in a quiet room, in either ear separately, of more than 25 db at any one of the three frequencies, 500, 1,000 and 2,000 c/s and not more than 40 db at 3,000 c/s.

(b) If the hearing loss is greater than the limits indicated in clause (a), a candidate who has already acquired and demonstrated ability, skill and experience to the satisfaction of the licensing authority may nevertheless be declared fit, provided that—

(i) he has a hearing performance, in each ear separately, equivalent to that of a normal person, against a back ground noise that will represent the masking properties of flight deck noise upon speech and beacon signals, and

(ii) he is able to hear an average conversational voice in a quiet room, using both ears, at a distance of 2.5 m (8 feet) from the examiner and with his back turned to the examiner.

(2) *Hearing Requirement No. 2:*

The candidate shall be required to hear on average conversational voice in a quiet room, using both ears and standing with his back towards the examiner at a distance 2.5m (8 feet) from the examiner.

Notes.—(1) A quiet room is a room in which the intensity of the back ground noise is less than 50db.

(2) The reference threshold of the hearing losses referred to in Hearing Requirement No. 1 is established as the mean hearing threshold of 20 years of young healthy persons with normal ear drums and no past or present ear disease.

(3) The frequency composition of the noise referred to in Hearing Requirement No. 1 (b) has not been defined. It is sufficient if the frequency range 600 to 4,800 c/s is adequately represented.

(4) In the choice of speech material, aviation type messages or digits shall not be used exclusively. Lists of phonetically balanced words can be used with satisfactory results.

(5) The sound level of average conversation voice at point of output ranges from 85 to 95 decibels.

(6) In lieu of pure tone or speech audiometry, alternative methods which are the equivalent of those details may be set.

56. Fees and other charges relating to licences.—(1) The fees for the issue, renewal, validation or revalidation of licences and ratings or technical examination and official medical examination in connection therewith or the issue of duplicate licences and ratings shall be as follows:—

Description of Licence.	Official Medical Examination For Licence					
	Flying Test.	Official technical Examination if required **.	For issue of licence (or subsequent board in case of professional pilot's licences).	For re- Issue.	Issue.	Renewal.
	Taka	Taka	Taka	Taka	Taka	Taka
Private pilot's Licence	*	50	100	50	50	25
Commercial pilot's Licence.	*	250	225	100	50	25
Senior Commercial Pilot's Licence.	*	500	225	100	50	25
Airline Transport Pilot's Licence.	*	500	225	100	50	25
Glider Pilot's Licence	*	50	100	50	50	25
Instrument Rating.	*	250	..	..	..	..
Flight Instructor's Rating.	*	125	..	..	..	..
Assistant Instructor's Rating.	*	125	..	..	..	..
Flight Navigator's Licence.	*	250	100	50	50	25
Flight Radio Operator's Licence.	*	200	100	50	50	25
Flight Radio Operator's Licence (Provisional).	..	200	100	50	50	25
Flight Radio Telephone Operator's Licence (General).	..	225	100	50	50	25
Flight Radio Telephone Operator's Licence (Restricted).	..	100	100	50	50	25

Description of Licence.	Official Medical Examination For Licence					
	Flying Test.	Official technical Examination if required**.	For issue of licence (or subsequent board in case of professional pilot's licences).	For renewal of licence.	Issue.	Renewal.
	Taka	Taka	Taka	Taka	Taka	Taka
Ground Radio Operator's Licence.	..	50	..	..	50	25
Flight Engineer's Licence.	..	250	100	50	50	25
Flight Engineer's Licence (Cadet Class).	..	100	100	50	50	25
Flight Operations Officer's Licence.	..	125	..	..	50	25

* For flying tests, the candidate may provide his own aircraft and pay all charges incurred thereby, and in addition he shall pay, when an official examiner is carried on board during the flying test, a fee at the rate of Taka 250 for each hour or part of an hour, so flown. In case the aircraft is provided by the Chairman of Civil Aviation Authority, the candidate shall be required to pay the operating cost per hour of that aircraft which would be inclusive of the official examiner's fees if carried.

** In case an applicant fails and re-appears in any of the subjects of the technical examinations he is required to pay Taka 50 per subject.

(2) For all flying tests, the candidate shall be required to provide the aircraft and bear all charges in respect of the flight.

Note.—(i) An application for any licence or for the renewal or validation of any licence shall be accompanied by a Treasury receipt for the sum necessary to cover all the fees payable except the fees for the official medical examination which shall be payable direct to the medical examiner.

(ii) In any case when a licence is not issued or renewed or validated the Government may refund to the applicant such proportion of the sum paid as represents the cost of any examination not carried out or any licence not issued.

(3) The following fees shall be payable in respect of Certificate of Airworthiness and Ground Engineer's Licences, the validation of foreign certificates of airworthiness, the issue of duplicate certificates of airworthiness and the approval of design organisations, inspection organisations and stockists and distributors:

(a) Certificates of Airworthiness

- (i) For the issue of a Certificate of Airworthiness for an aircraft which is a prototype of a new design. A fee as may be determined by the Government in each case.

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| (ii) For the validation of a foreign Certificate of Airworthiness or where the work of overhaul for renewal of a Certificate or Airworthiness issued in Bangladesh has been carried out abroad. | Taka 50 for every thousand lbs. of maximum permissible weight or part thereof. |
| (iii) For the issue of duplicate certificate of Airworthiness. | Taka 50 |
| (iv) In any other case of issue or renewal of a certificate of Airworthiness not otherwise provided for in this rule. | Taka 250 for each one thousand lbs. of maximum permissible weight or part thereof. |

(b) Ground Engineer's Licences

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|---|---------|
| (i) For the issue or renewal of a ground Engineer's licence or for the issue of a duplicate of such a licence. | Taka 50 |
| (ii) For each separate technical examination required in relation to the issue, renewal or extension of a Ground Engineer's Licence. | Taka 50 |
| (iii) For each oral examination not in conjunction with a written paper required in relation to the issue, renewal or extension of a Ground Engineer's licence. | Taka 50 |

(c) Design Organisations.

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| (i) For the grant or approval of a design organisation. | Taka 1,000 |
| (ii) The annual charge for the maintenance or approval of a design organisation. | Taka 500 |

(d) Inspection Organisation.

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| (i) For the grant of approval of an inspection organisation. | Taka 1,000 |
| (ii) Annual charge for the maintenance of approval of an inspection organisation. | Taka 500 |

(e) Stockists and Distributors.

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|---|----------|
| (i) For the grant of approval of an organisation as stockists and distributors only. | Taka 500 |
| (ii) The annual charge for the maintenance of approval of an organisation as stockists and distributors only. | Taka 250 |

Note.—An application for the purpose for which a fee is payable under this rule shall be accompanied by a Treasury Receipt for the amount payable therefor but in a case where the licence or certificate is not issued or the approval is not given such part of the amount paid that may represent the cost of any examination or inspection paid for but not carried out may if the Government thinks fit be refunded.

57. Log books of flight crew personnel and logging of flight time.—

(1) Every flight crew member licensed under these rules shall maintain a personal log book in the form and manner determined by the Chairman, and all flight times shall be logged therein.

(2) All entries in log books shall be made in ink.

(3) Unless otherwise specified, log books shall be preserved for not less than 5 years after the date of the last entry therein.

(4) Every flight crew member shall certify the accuracy of the entries in his log book with respect to flight time at least at the end of each calendar month. The pilot-in-command, during dual instruction, shall certify entries with respect to flight time during such dual instruction. At the end of every quarter in a year that is at the end of March, June, September and December, log books shall be certified for correctness of entries therein—

(a) by competent authorities, such as, Flight Operations Director, Flight Operations Manager or Chief Pilot of the Company or Corporation concerned, in the case of professional pilots;

(b) by the Chief Flying Instructor, in the case of members of the Flying Clubs; and

(c) by such officers of the Civil Aviation Authority as may be designated by the Chairman in the case of all other persons.

(5) Flight time during which a pilot is under dual instruction shall be entered in his log book as "dual" and the pilot giving instruction shall make entries in the log book of the pilot under instruction showing the nature of the instruction given.

(6) Flight time spent in performing under supervision of a pilot-in-command, the duties and functions of a pilot-in-command may be logged as pilot-in-command provided the person is entitled and authorised to fly in command of that type of aeroplane by virtue of the ratings and privileges of his pilot's licence. In all other cases, such flight time shall be logged as co-pilot with appropriate indication in the remarks column.

(7) The holder of a Student Pilot's Licence may log as pilot-in-command only that portion of the flight time during which he is the sole occupant of an aircraft provided that, in the case of an aircraft which requires more than one pilot in accordance with rule 112, he may log as pilot-in-command that portion of the flight time during which he acts as pilot-in-command.

(8) The holder of a Private Pilot's Licence may log as pilot-in-command only the flight time during which he acts as pilot-in-command.

(9) The holder of a Commercial, Senior Commercial or Airline Transport Pilot's Licence may log as Pilot-in-command the flight time during which he acts as pilot-in-command.

(10) A Flight Instructor may log as pilot-in-command the flight time during which he acts as an Instructor but the flight time was flown as an Instructor.

(11) Instrument flight time may be logged by the pilot manipulating the controls of an aircraft in flight only when the aircraft is flown solely by reference to instruments, either under actual or simulated instrument flight conditions.

(12) Instrument ground time may be logged in full by the pilot while flying solely by reference to instruments in any recognised synthetic device which simulates instrument flight conditions.

(13) A pilot who acts as Examiner or Check Pilot may log as pilot-in-command the flight time during which he so acts, provided he is entitled and authorised to fly in command of that type of aircraft by virtue of the ratings and privileges of his pilot's licence.

(14) A Flight Navigator shall log the flight time as Flight Navigator during which he is engaged in actual navigation duties. Flight time during which a Flight Navigator performs actual navigational duties under supervision of a licensed Flight Navigator shall be logged as a Flight Navigator with the indication "under supervision" in the remarks column.

(15) A Flight Engineer shall log the flight time as a Flight Engineer during which he is engaged in actual Flight Engineer's duties. Flight time during which a Flight Engineer performs actual Flight Engineer's duties under supervision of a licensed Flight Engineer shall be logged as a Flight Engineer with indication "under supervision" in the remarks column.

(16) A Flight Radio Telephone Operator shall log the flight time as Flight Radio Telephone Operator during which he actually performs the duties of a flight Radio Telephone Operator.

PART II

RULES OF THE AIR

58. **Compliance with the rules of the air.**—(1) Each person operating an aircraft either in flight or on the manoeuvring area of an aerodrome shall do so in compliance with the general rules and in addition, when in flight, either with—

- (a) the visual flight rules (V.F.R.), or
- (b) the instrument flight rules (I.F.R.).

Note.—A pilot may elect to fly in accordance with the instrument flight rules in visual meteorological conditions or he may be required to do so by the appropriate air traffic services unit.

(2) An aircraft shall not, except in accordance with an air traffic control clearance in respect of the aircraft,—

- (a) enter, operate in, or leave a control area; or
- (b) enter, operate in, or leave a control zone or operate at a controlled aerodrome.

59. **Responsibility and authority of pilot-in-command.**—(1) The pilot-in-command shall have final authority as to the disposition of the aircraft. A pilot-in-command, whether manipulating the control or not, shall be responsible for compliance with the rules under this Part, subject however, that he may deviate in an emergency requiring immediate action to the extent required to meet that emergency.

(2) Each pilot-in-command who deviates from complying with the rules of this Part under sub-rule (1) shall notify the appropriate air traffic services unit as soon as practicable and subsequently send a written report of that deviation to the Chairman.

60. **Pre-flight action.**—Each pilot-in-command shall before beginning a flight, familiarize himself with all available information appropriate to the intended operation. Pre-flight action for flights away from the vicinity of an airport and for all IFR flights, shall include a careful study of available current weather reports and forecasts, taking into consideration fuel requirements and an alternate course of action if the flight cannot be completed as planned.

61. **Use of intoxicating liquor, narcotics or drugs.**—No person shall pilot an aircraft, or act as flight crew member of an aircraft, while under the influence of intoxicated liquor or any narcotic or drug, by reason of which his capacity so to act is impaired.

62. **Airspace restrictions.**—All civil aircrafts operating within the territory of Bangladesh are restricted to operate within ATS routes, control zones and other controlled airspace except that operation outside ATS routes may be undertaken within prior permission from the Chairman.

63. **Flight restrictions.**—(1) No person shall operate an aircraft over areas where there are flight restrictions, the particulars of which have been duly published, except in accordance with the conditions of the restriction or by permission of the appropriate authority imposing the restriction.

(2) No person shall operate an aircraft in a negligent or reckless manner so as to endanger life or property.

64. **Minimum safe heights.**—(1) Except when necessary for take-off or landing, or permitted by the Chairman, aircraft shall not be flown over the congested areas of cities, towns or settlements or over an open-air assembly of persons unless at such a height as will permit, in the event of an emergency arising, a landing to be made without undue hazard to persons or property on the surface.

(2) A VFR flight shall not be flown—

(a) *Over congested areas.*—Over the congested areas of cities, towns or settlements or over an open-air assembly of persons at a height less than 300 meters (1,000 feet) above the highest obstacle within a radius of 600 meters (2,000 feet) from the aircraft.

(b) *Elsewhere than specified in clause (a).*—No closer than 150 meters (500 feet) above the ground or water.

(3) A VFR flight by helicopters may be flown at less than the minimum height laid down in sub-rule (2) if the operation is conducted without hazard to persons or property.

65. **Cruising levels.**—The cruising level at which a flight or a portion of a flight is to be conducted shall be in terms of—

(a) flight levels, for en-route flights, at or above the lowest usable flight level;

- (b) altitudes, for en-route flights, below the lowest usable flight level and, as applicable, for arriving or departing flights below the transition altitude.

66. **Avoidance of collision.**—(1) Nothing in these rules shall prevent the pilot-in-command to the reasonable use or keeping vigilance for detecting potential collisions of an aircraft either in flight or while operating on the manoeuvring area of an aerodrome.

(2) An aircraft that has the right of way shall maintain its heading and speed, but nothing in these rules shall relieve the pilot-in-command from the responsibility of taking such action as will best avert collision. An aircraft that is obliged by the following rules to keep out of the way of another shall avoid passing over or under the other, or crossing ahead of it, unless passing well clear.

(3) No person shall—

(a) operate an aircraft so close to another aircraft as to create a collision hazard.

(b) operate an aircraft in formation flight except by pre-arrangement with the appropriate ATS Unit and only in visual meteorological condition and by day.

(4) When two aircraft are converging at approximately the same level, the aircraft that has the other on its right shall give way, except as follows:—

(a) power-driven heavier-than-air-aircraft shall give way to airships, gliders and balloons;

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

(c) gliders shall give way to balloons;

(d) power-driven aircraft shall give way to aircraft which are seen to be towing other aircraft or objects; and

(e) an aircraft in distress has the right of way over all other air traffic.

(5) An aircraft that is being overtaken has the right of way and the overtaking aircraft, whether climbing, descending, or in horizontal flight, shall keep out of the way of the other aircraft by altering its heading to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the overtaking aircraft from this obligation until it is entirely past and clear.

(5) *Explanation.*—In this sub-rule, an “overtaking aircraft” means an aircraft that approaches another aircraft from the rear on a line forming an angle of less than 70° with the plane of symmetry of the latter, that is to say, an aircraft that is in such a position with reference to another aircraft that at night it would be unable to see either of the forward navigation lights of the aircraft.

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

(7) (a) An aircraft in flight, or operating on the ground, shall give way to the other aircraft landing or in final stages of an approach to land.

(b) When two or more aircraft are approaching an aerodrome for the purpose of landing, aircraft at the higher level shall give way to the aircraft at the lower level, but the latter shall not take advantage of this rule to cut in front of another which is in the final stages of an approach to land, or to overtake that aircraft.

(8) A pilot-in-command about to take-off shall not attempt to do so until there is no apparent risk of collision with other aircraft.

67. **Acrobatic flight.**—(1) Except when authorised by the Chairman aircraft shall not be flown acrobatically so as to endanger air traffic.

(2) An aircraft shall not be flown acrobatically—

(a) in instrument meteorological condition and from sunset to sunrise;

(b) over cities, towns, populous areas or public games and public gatherings.

(3) When an aircraft is flown for acrobatics,—

(a) it shall be flown by a pilot with valid licence, or if it is flown by a person for the purpose of qualifying for a licence under these rules, such person shall be accompanied by a licensed pilot instructor;

(b) the pilot shall ensure that any loose articles are removed from the aircraft or made secure in the aircraft;

(c) all lockers and compartment doors of the aircraft are fastened;

(d) if passengers are carried, whether the carriage is a public transport or not, their previous consent to the performance of acrobatics shall be obtained in writing;

(e) the pilot or person in charge of the aircraft shall satisfy himself before commencing the flight that every person carried in the aircraft is properly secured by safety belts; and

(f) the acrobatics shall be concluded at a height above the ground not less than 600 meters (2,000 feet), or such lower altitude as the Chairman may permit by special order in writing.

68. **Dropping or spraying.**—Nothing shall be dropped or sprayed from an aircraft in flight except under condition specified by the Chairman.

69. **Towing.**—No aircraft or other object shall be towed by an aircraft, except in accordance with requirements specified by the Chairman.

70. **Displaying of lights.**—(1) Between sunset and sunrise or any other periods or conditions specified by the Chairman or deemed necessary by the pilot-in-command in the interest of safety, all aircrafts in flight or operating on the manoeuvring area of an aerodrome shall display lights as specified below :—

(a) an unobstructed red light projected above and below the horizontal plane through an angle from dead ahead to 110 degrees to the left (port);

- (b) an unobstructed green light projected above and below the horizontal plane through an angle from dead ahead to 110 degrees to the right (starboard) ;
- (c) an unobstructed white light projected above and below the horizontal plane rearward through an angle of 140 degrees equally distributed on the left (port) and right (starboard) sides.

(2) The lights described in sub-rule (1) may be displayed either as steady lights or as flashing lights.

(3) When the lights are displayed as flashing lights either one or both of the following additional lights may be displayed :—

- (i) a flashing red rear light which alternates with the flashing white rear lights ;
- (ii) a flashing white light visible in all directions which alternates with the signal emitted by the lights described in sub-rule (1).

(4) When the lights are displayed as steady lights, an additional flashing red light or lights visible as far as is practicable in all directions within 30 degrees below the horizontal plane of the aircraft may be displayed.

Note :—The flashing red lights are commonly referred to as anticollision lights.

(5) The minimum intensities of the lights specified in sub-rule (1) shall be as follows :—

Light.	Intensity in Candles.
Port red light	5
Starboard green light	5
Rear light	3

71. **Signals for the control of aerodrome traffic.**—(1) The signals specified hereinafter shall be used only for the purposes respectively specified in this rule, and other signals likely to be confused with them shall not be used.

(2) The pilot-in-command while operating on or in the vicinity of an aerodrome shall comply with signals and instructions given in accordance with the rules.

(3) Where aerodromes are equipped with two-way radiotelephony apparatus, air traffic control shall give control instructions by this means to all aircraft equipped to receive radiotelephony messages.

(4) All such communications between aircraft and an air traffic control unit shall be in the English language.

(5) Where control by the means referred to in this rule is not available, the appropriate visual signals may be used.

(6) Nothing in this rule shall prevent any combination of radiotelephony 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 radiotelephony.

(7) Where radio communication is being used, the pilot-in-command shall not be relieved of the responsibility of keeping a look-out for any instructions which may be issued by visual means.

(8) No aircraft shall operate or enter in any controlled airspace without having any suitable two-way radio apparatus on board the aircraft, except with prior permission from appropriate ATS unit.

72. **Signals.**—(1) A light signal directed at a particular aircraft from an air traffic control unit at an aerodrome has the meaning specified in relation to the signal in the Bangladesh Aeronautical Information Publication.

(2) Upon observing or receiving any of the signals given in Schedule 1 (Signals), each pilot-in-command shall take such action as may be required by interpretation of the signal.

(3) The signals of Schedule 1 shall be used only for the purpose indicated therein and no other signals likely to be confused with them shall be used.

73. **Simulated instrument flights.**—No person shall operate an aircraft under simulated instrument flight conditions unless—

(a) fully functioning dual controls are installed in the aircraft; and

(b) a qualified pilot occupies a control seat to act as safety pilot for the person who is flying under simulated instrument conditions. The safety pilot shall have adequate vision forward and to each side of the aircraft, or a competent observer in communication with the safety pilot shall occupy a position in the aircraft from which his field of vision adequately supplements that of the safety pilot.

74. **Operation on and in the vicinity of an aerodrome.**—An aircraft operated on or in the vicinity of an aerodrome shall, whether or not within an aerodrome traffic zone,—

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

(b) conform with or avoid the pattern of traffic formed by other aircraft in operation;

(c) make all turns to the left, when approaching for a landing and after taking-off, unless otherwise instructed;

(d) land and take off into the wind unless safety, the runway configuration or air traffic consideration determines that a different direction is preferable.

75. **Altimeter setting procedures.**—(1) The procedures herein described the method intended for use in providing adequate vertical separation between aircraft and adequate terrain clearance during all phases of a flight.

(2) This method is based on the following principles:—

(a) during en-route flight an aircraft is flown along surface of a constant atmospheric pressure called "flight levels" which are related to an altimeter setting of Hg. 1013.2 mb (29.92 inches) and, throughout this phase of a flight, the vertical position of an aircraft is expressed in terms of flight levels;

- (b) during flight in the vicinity of an aerodrome, when at or below the "transition altitude", an aircraft is flown at "altitudes" determined from an altimeter set to mean sea level pressure (QNH) and its vertical position is expressed in terms of altitudes;
- (c) the change in reference from "flight levels", used while en-route, to "altitude" used in the vicinity of an aerodrome, and *vice versa*, is made, when climbing, at the transition altitude and, when descending, at the transition level.

76. **System of flight levels.**—The flight level zero shall be located at the atmospheric pressure level of Hg. 1013.2 mb (29.92 inches) and consecutive flight levels shall be separated by a pressure interval corresponding to at least 152.4 meters (500 feet) in the standard atmosphere.

77. **Transition altitude.**—The transition altitude for all aerodromes in Bangladesh shall be 4000 feet above mean sea level.

78. **Transition level.**—The transition level for all aerodromes in Bangladesh shall be (flight level) 60.

79. **Transition from flight level to altitudes and vice versa.**—(1) The vertical position of aircraft when at or below the transition altitude shall be expressed in terms of altitude, whereas such position at or above the transition level shall be expressed in terms of flight levels. While passing through the transition layer, vertical position shall be expressed in terms of flight levels when ascending and in terms of altitude when descending.

(2) A QNH altimeter setting shall be made available to aircraft in taxi clearances prior to take-off.

(3) All aircrafts operating en-route shall maintain a cruising level by reference to an altimeter when operating—

(a) at and below 1200 meters (4000 feet) above the surface to the current QNH of the nearest available reporting station along the route being flown;

(b) above 1200 meters (4000 feet) above the surface to Hg. 1013.2 mb (29.92 inches) unless otherwise specified.

(4) When complying with the rules of this part, all aircrafts shall be flown at flight levels corresponding to the magnetic tracks shown in the table of cruising levels in Schedule 2.

80. **Terrain clearance.**—(1) A QNH altimeter setting shall be provided from as many locations as practicable to permit determination of terrain clearance.

(2) The air traffic service units shall at all times make available for flight planning purposes and for transmission to aircraft in flight, on request, the information required to determine the lowest flight level which will ensure adequate terrain clearance for routes on which such information is required.

(3) The lowest usable flight level is determined by the atmospheric pressure in the area of operation as shown in the following table:—

Altimeter setting (current reported)	Lowest usable flight level.
29·92" Hg. or higher (1013·2 mb)	Minimum <i>en-route</i>
29·91" to 29·42" (1012·9 mb to 996·3 mb)	Add 150 meters (500 feet)
29·41" to 28·92" (995·9 mb to 979·3 mb)	Add 300 meters (1,000 feet)
28·91" to 28·42" (979·0 mb to 962·4 mb)	Add 450 meters (1,500 feet)
28·41" to 27·92" (962·1 mb to 945·5 mb)	Add 600 meters (2,000 feet)
27·91" to 27·42" (945·1 mb to 928·5 mb)	Add 750 meters (2,500 feet)

(4) A QNH altimeter setting shall be made available in approach and landing clearances.

(5) A QFE altimeter setting shall be made available in approach and landing clearances on request.

(6) The vertical positioning of aircraft during approach shall be controlled by reference to flight levels until reaching the transition level below which vertical positioning shall be by reference to altitudes.

Note.—This does not preclude a pilot using a QFE setting for terrain clearance purposes during the final approach to the runway.

(7) After approach clearance has been issued and the descent to land is commenced, the vertical positioning of an aircraft above the transition level may be by reference to altitudes (QNH) provided that level flight above the transition altitude is not anticipated.

Note.—This applies primarily to turbine engine aircraft for which an uninterrupted descent from a high altitude is desirable.

(8) The relevant provisions regarding take-off and climb, and approach and landing of this part shall also apply in the event of a missed approach.

81. **Flight planning.**—(1) Each pilot-in-command or his designated representative, while planning a flight, shall take into consideration the following factors when filling a flight plan and select levels:—

(a) in terms of flight levels, if the flight is to be conducted at or above the transition levels;

(b) in terms of altitudes, if the flight is to be conducted in the vicinity of an aerodrome or between adjacent aerodromes at or below the transition altitude or altitudes concerned.

(2) The level or levels selected for a flight:—

(a) shall ensure adequate terrain clearance at all points along the route to be flown;

(b) shall satisfy air traffic control requirements; and

(c) shall be compatible with the application of the table of cruising levels.

82. **Radio communications.**—While operating on ATS routes, control zones and other controlled air spaces, the pilot-in-command shall maintain continuous listening watch on the appropriate radio frequency of, and establish two-way communication with, the appropriate ATS unit.

83. **Position reporting.**—(1) On routes defined by designated reporting points, position reports shall be made when over or, as soon as possible, after passing each designated compulsory reporting points. Additional reports may be requested by the appropriate air traffic services unit when so required for air traffic service purposes.

(2) On routes not defined by designated reporting points, position reports shall be made as soon as possible after the first half-hour of flight and at hourly intervals thereafter. Additional reports may be requested by the appropriate air traffic services unit when so required for air traffic service purposes.

(3) The position reports shall contain the following elements of information:—

(a) aircraft identification;

(b) position;

(c) time;

(d) Flight level or altitude;

(e) next position and estimated time over;

(f) any significant weather conditions encountered; and

(g) any other information relating to the safety of flight.

84. **Air traffic control clearance.**—(1) The pilot-in-command shall obtain an air traffic control clearance prior to operating a controlled flight, or a portion of a flight as a controlled flight. Such clearance shall be requested through the submission of a flight plan to an air traffic control unit.

(2) Except in an emergency, no person shall, while under the jurisdiction of an air traffic control, operate an aircraft contrary to air traffic control clearance and instructions.

(3) Each pilot-in-command who deviates in an emergency from an air traffic control clearance or instructions shall notify the appropriate air traffic control unit of the deviation as soon as possible stating the reasons for such deviation.

85. **Requirement to submit a flight plan.**—(1) Written flight plan shall be filed with the appropriate ATS units for all flights prior to departure and in case of—

- (a) local flights at uncontrolled aerodrome in control zones and at all controlled aerodromes, the pilot-in-command or his representative shall file a flight plan prior to departure by any available means with the appropriate ATS unit;
- (b) local flights at uncontrolled aerodromes outside control zone may be undertaken without a flight plan provided they are operated during day and in visual meteorological conditions (VMC) below 1,000 feet.

(2) Unless otherwise required by the Chairman, a flight plan for a flight to be provided with air traffic control service or flight information service shall be submitted at least thirty minutes before departure, or, if submitted during flight, at a time which will ensure its receipt by the appropriate air traffic services unit at least ten minutes before the aircraft is estimated to reach—

- (a) the intended point of entry into a controlled area or advisory area or to the point of crossing an airway or advisory route; or
- (b) the point of crossing any ATS route or controlled airspace.

(3) The pilot-in-command intending to operate an aircraft into or over Bangladesh as an international flight shall submit a flight plan to the appropriate air traffic services unit in sufficient time to permit the air traffic services unit to receive the flight plan not less than twenty minutes prior to entering the Bangladesh territory.

(4) In the event of a delay of one hour in excess of the estimated departure time for which a flight plan has been submitted, the flight plan shall be requested to be amended or a new flight plan shall be submitted.

86. **Changes to a flight plan.**—All changes to a flight plan submitted for an IFR flight or a controlled VFR flight, and significant changes to a flight plan submitted for an uncontrolled VFR flight shall be reported as soon as practicable to the appropriate air traffic services unit.

Note.—Information submitted prior to departure regarding fuel endurance or total number of persons carried on board, if incorrect at time of departure, constitutes a significant change to the flight plan and as such must be reported.

87. **Closing a flight plan.**—(1) Each person terminating a flight in Bangladesh shall report arrival personally or by radio, at the earliest possible moment after landing, to the air traffic services unit of the aerodrome of arrival.

(2) When no air traffic services unit exists at the aerodrome of arrival, the arrival report shall be made to the nearest air traffic services unit.

(3) The arrival reports shall contain the following information:—

- (a) aircraft identification;
- (b) aerodrome of departure;
- (c) time of arrival;
- (d) aerodrome of arrival.

88. **Visual flight rules.**—(1) **Weather minima.**—The VFR flight shall be conducted so that the aircraft is flown in conditions of visibility and distance from cloud equal to or greater than the minima specified in the following table:

	Within Controlled Airspace.		Outside Controlled Airspace.	
	<i>Above</i>	<i>At or Below</i>	<i>Above</i>	<i>At or Below</i>
	<i>900 m (3000 feet) above mean sea level or 300 m (1000 feet) above terrain, whichever is higher*</i>			
Flight visibility	8 km (5 miles)	8 km (5 miles) [5 km (3 miles)**]	8 km (5 miles)	1.5 km (1 mile)***
Distance from cloud: (a) Horizontal (b) Vertical	1.5 km (1 mile) 300 m (1000 ft)	1.5 km (1 mile) 300 m (1000 ft)	1.5 km (1 mile) 300 m (1000 feet)	Clear of clouds and in sight of the ground or water.
<p><i>*Unless a higher plane of division is prescribed on the basis of regional air navigation agreements or by the appropriate ATS authority.</i></p> <p><i>**When so prescribed by the appropriate ATS authority.</i></p> <p><i>***Except that helicopters may operate with a flight visibility below 1.5 km (1 mile) if manoeuvred at a speed that will give adequate opportunity to observe other traffic or any obstructions in time to avoid collision.</i></p>				

(2) **Operation within a control zone.**—Except when a clearance is obtained from the appropriate air traffic control unit, VFR flights shall not take off or land at an aerodrome within a control zone or enter the aerodrome traffic zone—

- (a) when the ceiling is less than 450 meters (1500 ft.); or
- (b) when the ground visibility is less than 8 kilometers (5 miles).

(3) **Operation in accordance with VFR.**— A flight under VFR shall not be operated—

- (a) between sunset and sunrise;
- (b) above flight level 150; and
- (c) at transonic or supersonic speed.

(4) **Authorisation of special VFR flight.**—When the ground visibility or flight visibility is not less than 3 kilometers (2 miles), appropriate ATC unit may authorize a special VFR flight to enter or leave control zone or operate locally within a control zone subject to the following conditions:—

- (i) only one special VFR flight shall be allowed to operate in any given time within control zone;
- (ii) no conflict between a special VFR flight and a IFR flight; and

- (iii) the aircraft shall be equipped with functioning radio equipment on board capable of maintaining two-way communication with the appropriate ATC unit.

89. **Instrument flight rules.**—(1) **Instrument flight rules.**—An aircraft shall not be flown under instrument flight rules unless it is equipped with—

- (a) suitable flight instruments;
- (b) suitable radio navigation equipment appropriate to the route to be flown;
- (c) suitable radio equipment capable of maintaining two-way radio communication with the appropriate air traffic services unit; and
- (d) the pilot-in-command holds an instrument rating of the required class issued or rendered valid by the Chairman.

(2) **Minimum IFR levels.**—Except when necessary for take off or landing, or except when specifically authorized by the Chairman, an IFR flight shall be flown at a level which is not below the minimum flight altitude established by the State whose territory is overflown or where no such minimum flight altitude has been established—

- (a) over high terrain or in mountainous areas, at a level which is at least 600 meters (2000 feet) above the highest obstacle located within 8 kilometers (5 miles) of the estimated position of the aircraft;
- (b) elsewhere than as specified in clause (a), at a level which is at least 300 meters (1000 feet) above the highest obstacle located within 8 kilometers (5 miles) of the estimated position of the aircraft.

Note.—The estimated position of the aircraft will take account of the navigational accuracy which can be achieved on the relevant route segment, having regard to the navigational facilities available on the ground and in the aircraft.

(3) **Change from IFR to VFR flight.**—

- (a) An aircraft electing to change the conduct of flight from compliance with the instrument flight rules to compliance with the visual flight rules shall notify the appropriate air traffic services unit with a message initiated by the pilot-in-command containing the specific expression "CANCELLING MY IFR FLIGHT" together with the changes, if any, to be made to his current flight plan.
- (b) When an aircraft operating under the instrument flight rules is flown in or encounters visual meteorological conditions it shall not cancel its IFR flight unless it is anticipated, and intended, that the flight will be continued for a reasonable period of time in uninterrupted visual meteorological conditions.

(4) **Air traffic control clearance.**—

- (a) An air traffic control clearance shall be obtained prior to operating a controlled flight. Such clearance shall be requested through the submission of flight plan to an air traffic control unit.
- (b) If an air traffic control clearance is not satisfactory to a pilot-in-command, he may request and, if practicable, be issued with an amended clearance.

(5) **IFR flight within controlled airspace.**—IFR flights shall comply with the provisions of sub-rules (1) and (2) when operating within controlled airspace.

(6) **Cruising levels.**—The cruising levels to be used by IFR flights shall be selected from the table of cruising levels as mentioned below, unless otherwise instructed by air traffic control unit,—

- (a) on a magnetic track of zero zero zero degrees through 179 degrees when operating below flight level 290 any flight level at 600 meters (2000 feet) intervals beginning at and including flight level 50 (such as, 50, 70, 90, 110 to 270);
- (b) on a magnetic track of 180 degrees through 359 degrees when operating below flight level 290 any flight level at 600 meters (2000 feet) intervals beginning at and including flight level 40 (such as, 40, 60, 80, 100, 120 to 280);
- (c) on a magnetic track of zero zero zero degrees through 179 degrees when operating at and above flight level 290 any flight level at 1200 meters (4000 feet) intervals beginning at and including flight level 290 (such as, 290, 330, 370, 410);
- (d) on a magnetic track of 180 degrees through 359 degrees when operating at and above flight level 290 any flight level at 1200 meters (4000 feet) intervals beginning at and including flight level 310 (such as, 310, 350, 390, 430).

(7) **Course to be flown.**—Unless otherwise authorized by an air traffic control unit, no person shall operate an aircraft within any ATS route or controlled airspace under IFR, except as follows:—

- (a) on an ATS route, along the centreline of that route;
- (b) on any other route, along the direct course between the navigational aids or fixes defining that route.

(8) **Take off and landing under IFR.**—

- (a) Except in an emergency, no person shall take off or land an aircraft at an aerodrome when the weather conditions are below the ceiling and visibility minimum established by the Chairman for that aerodrome.
- (b) Unless otherwise authorized by the Chairman, each person operating an aircraft shall, when an instrument let down to an aerodrome is necessary, use a standard instrument approach procedure specified for that aerodrome in the Aeronautical Information Publication of Bangladesh.

90. **Two-way radio communications failure.**—(1) Unless otherwise authorized by an air traffic control unit, every pilot-in-command experiencing two-way radio communications failure shall comply with the following rules:

- (2) If in visual meteorological conditions, the pilot-in-command—
 - (a) continue to fly in visual meteorological conditions;
 - (b) land at the nearest suitable aerodrome; and
 - (c) report arrival by the most expeditious means to the appropriate air traffic services unit.

(3) If in instrument meteorological conditions, or when weather condition is such that it does not appear feasible to complete the flight in visual meteorological conditions, the pilot-in-command—

- (a) proceed according to the current flight plan to the specified clearance limit and, if the clearance is other than the aerodrome of intended landing, then according to the intentions specified in the current flight plan (*see* Note 2 below);
- (b) arrange the flight so as to arrive over the appropriate designated navigational aids serving the aerodrome of intended landing, or as closely as possible to the estimated time of arrival resulting from the current flight plan;
- (c) after arrival over the navigational aid specified in clause (d), commence descent at, or as closely as possible to the expected approach time last received and acknowledged or, if no expected approach time has been received and acknowledged, at, or as closely as possible to, the estimated time of arrival resulting from the current flight plan;
- (d) complete a normal instrument approach procedure as specified for the designated navigational aid; and
- (e) land, if possible, within thirty minutes after the estimated time of arrival or the last acknowledged expected approach time, whichever is later.

Notes.—(1) If the clearance for the levels covers only part of the route, the aircraft is expected to maintain the last assigned and acknowledged cruising level to the points specified in the clearance and thereafter the cruising level in the current flight plan.

(2) The provision of air traffic control service to other flights operating in the airspace concerned will be based on the assumption that an aircraft experiencing radio failure will comply with this rule.

91. **Signals.**—(1) The pilot-in-command shall transmit or display the signals specified in this rule according to the degree of emergency being experienced.

(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.

(3) Nothing in these rules shall prevent the use by an aircraft in distress of any means at its disposal to attract attention or make known its position for the purpose of obtaining help.

92. **Distress signal.**—(1) The distress signal shall be transmitted only when the aircraft is threatened with grave and imminent danger and requires immediate assistance.

(2) In radiotelephony, the distress signal takes the form of the word "MAYDAY", pronounced three times followed by the words "THIS IS", followed by the call sign of the aircraft three times.

(3) By other means the distress signal shall take one or more of the following forms:—

- (a) the signal of the SOS group (....—....) with visual apparatus or with sound apparatus;

- (b) a succession of pyrotechnical lights, fired at short intervals each showing a red light;
- (c) a parachute flare showing a red light.

93. **Urgency signal.**—(1) The following signals, used either together or separately, shall be used by an aircraft for the purpose of giving notice of difficulties which compel it to land without requiring immediate assistance—

- (a) the repeated switching on and off of the navigation lights;
- (b) the repeated switching on and off of the landing lights;
- (c) a succession of white pyrotechnical lights.

(2) The following signals, used either together or separately, shall be used by an aircraft for the purpose of giving notice that the aircraft has a very urgent message to transmit concerning the safety of a ship, aircraft or vehicle, or of some person on board or within sight—

- (a) in radiotelephony, three repetitions of the word PAN sent before the transmission of the message;
- (b) a succession of green pyrotechnical lights;
- (c) a succession of green flashes with signal apparatus.

94. **Near-collision reporting.**—(1) A “near-collision report” shall be filed by a pilot-in-command when he considers that his aircraft may have been endangered by the proximity of another aircraft, during a flight within Bangladesh airspace, to the extent that a definite risk of collision existed.

(2) Whenever a near-collision report is made by radio or telephone, a confirmatory report in writing shall be submitted to the Chairman within seven days of the date of incident in such form and manner as may be published in the AIP of Bangladesh.

(3) Whenever a pilot has genuine cause to complain about a certain deficiency in the provision of air traffic control service, he shall file his complaint within 24 hours after the landing.

95. **Diversion.**—(1) Diversions may be initiated by the pilot-in-command or as a result of advice or request from the Operator or air traffic services unit.

(2) Diversions may be made for the following reasons:—

- (a) when the weather conditions at the planned aerodrome of destination is reported to be below the minima specified by the Chairman;
- (b) when the weather conditions at the planned aerodrome of destination is reported to be below the minima specified by an operating company for their aircraft;
- (c) when obstructions on the landing area constitute a hazard to landing of aircrafts and cannot be cleared within a reasonable period;
- (d) the failure of airborne equipment;
- (e) the failure of essential ground aids to landing in circumstances which would require their use;

- (f) unacceptable congestion of air traffic;
- (g) the closure of the aerodrome of destination.

(3) On receipt of the diversion message, the pilot-in-command shall acknowledge and comply with advice given, or give his reason for non-compliance and an alternative decision. Should he decide not to divert but to attempt a landing at his planned destination, permission to do so shall not be refused for reasons of adverse weather only, or in the case of emergency.

96. **Fuel jettisoning.**—(1) The jettisoning of fuel by airborne aircraft is permitted provided the appropriate air traffic service unit is notified.

(2) The decision that emergency conditions require the jettisoning of fuel rests solely with the pilot-in-command.

(3) The procedure recommended is that the following conditions shall be observed:—

Height—Minimum 1500 meters (5000 feet) above terrain.

Vertical separation—Minimum 600 meters (2000 feet) between aircraft.

(4) The jettisoning of fuel shall be carried out away from the populated areas or at such places as instructed by ATS Unit concerned.

PART III

AVIATION METEOROLOGY

97. The Chairman shall make arrangements with the Meteorology Department for the supply of meteorological information in such form and in such manner and at such places as the Chairman considers necessary to ensure the safe, economic and regular operation of aircraft and to give effect to the Convention.

98. Weather reports of actual or forecasts (meteorological conditions) shall not be used in the planning, conduct and control of flights unless the meteorological observations, forecasts and reports were made with the authority of the Meteorology Department.

99. The standards and recommended practices contained in Annex 3 to the Convention shall be used for aviation meteorology.

PART IV

AERONAUTICAL CHARTS

100. The Chairman shall ensure the availability of any chart or series of charts containing the territory of Bangladesh.

101. The Chairman shall make arrangements for the availability of Aeronautical Charts in such form and in such manner and at such places as he considers necessary to ensure the safe, economic and regular operation of aircraft and to give effect to the Convention.

102. Except as otherwise specified, the standards and recommended practices contained in Annex 4 to the Convention shall be used in regard to the aeronautical charts.

PART V

UNITS OF MEASUREMENT

103. The Chairman shall make arrangements with regard to the standardization of units of measurement in such form and in such manner and at such places as he considers necessary to ensure the safe, economic and regular operation of aircrafts and to give effect to the Convention.

104. Unless otherwise specified, the standards and recommended practices contained in Annex 5 to the Convention shall be used for units of measurement.

PART VI

OPERATION OF AIRCRAFT

105. **Classification of operation.**—For the purposes of these rules, air transport shall be divided into the following classes of operations, namely:—

- (1) private operations, being operations in which an aircraft is used for—
 - (i) the personal transportation of the owner of the aircraft;
 - (ii) aerial spotting where no remuneration is received by the pilot or the owner of the aircraft or by any person or organisation on whose behalf the spotting is conducted;
 - (iii) agricultural operations on land occupied by the owner of the aircraft;
 - (iv) the carriage of persons or the carriage of goods without charge;
 - (v) the carriage of goods otherwise than for the purpose of trade;
 - (vi) conversion training for the purpose of endorsement of an additional type or category of aircraft in a pilot licence; or
 - (vii) any other private operations of a type substantially similar to any of those specified in this clause.
- (2) aerial work operations, being all air service operations in which an aircraft is used for—
 - (i) aerial survey;
 - (ii) aerial spotting other than aerial spotting referred to in sub-clause (ii) of clause (1);
 - (iii) agricultural operations other than agricultural operations referred to in sub-clause (iii) of clause (1);
 - (iv) advertising;
 - (v) flying training;

- (vi) ambulance function;
 - (vii) carriage, for purposes of trade, of goods being the property of the pilot, the owner, or the hirer of the aircraft (not being a carriage of goods in accordance with fixed schedules to and from fixed terminals);
 - (viii) police or customs functions or the service of a Government Department; or
 - (ix) any other operations of a character substantially similar to any of those specified in this clause;
- (3) charter operations, being all air service operations in which aircraft is used for—
- (i) 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 of aircraft operations to and from fixed terminals; or
 - (ii) the carriage in accordance with fixed schedules of aircraft operations and from fixed terminals of passengers or cargo or passengers and cargo in circumstances in which the accommodation in the aircraft is not available for use by members of the public; and
- (4) scheduled public transport operations, being all air service operations in which aircrafts are available for the transport of members of the public, or for use by members of the public for the transport of cargo for hire or reward and which are conducted in accordance with fixed schedules of aircraft operations to and from fixed terminals over specific routes with or without intermediate stopping places between terminals.

106. **Classification of aircraft.**—Aircrafts shall be classified, in accordance with the type of operations in which it is being employed at any time, as follows:—

- (1) when an aircraft is being employed in private operations, it shall be classified as a private aircraft;
- (2) when an aircraft is being employed in aerial work operations, it shall be classified as an aerial work aircraft;
- (3) when an aircraft is being employed in charter operations, it shall be classified as a charter aircraft; and
- (4) when an aircraft is being employed in scheduled public transport operations, it shall be classified as a scheduled public transport aircraft.

107. **Authorisation of aircraft to be used.**—(1) An aircraft shall not be used in any class of operations unless the particular type of aircraft is authorised and approved for such use by the Chairman.

(2) An aircraft shall not be used in any class of operations unless it is fitted with or carries such equipment, including emergency equipment, as the Chairman approves or directs.

(3) Where the Chairman directs that an instrument or item of equipment be fitted or carried on an aircraft, the instrument or item of equipment shall be fitted, carried or used in accordance with the directions issued by the Chairman.

108. **Minimum crew requirement.**—The minimum operating crew of an aircraft shall not be less in number than that specified in the certificate of airworthiness or flight manual for the aircraft and shall be supplemented by such additional operating crew members having such qualifications as the Chairman considers necessary and directs having regard to—

- (a) the type of aircraft ;
- (b) the class of operation involved ;
- (c) the type of equipment installed;
- (d) the duration of flights between points where the crews are changed; and
- (e) the safety of the aircraft.

109. **Private operations.**—Aircrafts engaged in private operations shall comply with the provisions of these rules and such conditions as the Chairman may impose from time to time in the interests of safety.

110. **Aerial work operations.**—An aircraft shall not be used in aerial work operations except under the authority of, and in accordance with an aerial work licence issued by, the Chairman.

111. **Charter operations.**—(1) An aircraft shall not be used in charter operations except under the authority of, and in accordance with a charter licence issued by, the Chairman.

(2) A charter licence shall not be the authority for the holder of such a licence to engage in charter operations over a route or section of a route on which a scheduled public transport service is operating, but the Chairman may authorise the holder of such a licence to engage in such operations subject to such of the conditions as he considers necessary.

112. **Scheduled public transport operations.**—An aircraft shall not be used in scheduled public transport operations except under the authority of, and in accordance with an air transport licence issued by, the Chairman.

113. **Approval of contract regarding operations.**—The holder of an aerial work, charter or scheduled public transport operation licence may subject to the approval of the Chairman, enter into a contract or arrangement with another person under whom that person may operate the service for which the licence was issued.

114. **General conditions of flight.**—Subject to the provisions of rule 115, a Bangladesh aircraft shall not commence a flight unless—

- (a) it has a nationality mark and a registration mark pointed on, or affixed to it in accordance with part VII of these rules;
- (b) there is in force in respect of it a certificate of airworthiness issued under rule 186;
- (c) there is in force in respect of it a maintenance release issued by virtue of clause (a) of sub-rule (7) of rule 201 covering the period of the

flight and the flight is not in contravention of any condition set out or referred to in the maintenance release or an approved alternative document;

- (d) any maintenance, other than approved maintenance carried out by the pilot-in-command, required to be carried out before the commencement of the flight, or required to be carried out before the expiration of the flight, or required to be complied with any requirement or condition imposed under these rules with respect to the aircraft, has been certified in accordance with a system of certification under rule 192 or in a manner acceptable to the Chairman under sub-rule (3) of rule 199 have been completed; and
- (e) it complies with these rules in respect of the number and description of, and the holding of licences and ratings by, the operating crew.

115. Permission for certain flights.—(1) The Chairman may, on the application of a person, give permission to fly an aircraft in Bangladesh on a particular flight for the purpose of—

- (a) delivering the aircraft to a person under a contract of sale or with a view to sale;
- (b) carrying out a demonstration, experiment or test in respect of the aircraft;
- (c) bringing the aircraft to a place where a demonstration, experiment or test with respect to the aircraft is to take place;
- (d) bringing the aircraft to a place at which maintenance on the aircraft may be carried out;
- (e) assisting in searching for, bringing aid to or rescuing persons in danger on a particular occasion; or
- (f) assisting in dealing with a state of emergency.

(2) While giving permission for a flight under sub-rule (1), the Chairman may direct that the requirements of rules 114 and 120 do not apply in relation to such flight.

(3) While giving permission for a flight under sub-rule (1), the Chairman may give such directions with respect to the flight as he thinks necessary for the purpose of ensuring the safety of air navigation.

116. Compliance of rules by aircrafts of contracting State.—An aircraft which possesses the nationality of a Contracting State shall not fly within, or depart from, Bangladesh unless it complies with the provisions of these rules which are expressly applicable to such aircraft and with 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;
- (e) the flight and manoeuvre of aircraft; and
- (f) the provision of radio systems.

117. **Operation of State aircraft.**—A state aircraft, other than a Bangladesh military aircraft shall not fly over or land in Bangladesh except on the express invitation or with the express permission of the Government, but any aircraft so flying or landing on such invitation or with such permission shall be exempt from the provisions of these rules to such extent as is specified in the invitation or permission.

118. **Operation of Pilotless aircraft.**—An aircraft capable of being flown without a pilot shall not be flown without a pilot within Bangladesh except with the authorisation in writing of the Chairman and in accordance with such conditions as he may specify in the instrument of authorisation.

119. **Flight manuals.**—(1) The Chairman may—

- (a) approve a flight manual for an aircraft and any subsequent alterations to that flight manual, prepared by, or on behalf of, the manufacturer, owner or operator of the aircraft;
- (b) authorise the manufacturer, owner or operator of an aircraft to issue a flight manual for the aircraft and to issue subsequent alterations, if any, to that flight manual; or
- (c) prepare and issue a flight manual for a Bangladesh aircraft and any subsequent alterations to that flight manual.

(2) A flight manual referred to in sub-rule (1) shall contain information and instructions relating to —

- (a) the identification of the aircraft;
- (b) the operating procedures and the limitations of the aircraft;
- (c) the performance and loading of the aircraft; and
- (d) the date (if any) on which, or the period (if any) after which, the flight manual ceases to have effect.

(3) The Chairman may, for the purpose of ensuring the safety of air navigation, direct the owner or operator of a Bangladesh aircraft to make any alteration in the flight manual for that aircraft.

(4) The pilot-in-command of a Bangladesh aircraft shall comply with all the requirements, procedures and limitations with respect to the operation of the aircraft set out in the flight manual for that aircraft.

120. **Carriage of documents in aircraft.**—(1) Subject to this rule and rule 115 a Bangladesh aircraft shall, when flying, carry —

- (a) its certificate of registration;
- (b) its certificate of airworthiness;
- (c) its maintenance release and other document approved for use as an alternative for the maintenance release under these rules;
- (d) the licences of the operating crews;
- (e) the flight manual for the aircraft;
- (f) any licence in force with respect to the radio equipment in the aircraft;

- (g) if the aircraft is carrying passengers, a list of the names, places of embarkation and places of destination of the passengers;
- (h) if the aircraft is carrying cargo, the bills of lading and manifests for the cargo;
- (i) the records kept with respect to the aircraft under rule 210; and
- (j) if the aircraft complies with noise certification standards under Part 16 of these rules, appropriate attesting documents.

(2) An aircraft operating wholly within Bangladesh is not required, when flying, to carry the documents specified in paragraphs (a), (g), (h) and (j) of sub-rule (1).

(3) The Chairman may exempt an aircraft from carrying the flight manual referred to clause (c) of sub-rule (1) if he is satisfied that the aircraft carries an operations manual or placards or other documents that provide the pilot-in-command with all the data contained in the flight manual for the aircraft.

121. Dangerous goods.—(1) A person shall not carry, or consign for carriage of, any dangerous goods on board an aircraft except with the permission in writing of the Chairman and in accordance with conditions specified in the permit.

(2) In this rule, "dangerous goods" means—

- (a) explosive substances; and
- (b) things—
 - (i) which by reason of their nature are liable to endanger the safety of an aircraft or persons on board an aircraft; or
 - (ii) which the Chairman may declare to be things which, in his opinion, are likely to endanger the safety of an aircraft or persons on board an aircraft.

(3) Nothing in this rule shall prevent the carriage and use on aircraft of signalling apparatus and other apparatus necessary for the operation or navigation of the aircraft or the safety of the crew or passengers.

122. Carriage of firearms.—No person, including a flight crew member, shall except with the permission of the Chairman, carry in, or have in his possession in, an aircraft a firearm.

123. Provision for maintenance facilities.—(1) An operator, other than a private operator, shall provide an adequate organisation, including trained staff, together with workshop and other equipment and facilities in such quantities and in order to ensure that the airframes, engines, propellers, instruments, equipments, and accessories are properly maintained at all times when they are in use.

(2) An operator, other than a private operator, shall ensure that provision is made for the proper and periodic instruction of all maintenance personnel, particularly in connection with the introduction into service of new equipment or equipment with which the maintenance personnel are not familiar, and the training programme shall be subject to the approval of the Chairman.

124. **Operations manual.**—(1) An operator, other than a private operator, shall provide an operations manual for the use and guidance of his operations personnel.

(2) An operations manual shall contain complete instructions as to the conduct of flight operations, including—

- (a) instructions outlining the responsibilities of operations personnel in respect of the conduct of flight operations;
- (b) the number and classification of flight crew members for each stage of all routes flown;
- (c) the maximum flight time and flight duty period of flight crew members;
- (d) the minimum safe heights for each route to be flown;
- (e) meteorological minima for each aerodrome on the routes to be flown that is likely to be used as a regular or alternate aerodrome or that is suitable for use in an emergency;
- (f) the circumstances in which a radio listening watch is to be maintained;
- (g) a list of navigational equipment to be carried;
- (h) specific instructions for the computation of the quantities of fuel and oil to be carried on each route having regard to all the circumstances of the operation including the possibility of the failure of one or more power plants during flight time;
- (i) a route guide for each route flown containing information relating to communication and search and rescue facilities, navigational aids, aerodromes, flight procedures, and any other information necessary for the proper conduct of flight operations including, where applicable, noise certification;
- (j) the in-flight and emergency flight procedures including the in-flight and emergency duties assigned to each crew member;
- (k) information that will enable the pilot-in-command to determine whether the flight may be continued should any instrument, equipment or system become inoperative;
- (l) the conditions under which oxygen shall be used; and
- (m) any other information required by the Chairman.

(3) The contents of an operations manual and any subsequent changes made therein shall be subject to the prior approval of the Chairman and he may, at any time, require revision of any portion of the manual.

(4) The operator shall revise the operations manual from time to time where necessary as a result of changes in his operations, aircrafts or equipment, or in the light of experience.

(5) The operator shall furnish copies of the operations manual to such of his personnel as the operator considers necessary.

(6) The operator shall ensure that a copy of the manual is kept in a convenient and accessible place for use by all operations personnel employed by the operator who have not been furnished with a copy in accordance with sub-rule (5).

(7) The operator shall ensure that all copies of the operations manual are kept up to date.

(8) Each member of the operations personnel employed by the operator shall comply fully with all instructions relating to his duties contained in the operations manual.

(9) The owner, operator or pilot-in-command of a Bangladesh aircraft on which maintenance has been carried out outside Bangladesh shall not fly the aircraft, or permit it to be flown, until the completion of the maintenance has been certified in a manner laid down by the Chairman.

(10) Sub-rule (9) shall not apply in relation to approved maintenance carried out by the pilot-in-command.

125. **Flight time records.**—An operator, other than a private operator, shall maintain current records of the individual flight times of the member of the operating crews employed by him.

126. **Training and checking of operating crew.**—(1) An operator of a scheduled public transport service, an operator of any aircraft with a maximum take-off weight as specified in its certificate of airworthiness exceeding 5,700 kgs. (12,500 lbs.) and any other operator specified by the Chairman shall provide a training and checking organisation so as to ensure that members of the operator's operating crews maintain their competency.

(2) The training and checking organisation referred to in sub-rule (1) shall include provision for the making in each calendar year, but at intervals of not less than four months, at least two checks of a nature sufficient to test the competency of each member of the operator's operating crews.

(3) The training and checking organisation and tests and checks provided for therein shall be subject to the approval of the Chairman.

(4) The Chairman may authorise any person to conduct tests or checks for the purpose of any approved training and checking organisation.

127. **Route qualification of pilot-in-command of a scheduled public transport aircraft.**—(1) Subject to these rules, an operator shall not permit a pilot to act, and a pilot shall not act, in the capacity of pilot-in-command of an aircraft engaged in a scheduled public transport service unless the pilot is qualified for the particular route to be flown in accordance with the following requirements:—

- (a) he shall have been certified as competent for the particular route by a pilot who is qualified for that route;
- (b) he shall have made at least one trip over that route within the preceding twelve months as a pilot-member of the operating crew of an aircraft engaged in any class of operation;
- (c) he shall have adequate knowledge of the route to be flown, the aerodromes which are to be used and the designated alternate aerodromes including a knowledge of—
 - (i) the terrain;
 - (ii) the seasonal meteorological conditions;

- (iii) the meteorological, communication and air traffic facilities, services and procedures;
 - (iv) the search and rescue procedures; and
 - (v) the navigational facilities associated with the route to be flown;
- (d) he shall have demonstrated either in flight or by simulated means that he is proficient in the use of instrument approach-to-land systems which he may use in operations on that route; and
- (e) he possesses such other qualifications (if any) as the Chairman specifies in relation to that route having regard to any special difficulties of that route.

(2) An operator shall maintain a record of the routes for which each of his pilots is qualified in accordance with this rule.

128. **Route qualifications in charter operations.**—An operator shall not permit a pilot to act, and a pilot shall not act, in the capacity of pilot-in-command of an aircraft employed in charter operations unless the pilot has an adequate knowledge of the route to be flown, the aerodromes which are to be used and the designated alternate aerodromes including a knowledge of—

- (a) the terrain;
- (b) the seasonal meteorological conditions;
- (c) the meteorological, communication and air traffic facilities, services and procedures;
- (d) the search and rescue procedures; and

(e) the navigational facilities associated with the route to be flown, and, if the flight is to be conducted under instrument flight rules, he shall have demonstrated either in flight or by simulated means that he is proficient in the use of instrument approach-to-land systems which he may use in operations on that route.

129. **Co-pilot.**—An operator shall not permit a pilot to act, and a pilot shall not act, in the capacity of a co-pilot of an aircraft engaged in a scheduled public transport service, unless he has completed twenty hours of flying on an air route used by the scheduled public transport service and has, during that time, acted as supernumerary co-pilot and performed all the normal duties of co-pilot under supervision of the pilot-in-command.

130. **Fuel records.**—An operator, other than a private operator, shall maintain a record of the fuel remaining in the tanks at the end of each scheduled flight and shall review continuously the adequacy of the instruction in respect to the fuel to be carried in the light of that record, and shall furnish any record available to the Chairman upon request.

131. **Proving tests of new type of aircraft.**—(1) An aircraft of a new types shall not be used to carry passengers on a scheduled public transport service until it has undergone proving tests in accordance with the instructions laid down in the Air Navigation Orders.

(2) In the case of major changes to an aircraft previously in operation on public transport services or previously proved for such operations, or the use of such an aircraft in an operation different to that in which it was previously used, the Chairman may require the aircraft to undergo such proving tests as he considers necessary in the circumstances.

(3) No person other than those essential to the tests shall be carried in the aircraft during the tests required under sub-rules (1) and (2), but mail or cargo may be carried with the permission of the Chairman.

132. Operator to ensure employees and crew familiar with local laws and regulations.—An operator of an aircraft registered in Bangladesh engaged in air navigation outside Bangladesh shall ensure that—

- (a) the operating crew of his aircraft when abroad know that they must comply with the laws, regulations and procedures in force in the countries in which his aircraft is operated;
- (b) the pilots of the aircraft are familiar with the regulations and procedures for the time being in force in the area in which the aircraft is operated and, in particular, with such of those regulations and procedures as relate to the operation of the aircraft; and
- (c) members of the flight crew, other than pilots, are familiar with such of the regulation and procedures of the countries in which the aircraft is operated as relate to the performance of their respective duties in the operation of the aircraft.

133. Pilot-in-command.—(1) For each flight the operator shall designate one pilot to act as pilot in command.

(2) In addition to being responsible for the operation and safety of the aircraft during flight time, the pilot-in-command shall be responsible for the safety of persons and cargo carried and for the conduct and safety of the members of the crew.

(3) The pilot-in-command shall have final authority as to the disposition of the aircraft while he is in command and for the maintenance of discipline by all persons on board.

134. Pilot at control.—(1) One pilot shall be at the controls of an aircraft from the time at which the engine is started prior to a flight until the engine is stopped at the termination of a flight.

(2) When, in accordance with these rules, two or more pilots are required to be on board an aircraft, two pilots shall remain at the controls at all times when the aircraft is taking off, landing, and during turbulent conditions in flight.

135. Dual control.—(1) The control seat of an aircraft equipped with fully or partially functioning dual control shall not be occupied in flight except by a person—

- (a) who holds an appropriate pilot licence in respect of the type of aircraft and the class of operations in which the aircraft is flown; or
- (b) who is authorised by the Chairman.

(2) In authorising a person to occupy a control seat in pursuance of sub-rule (1), the Chairman may grant the authority subject to such conditions as he considers necessary in the interests of safety.

136. **Admission to crew compartment.**—(1) A person shall not enter, and a member of the operating crew shall not permit or suffer a person to enter, the crew compartment of an aircraft during flight unless that person is permitted by the pilot-in-command to enter that compartment.

(2) A pilot seat or other operating crew position in an aircraft shall not be occupied by any person other than a member of the operating crew who is duly assigned for duty in the aircraft and is licensed for the duties associated with the seat position, or by a person authorised to enter the crew compartment for the purpose of conducting examinations, inspections or checks of the aircraft and its equipment operating crew or the ground organisation required for rendering service to the aircraft.

(3) The pilot-in-command of an aircraft shall admit an authorised person to the crew compartment and allow that person to occupy the seat or position appropriate for the performance of his duties unless the pilot-in-command is of the opinion that the person's admission to the crew compartment or occupation of that seat or position, as the case may be, would endanger the safety of the aircraft.

(4) Whenever the pilot-in-command has refused to permit an authorised person to enter the crew compartment or occupy the seat or position appropriate for the performance of his duties, the pilot-in-command shall, if so required by the authorised person, furnish a report in writing to the Chairman setting forth the reasons for his refusal.

137. **Unauthorised persons not to manipulate the control.**—A person shall not manipulate the controls of an aircraft in flight unless he is—

(a) the pilot assigned for duty in the aircraft; or

(b) the holder of a student pilot licence assigned for instruction in the aircraft.

138. **Taxying of aircraft.**—An aircraft shall not be taxied anywhere on an aerodrome by a person other than a licensed pilot whose licence is endorsed for the particular type of aircraft or a person approved by the Chairman in accordance with the terms and conditions of the approval.

139. **Engine running.**—A person shall not start the engine of an aircraft or permit the engine of an aircraft to run while any person is in the aircraft unless an appropriately licensed pilot or an approved person occupies the control seat.

140. **Flight check system.**—(1) The operator of an aircraft shall, with the prior approval of the Chairman, establish a flight check system for each type of aircraft, setting out the procedure to be followed by the pilot-in-command and other flight crew members prior to and on take-off, in flight, landing and in emergency situations.

(2) The check lists of the procedures shall be carried in the aircraft and shall be located where they will be available instantly to the crew member concerned.

(3) The pilot-in-command shall ensure that the flight check system is carried out in detail.

141. Responsibility of the pilot-in-command before flight.—(1) An aircraft shall not commence flight unless the pilot-in-command is satisfied that—

- (a) the instruments and equipment required for the particular type of operation to be undertaken are installed in the aircraft and are functioning properly;
- (b) the gross weight of the aircraft does not exceed the limitations fixed by or under rule 143 and is such that flight performance in accordance with the standards specified by the Chairman for the type of operation to be undertaken is possible under the prevailing conditions;
- (c) any directions of the Chairman with respect to the loading of the aircraft given under rule 143 have been complied with;
- (d) the fuel supplies are adequate for the particular flight and the required reserves of fuel are carried;
- (e) the required operating and other crew members are on board and in a fit state to perform their duties;
- (f) the air traffic control instructions have been complied with;
- (g) the aircraft is safe for flight in all respects; and
- (h) the aeronautical maps and charts applicable to the route to be flown any alternative route which may be flown on the particular flight are carried in the aircraft and are readily accessible to the flight crew.

(2) An aircraft engaged in international air navigation shall not commence a flight unless the pilot-in-command has completed an approved flight preparation form certifying that he has satisfied himself in respect of matters specified in sub-rule (1).

(3) Each completed flight preparation form shall be kept by an operator for a period of six months.

142. Fuel requirement.—An aircraft shall not commence a flight within Bangladesh or to or from Bangladesh if the quantity of fuel and oil on board is less than the quantity which the Chairman, having regard to the circumstances of the proposed flight and the safety of the aircraft, considers necessary.

143. Aircraft gross weight.—(1) The Chairman may, for the purposes of these rules, give directions setting out the method of estimating, with respect to an aircraft, at any time—

- (a) the weight of the aircraft, together with the weight of all persons and goods (including fuel) on board the aircraft, at that time; and
- (b) the centre of gravity of the aircraft at that time.

(2) The Chairman may, for the purpose of ensuring the safety of air navigation, give directions setting out the manner of determining, with respect to a proposed flight of an aircraft—

- (a) a maximum weight, being a weight less than the maximum take off weight of the aircraft; or
- (b) a maximum weight, being a weight less than the maximum landing weight of the aircraft;

Provided that the gross weight of the aircraft at take-off or landing, as the case may be, is not exceeded.

(3) The manner of determining a maximum weight referred to in sub-rule (2) shall be such as to take into account the following considerations:—

- (a) the type of aircraft;
- (b) the kind of operation to be carried out during the flight;
- (c) the performance of the aircraft in configurations in which it is likely to be flown and with faults that are likely to occur;
- (d) the meteorological conditions at the aerodrome at which the aircraft is to take-off or land;
- (e) the elevation of the aerodrome at which the aeroplane is to take off or land;
- (f) the aerodrome dimensions in the direction in which the aircraft is to take off or land;
- (g) the surface material of the aerodrome in which the aircraft is to take off or land is constituted and the condition and slope of that surface;
- (h) the presence of obstacles in the vicinity of the flight path along which the aircraft is to take off, approach or land;
- (i) the anticipated meteorological conditions over the intended route to be flown by the aircraft after take off and over planned divergencies from that route; and
- (j) the altitude of the terrain along and on either side of the intended route to be flown by the aircraft after take off and planned divergencies from that route.

(4) An aircraft shall not take off, or attempt to take off, if its gross weight exceeds its maximum take off weight, or if a lesser weight determined in accordance with a direction under sub-rule (2) is applicable to the take off, that lesser weight.

(5) An aircraft shall not take off, or attempt to take off, if its gross weight exceeds by more than the weight of fuel that would normally be used in flying to its next landing place or planned alternative aerodrome, its maximum landing weight, or if a lesser weight determined in accordance with a direction under sub-rule (2) is applicable to the landing at that place or aerodrome, that lesser weight.

(6) Except in an emergency, an aircraft shall not land if its gross weight exceeds its maximum landing weight, or if a lesser weight determined in accordance with a direction under sub-rule (2) is applicable to the landing that lesser weight.

(7) The Chairman may, for the purpose of ensuring the safety of air navigation, give directions with respect to the method of loading of persons and goods (including fuel) on aircraft.

(8) An aircraft shall not take off, or attempt to take off, unless any directions with respect to the loading of the aircraft given under this rule have been complied with.

(9) The load of an aircraft throughout a flight shall be so distributed that the centre of gravity of the aircraft falls within the limitations specified in its certificate of airworthiness or its flight manual.

144. **Flight under visual flight rules.**—An aircraft shall not take off for the purpose of making a flight under visual flight rules unless current meteorological reports or a combination of current meteorological reports and forecasts show that the meteorological conditions along the route to be flown are and will be such that the flight will be conducted under visual flight rules and will be completed before night after making any allowance specified by the Chairman in Aeronautical Information Publications.

145. **Flight under instrument flight rules.**—(1) When a flight cannot be conducted in accordance with the provisions of rule 144, the flight shall be termed as instrument flight and shall be conducted in accordance with the instrument flight rules.

(2) Flight under instrument flight rules shall be planned and conducted so as to provide an alternative course of action including provision for the use of alternate aerodromes which may be required having regard to the forecast and actual meteorological conditions appertaining to such flights.

146. **Icing conditions.**—An aircraft shall not take off for the purpose of making a flight during which the aircraft may fly into known or expected icing conditions unless the aircraft is adequately equipped with de-icing or anti-icing equipment of such type and in such quantities as the Chairman directs.

147. **Planning of flight by pilot-in-command.**—(1) Before beginning a flight, the pilot-in-command shall study all available information appropriate to the intended operation and in cases of flights away from the vicinity of an aerodrome and all IFR flights shall make a careful study of—

- (a) current weather reports and forecasts for the route to be followed and at aerodromes to be used;
- (b) the airways facilities available on the route to be followed and the condition of those facilities;
- (c) the conditions of aerodromes to be used and their suitability for the aircraft to be used; and
- (d) the air traffic rules and procedures pertaining to the particular flight, and he shall plan the flight in relation to the information obtained.

(2) When meteorological conditions, current and forecast, at the aerodromes of intended landing is less than the minima specified by the Chairman, the pilot-in-command shall make provision for an alternative course of action and shall carry the necessary additional fuel.

148. Testing of radio apparatus.—(1) Before an aircraft is taxied on the manoeuvring area of an aerodrome for the purpose of take off, the pilot-in-command shall check that the radio apparatus fitted to the aircraft and to be used in flight is functioning correctly.

(2) If the check indicates any malfunctioning of any portion of the radio apparatus, the aircraft shall not be flown until the apparatus has been certified by a person licensed or approved for the purpose as being in proper working order.

149. Listening watch.—(1) When an aircraft is equipped with radio apparatus for use during flight, a listening watch shall be maintained at all times when the aircraft commences moving on the manoeuvring area prior to a flight and lasting until the aircraft is brought to a stop at the termination of the flight.

(2) When an aircraft is under the control of an air traffic control unit which issues instructions and information directly to aircraft by a voice communication channel, the pilot-in-command and any other pilot for the time being operating the controls of the aircraft shall personally maintain a listening watch on the appropriate radio frequency.

150. Safety precautions before flight.—(1) Immediately before taking off on any flight, the pilot-in-command of an aircraft shall—

- (a) test the flight controls on the ground to the full limit of their travel and make such other tests as are necessary to ensure that those controls are functioning correctly;
- (b) ensure that locking and safety devices are removed and that hatches, doors and tankcaps are secured;
- (c) ensure that all external surfaces of the aircraft are completely free from frost and ice;
- (d) test all flight instruments, and in particular, all gyroscopic flight instruments to ensure that they are functioning correctly;
- (e) ensure that all gyroscopic flight instruments are correctly set and uncaged; and
- (f) perform such checks and tests as are required by the flight manual for, or the operations manual of, the aircraft.

(2) If an inspection, check or test made under sub-rule (1) indicates any departure from the permissible limits or any malfunctioning in any particular (not being a departure or malfunctioning that is a permissible unserviceability), the pilot-in-command shall not commence the take off or, if he has commenced the take off, shall abandon the take off or take such other action as he considers appropriate to ensure the safety of the aircraft and of persons on board the aircraft.

151. Pilot to report meteorological conditions.—(1) The pilot-in-command shall report, if requested by a meteorological observer, the meteorological conditions observed en-route.

(2) When any meteorological condition hazardous to flight is encountered en-route, the pilot-in-command shall report the condition to the appropriate air traffic services unit as soon as possible, giving such details as appear pertinent to the safety of other aircraft.

152. Reporting of defects.—(1) At the termination of each flight, or in any urgent case, during the currency of the flight, the pilot-in-command shall report, in the manner and to the person specified by the Chairman, all defects in the aircraft, aerodromes, air routes, air route facilities or airway facilities which have come to his notice.

(2) Where a defect in the aircraft is reported under sub-rule (1), the operator of the aircraft shall take such action in relation thereto as is required under these rules.

153. Prohibition of carriage of passengers.—(1) An aircraft that carries a passenger shall not be engaged in any of the following types of flying:—

- (a) practice for the issue of any pilot licence;
- (b) practice for the purpose of obtaining an endorsement of the aircraft type in a pilot licence;
- (c) low flying practice; or
- (d) testing an aircraft or its component, power plant, or equipment.

(2) An aircraft while engaged in flying of the type specified in sub-rule (1) may carry engineering and maintenance personnel who are required as part of their duties to be present in the aircraft during the flight for the purpose of the overhaul, inspection or adjustment of the aircraft or its aircraft components.

Explanation.—For the purpose of sub-rule (1), “passenger” does not include an approved person or a person engaged in instructing personnel or testing the aircraft in flight.

154. Carriage on wings, landing gear, etc.—A person shall not be carried on the wings or landing gear of any aircraft or in any other part of the aircraft which is not designed for the accommodation of the crew or passenger.

155. Seat belts and safety harness.—(1) Subject to this rule, seat belts shall be worn by all crew members and passengers—

- (a) during take off and landing;
- (b) during an instrument approach;
- (c) when the aircraft is flying at a height less than 1000 feet above the terrain; and
- (d) at all times in turbulent conditions.

(2) Sub-rule (1) does not apply in relation to an authorised officer of the Civil Aviation Authority undertaking examination, inspections or checks of the work of an aircraft's crew or the operation of an aircraft or its equipment under rule 165.

(3) The Chairman may direct that a type of safety harness specified in the Air Navigation Order shall be worn in place of a seat belt.

(4) The pilot-in-command shall ensure that a seat belt or safety harness is worn at all times during flight by at least one of the pilot crew members.

(5) Subject to sub-rule (6), the operator shall detail a member of the crew to ensure that a seat belt or safety harness is worn by each occupant of the aircraft during the times specified in sub-rule (1) and to ensure that each belt or harness is adjusted to fit the wearer without slack.

(6) The Chairman may, for the purpose of ensuring the safety of air navigation, give directions requiring the owner or operator of an aircraft to install in the aircraft an approved communications system to enable the pilot-in-command to notify passengers when a seat belt or safety harness is to be worn.

156. Provision of emergency equipment.—(1) The Chairman may give directions with respect to the provision in Bangladesh aircraft of such emergency systems and equipment, and such life-saving equipment, as the Chairman considers necessary to safeguard the aircraft and persons on board the aircraft.

(2) In giving a direction under sub-rule (1), the Chairman shall have regard to the type of operation in which the aircraft is to be used.

157. Competence for use of emergency equipment.—(1) An operator shall not assign a person to act as a crew member of an aircraft, and a person shall not act as a crew member of an aircraft, unless the person is competent in the use of the emergency and life saving equipments carried in the aircraft.

(2) An operator shall ensure that crew members are periodically tested as to their competency in the use of the emergency and life saving equipments carried in the aircraft to which they are assigned.

(3) The operator shall ensure that each crew member of an aircraft which is used in flight over water mass is instructed in "ditching" and "abandon ship" procedures in so far as is practicable and that he is periodically tested as to his knowledge of those procedures.

(4) The operator shall detail a crew member to ensure that passengers are made familiar with the location of emergency exits in the aircraft in which they are travelling and the location and use of emergency equipments carried in the aircraft.

(5) The training and testing of crew members and the familiarisation of passengers as required under the provisions of this rule shall be carried out in such manner as the Chairman specifies.

(6) The Chairman may issue directions as to the carriage in aircraft, and the use in such circumstances and subject to such conditions as he specifies, of medicinal preparations and drugs, including morphine and compounds of morphine or other opium alkaloids.

158.— Smoking.—(1) A person shall not smoke—

(a) in any part of an aircraft in which a notice is permanently displayed indicating that smoking is prohibited at all times or without specifying a period during which smoking is prohibited;

(b) anywhere in an aircraft during take off, landing or refueling or during a period—

(i) in which a notice is temporarily displayed indicating that smoking is prohibited; or

(ii) which is specified in a permanently displayed notice as a period during which smoking is prohibited.

(2) The pilot-in-command shall ensure that the notice indicating that smoking is prohibited is displayed—

- (a) during take off, landing, or refueling;
- (b) during such periods as are specified in the flight manual; and
- (c) during a period in which he considers that smoking should be prohibited in the interests of safety.

(3) A notice required to be displayed shall be legible and shall be displayed in a conspicuous place.

159. Intoxicated persons.—(1) A person shall not, while in a state of intoxication, enter any aircraft.

(2) A person acting as a member of the operating crew, or carried in the aircraft for the purpose of so acting, shall not, while so acting or carried, be in a state in which, by reason of having taken or used any alcoholic liquor, drug or medicinal preparation or other substance, his capacity so to act is impaired.

(3) A person shall not act as, or perform duties or functions preparatory to acting as, a member of the operating crew if he has, during the period of eight hours immediately preceding the departure of the aircraft consumed any alcoholic liquor.

(4) A person shall not, while acting in any capacity in either Air Traffic Control or Flight Service, be in a state in which, by reason of his having taken or used any alcoholic liquor, drug or medicinal preparation or other substance, his capacity so to act is impaired.

(5) A person shall not act in any capacity in either Air Traffic Control or Flight Service if he has, during the period of eight hours immediately preceding the commencement of the period of duty in which he so acts, consumed any alcoholic liquor.

160. Aerodrome meteorological minima.—(1) The Chairman may determine meteorological minima in respect of each aerodrome.

(2) An aircraft shall not take off from an aerodrome when any element constituting the meteorological minima for take off is less than that determined for that aerodrome.

(3) An aircraft shall not—

- (a) land or made an approach for the purpose of landing at an aerodrome when any element constituting the meteorological minima for landing is less than that determined for that aerodrome except in the case of an emergency; or
- (b) continue to fly towards the aerodrome of intended landing specified in the flight plan, unless the latest available meteorological report indicates that at the time of arrival the conditions at that aerodrome, or at least one alternate aerodrome, will be at or above the aerodrome meteorological minima determined for that aerodrome or alternate aerodrome.

161. **Flights over water.**—An aircraft shall not fly over water at a distance from which the aircraft could reach land if the engine or, in the case of a multi-engined aircraft, the critical engine (being the engine the non-operation of which, when the other engines are in operation, gives the highest minimum speed at which the aircraft can be controlled) were inoperative, except—

- (a) with the prior approval of the Chairman; or
- (b) in the course of departing from or landing at an aerodrome in accordance with the normal navigational procedure for departing from or landing at that aerodrome.

162. **Free balloons.**—A free balloon shall not be flown except with the express permission of the Chairman and only in accordance with the terms of that permission.

163. **Fixed balloons and kites.**—(1) A fixed balloon or kite may be flown at a height not exceeding 300 feet, but a fixed balloon or kite shall not be flown within a radius of 4000 meters of an aerodrome or at a height in excess of 300 feet except with the express permission of the Chairman and only in accordance with the terms of that permission.

(2) A fixed balloon or kite shall not be flown other than under visual flight conditions.

164. **Aeronautical mobile radio service.**—(1) A land station shall not engage in the aeronautical mobile radio service without the permission of the Chairman.

(2) A person shall not be employed at a land station as a radio operator in the aeronautical mobile radio service unless—

- (a) he has such qualifications and experience relative to the duties to be performed as the Chairman directs; and
- (b) the Chairman approves of his being so employed.

165. **Carriage of Examiners or Authorised Officers.**—(1) The Chairman may authorize any officer to undertake examination, inspection or check of the work of the operating crew, the operation of the aircraft or its equipment or the ground organisation provided by the operator.

(2) Any officer authorized under this rule shall be provided with accommodation on the aircraft in the following circumstances:—

- (a) on receipt of seven day's notice prior to a flight from the officer of his intention to undertake examination on that flight;
- (b) on demand from the officer of his intention to undertake immediate inspection and examination of the aircraft, irrespective of whether his carriage in the aircraft means the off-loading of a passenger or of goods, if the circumstances of the case so warrant.

166. **Log books.**—(1) The following log books shall be kept in respect of an aircraft registered in Bangladesh, namely—

- (a) a journey log book;
- (b) an aircraft log book;

- (c) for an aircraft fitted with one engine, an engine log book and, if fitted with more than one engine, a separate log book for each engine;
- (d) for an aircraft fitted with a variable pitch propeller, a variable pitch propeller log book and, if fitted with more than one such propeller, a separate log book for each propeller;
- (e) for an aircraft for which carriage of radio apparatus is specified by these rules, a radio apparatus log book.

(2) The journey log book shall be issued by the Chairman. Other log books shall be in such form as may be specified or approved by the Chairman.

(3) Entries in the journey log book in respect of each journey shall be currently made by the crew and the pilot-in-command shall ensure that such entries are made in accordance with the requirements of this rule.

(4) Entries in the aircraft, engine and variable pitch propeller log books (other than the entries made by the constructor thereof) shall be made and signed by an appropriately licensed Aircraft Maintenance Engineer or an Inspector approved by the Chairman except that in the case of a private aircraft, the entries may be made by the owner or the pilot of the aircraft.

(5) Entries in the radio apparatus log book shall be made and signed by a licensed Radio Maintenance Engineer or by a person approved by the Chairman.

(6) Entries in the aircraft, engine, variable pitch propeller and radio apparatus log books shall be made within 48 hours of the return of the aircraft to its base or when the aircraft is already at its base, within 48 hours of completion of the work.

(7) Entries in any log book shall be made in the form and manner as may be specified by the Chairman and all entries and signature in the log books shall be made in ink or indelible pencil.

(8) (a) The aircraft log books shall be preserved until such time as the aircraft is permanently withdrawn from use and its Certificate of Registration is cancelled:

Provided that in the case of an aircraft meeting with an accident resulting in damage beyond economical repairs, the aircraft log books shall be preserved for a period of two years after the date of the accident;

(b) The engine and propeller log books shall be preserved for a period of one year after the engine or propeller are permanently withdrawn from use.

167. **Journey log book.**—(1) The operator of an aircraft shall take such action as is necessary to ensure that a journey log book may be kept in accordance with these rules and the pilot-in-command shall keep that log book.

(2) The journey log book shall contain—

- (a) the nationality and registration marks of the aircraft;
- (b) the classification and type of the aircraft;
- (c) the name of the constructor of the aircraft;
- (d) the full name, nationality and residence of the owner of the aircraft, and
- (e) the usual or base station of the aircraft.

(3) There shall be the following entries in the journey log book in respect of each journey:—

- (a) the date of the journey;
- (b) the names and duties of the operating crew;
- (c) the place and time of original departure and the times of arrival at, and departure from, each landing place on the journey;
- (d) hours of flight;
- (e) nature of flight;
- (f) details of any accidents, incidents and observations;
- (g) permit by customs, immigration and aeronautical authorities, where such are required; and
- (h) the signature of the pilot-in-command.

(4) Information from a journey log book shall, as soon as practicable, be entered in any other appropriate log book for record.

168. **Navigation log book.**—(1) The operator shall take such action as is necessary to ensure that a navigation log book may be kept in accordance with these rules and the pilot-in-command shall keep that log book.

(2) The navigation log book shall be kept in chronological order and shall contain such navigational data as is required to enable the geographical position of the aircraft to be determined at any time while the aircraft is in flight.

(3) The navigation log book of a Bangladesh Aircraft-engaged on an International flight shall include the following information:—

- (a) points of departure and destination;
- (b) required track;
- (c) wind velocity used for calculations;
- (d) headings flown;
- (e) true airspeed;
- (f) position lines, fixes and pin points obtained;
- (g) times of alternation of heading;
- (h) estimated times of arrival at turning points and destination; and
- (i) such other information relevant to the navigation of the aircraft as the Chairman directs.

169. **Keeping of logs.**—(1) Log books and logs required under this Part to be kept shall be of such a type and character, and shall contain such additional information, as the Chairman may direct or approve.

(2) All entries in the log books, required under this Part to be kept, shall be made in ink.

(3) Such arrangements as the Chairman approves shall be made for ensuring that copies of the entries made in any log book which is carried in the aircraft are recorded on a suitable form and kept in a safe place on the ground.

170. **Prohibition of destruction, mutilation, etc., of log books.**—No person shall destroy, mutilate, alter or render illegible any entry made in any log book, or wilfully make or procure or assist in the making of any fraudulent entry in, or omission from, any log book referred to in rule 57 and in rules of this Part.

PART VII

REGISTRATION AND MARKING OF AIRCRAFT

171. **Register of Bangladesh aircraft.**—(1) The Chairman shall keep a register of Bangladesh aircraft.

(2) An application for the registration of an aircraft shall be made in the Form specified by the Chairman by, or on behalf of, a qualified person who is—

- (a) the owner of the aircraft; or
- (b) where the aircraft is the subject of a contract of hire or charter (including a hire-purchase agreement) the effect of which is that the control, maintenance and operation of the aircraft is, or is to be, vested in a party to the contract, that party.

(3) Subject to sub-rule (2), an application for the registration of an aircraft may be made by or on behalf of two or more qualified persons who, jointly or in common, hold an interest as owner, purchaser under a hire purchase agreement, hirer or charterer of the aircraft and, if such an application is made, the applicants shall nominate one of them as the person in whose name the certificate of registration of the aircraft shall be issued by the Chairman.

(4) For the purposes of this rule, "qualified person" means—

- (a) a citizen of Bangladesh;
- (b) a body corporate established under any Bangladesh law for the time being in force;
- (c) a company registered in Bangladesh and carrying on business in Bangladesh;
- (d) a company registered elsewhere than in Bangladesh but having its principal place of business in Bangladesh and having as its Chairman a citizen of Bangladesh; or
- (e) a foreign company that has secured business or a contract in Bangladesh from the Government that such business or contract is not, in the opinion of the Chairman, likely to be completed in less than six months.

(5) The register of Bangladesh aircraft shall include the following details in relation to each aircraft:—

- (a) the date of registration of the aircraft;

- (b) a description of the aircraft;
- (c) the number or other identification mark given to the aircraft by the manufacturer;
- (d) the nationality and registration marks referred to in rule 178 with respect to the aircraft;
- (e) the name, nationality and residential or registered address of the owner of the aircraft;
- (f) in the case of an aircraft referred to in clause; (b) of sub-rule (2), the name, nationality and address or the hirer, the purchaser (if any) under a hirepurchase agreement or the Charterer, as the case may be of the aircraft; and
- (g) any other information necessary to establish the applicant for registration as being a qualified person under this rule.

(6) When an aircraft is registered in the register of Bangladesh aircraft, the Chairman shall issue a certificate of registration in the form adopted in pursuance of the Convention in respect of the aircraft to a qualified person.

172. **Refusal to register.**—The Chairman may refuse to register an aircraft unless the conditions for its registration are fulfilled.

173. **Change of interest in an aircraft.**—(1) Where the holder of a certificate of registration in respect of a Bangladesh aircraft—

- (a) ceases to have an interest, or acquires a different interest, in the aircraft; or
- (b) becomes aware that another person who had an interest as owner, purchaser under a hire-purchase agreement, hire or charterer in the aircraft has ceased to have that interest,

the holder shall, within two weeks thereafter, forward to the Chairman a notification giving the nationality mark and the registration mark of the aircraft and setting out to the best of his knowledge—

- (i) the nature of the change of interest that has occurred;
- (ii) the date of the change;
- (iii) the names and addresses of the persons affected by the change; and
- (iv) the certificate of registration of the aircraft if it is in his possession.

(2) A person who has acquired an interest as owner, purchaser under a hire-purchase agreement, hirer or charterer in a Bangladesh aircraft shall, within two weeks after acquiring that interest, forward to the Chairman a notification giving the nationality mark and the registration mark of the aircraft and setting out—

- (a) the nature of the interest;
- (b) the manner in which, and the date on which, the interest was acquired;
- (c) the name and address of the previous owner of the interest;

(d) his own name, nationality and address; and

(e) any other information necessary to establish whether the person is a qualified person within the meaning of rule 171.

(3) Where a notification under sub-rule (2) is forwarded by two or more qualified persons who jointly have acquired an interest as owner, purchaser under a hire purchase agreement, hirer or charterer in Bangladesh aircraft, those persons shall, in the notification, nominate one of them as the person in whose name the new certificate of registration in respect of the aircraft shall be issued.

(4) Where the Chairman is satisfied about the truth of the statement forwarded to him under this rule and is satisfied that the person acquiring the interest is a qualified person under this part, the Chairman shall—

(a) make the necessary changes in the registration in respect of the aircraft; and

(b) issue a new certificate of registration, subject to sub-rule (3) of this rule, to—

(i) the owner of the aircraft; or

(ii) where the aircraft is the subject of a contract of hire or charter (including a hire-purchase agreement) the effect of which is that the control, maintenance and operation of the aircraft is, or is to be, vested in a party to the contract that party.

174. Cancellation of registration.—(1) Where a Bangladesh aircraft has been destroyed or permanently withdrawn from use, the holder of a certificate of registration in respect of the aircraft shall, within fifteen days from the date of such destruction or withdrawal, forward to the Chairman a statement of the circumstances of the destruction or withdrawal together with the certificate of registration.

(2) Where the Chairman is satisfied that a Bangladesh aircraft has been destroyed or permanently withdrawn from use, he shall cancel the registration of the aircraft from the register of Bangladesh aircraft.

(3) The holder of a certificate of registration in respect of a Bangladesh aircraft may, at any time, apply to the Chairman for the cancellation of the registration of the aircraft from the register of Bangladesh aircraft, and shall forward the certificate of registration along with his application to the Chairman.

(4) Where the Chairman is satisfied with a request made to him under sub-rule (3), he may cancel the registration accordingly.

(5) Where the Government is satisfied that the ownership or other aspects of the registration of a Bangladesh aircraft do not comply with these rules and proper and timely advice of the matter has not been supplied to the Chairman, the Government may direct the Chairman to cancel the registration of the aircraft and the Chairman shall so cancel.

175. Availability of register.—The register of Bangladesh aircraft shall be made available for the information of interested persons at such times, and subject to such conditions, as the Chairman determines.

176. Foreign aircraft.—An aircraft shall not be registered under these rules if it is registered in a foreign country.

177. **Nationality of aircraft.**—(1) Where an aircraft is registered under these rules, it shall have Bangladesh nationality.

(2) Where an aircraft is registered under a joint registration plan or an international registration plan, it shall, to the extent set out in the Resolution on Nationality and Registration of Aircraft Operated by International Operating Agencies adopted by the International Civil Aviation Organisation Council on the fourteenth day of December, 1967, be deemed to have the nationality of each of the Contracting States that constitute the International Operating Agency by which the aircraft is operated.

178. **Nationality and registration marks.**—(1) A Bangladesh aircraft shall bear the nationality mark and registration mark as required by this Part.

(2) The nationality mark of a Bangladesh aircraft is the symbol "S2".

(3) The registration mark of a Bangladesh aircraft is a group of three letters, being the letters assigned to the aircraft on its registration.

(4) The nationality mark and the registration mark of a Bangladesh aircraft shall be—

(a) affixed on the aircraft by painting or by any other means that ensures a similar degree of permanency; and

(b) clean and visible at all times.

(5) A Bangladesh aircraft shall carry, secured to the aircraft in a permanent position near the main entrance, a plate of fireproof metal or other fireproof material of suitable physical properties inscribed with the nationality mark and registration mark of the aircraft and with such other details as the Chairman requires to give effect to the Convention.

179. **Location of marks on a lighter-than-air aircraft.**—(1) The location of nationality and registration marks on a Bangladesh lighter-than-air aircraft shall be in accordance with this Part and—

(a) if an airship—the marks shall appear on each side of the airship and also on the upper surface on the line of symmetry and they shall be located lengthwise near the maximum cross-section of the airship;

(b) if a spherical balloon other than unmanned free balloon—the marks shall appear in two places diametrically opposite and shall be located near the maximum horizontal circumference of the balloon; or

(c) if a non-spherical balloon other than unmanned free balloon—the marks shall appear on each side and shall be located near the maximum cross-section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cables.

(2) The side marks of all lighter-than-air aircraft shall be so located that they shall be visible both from the sides and from the ground.

180. **Location of marks on a heavier-than-air aircraft.**—(1) The location of nationality and registration marks on a Bangladesh heavier-than-air aircraft shall be in accordance with this Part and shall—

(a) appear on the wings of the aircraft; and

(b) also appear either on the fuselage, or equivalent structure, of the aircraft or on the vertical tail surfaces of the aircraft.

(2) The wing marks of a heavier-than-air aircraft shall appear both on the upper and lower surfaces of the wing structure. Those marks shall be located on the right half of the upper surface and on the left half of the lower surface of the wing structure, unless they extend across the whole of both the upper and the lower surfaces of the wing structure.

(3) The wing marks of a heavier-than-air aircraft shall, so far as is possible, be located equidistant from the leading and trailing edges of the wings and the tops of the letters shall be toward the leading edge of the wing.

(4) The marks on the fuselage, or equivalent structure, of a heavier-than-air aircraft shall be on each side of the fuselage or equivalent structure between the wings and the tail surfaces.

(5) The marks on the vertical tail surfaces of a heavier-than-air aircraft shall be—

(a) where the tail structure of the aircraft includes a single vertical surface only—on each side of that surface; or

(b) where the tail structure of the aircraft includes multi-vertical surfaces—on each of the outboard sides of the outer vertical surfaces of the tail structure.

(6) If a heavier-than-air aircraft does not possess parts corresponding with those mentioned in sub-rule (1) and clause (g) of rule 181, the marks shall appear on the aircraft in such manner as the Chairman determines so that the aircraft can be identified readily.

181. Type and measurement of marks.—The type of letters and figures for the nationality and registration marks and their measurements shall be as follows:—

(a) the letters shall be capital letters in Roman characters and the letters and the figure shall be without ornamentation;

(b) the letters and figure in each separate group of marks shall be of equal height;

(c) the width of the figure and of each letter except the letter (I) and the length of the hyphen shall be two-thirds of the height of a letter or figure;

(d) the letters, figure and hyphen shall be formed by solid lines the thickness of which shall be one sixth of the height of a letter or figure and which shall be of a colour contrasting clearly with the background;

(e) each letter and figure shall be separated from that which it immediately precedes or follows by a space of not less than one-quarter of the width of a letter or the figure, and, for the purpose of this clause, the hyphen shall be regarded as a letter;

(f) in the case of a lighter-than-air aircraft, the height of the marks shall be at least 20 inches (50 cms); and

(g) in the case of a heavier-than-air aircraft—

- (i) the height of the marks on the wings shall be at least 20 inches (50 cms); and
- (ii) the marks on the fuselage (or equivalent structure) and on any vertical tail surface shall be as nearly as possible parallel to the longitudinal axis of the aircraft and shall be as large as practicable, but shall not interfere with the visible outlines of the fuselage (or equivalent structure) and shall leave at least a two inches (5 cm) margin along each edge of any vertical tail surface:

Provided that this sub-clause shall not be interpreted as requiring the use of marks exceeding six inches (15 cms) in height.

182. **Advertising marks.**—(1) Except with approval in writing of the Chairman, a Bangladesh aircraft shall not bear on any part of its exterior surfaces an advertisement, sign or lettering as required or permitted by or under these rules.

(2) The name of a Bangladesh aircraft and the name and emblems of the owner of a Bangladesh aircraft may be displayed on the aircraft if the location, size, shape and colour of the lettering and signs do not interfere with the easy recognition of and is not capable of confusion with, the nationality and registration marks of the aircraft.

PART VIII

AIRWORTHINESS REQUIREMENTS

183. **Definitions.**—In this Part, unless there is anything repugnant in the subject or context,—

- (a) “aircraft component” means any equipment or part of an aircraft which when fitted to an aircraft may, if it is not sound or not functioning correctly, affect the safety of the aircraft;
- (b) “major damage”, in relation to an aircraft, means damage of such a kind that it may affect the safety of the aircraft or of persons on board the aircraft, whether the damage occurs in flight or on the ground;
- (c) “major defect”, in relation to an aircraft, means a defect of such a kind that it may affect the safety of the aircraft or of persons on board the aircraft, whether the defect occurs in flight or on the ground.

184. **Design standards.**—(1) The Chairman shall issue such design standards as are necessary from time to time.

(2) A design standard shall set out the specifications which the Chairman considers an aircraft or aircraft component of the relevant type should conform if it is to be used safely for aviation purposes.

185. **Certificates of type approval.**—(1) The Chairman may notify in the Air Navigation Orders that there shall be a certificate of type approval in respect of a type of aircraft or aircraft component manufactured, sold or distributed in Bangladesh as a pre-requisite to the issue, renewal or continued validity of a certificate of airworthiness in respect of an aircraft of that type/or in respect of an aircraft in which an aircraft component of that type has been fitted.

(2) A person may apply to the Chairman for the issue of a certificate of type approval in respect of a type of aircraft or aircraft component.

(3) The Chairman may issue a certificate of type approval where the applicant—

- (a) furnishes such documents or other evidence relating to the suitability of the aircraft or aircraft component for aviation purposes as the Chairman requires; and
- (b) satisfies the Chairman that the aircraft or aircraft component conforms with the applicable design standards and is suitable for aviation purposes.

(4) If, at any time, the Chairman is satisfied that there is reasonable evidence to show that there is a design defect affecting the safety of an aircraft or aircraft component covered by a certificate of type approval, he may suspend or cancel the certificate of type approval.

186. Certificate of airworthiness.—(1) The owner or operator of a Bangladesh aircraft may apply to the Chairman for the issue or renewal of a certificate of airworthiness in respect of the aircraft or for the validation of a certificate of airworthiness issued by a Contracting State in respect of the aircraft.

(2) The Chairman may issue, renew or validate a certificate of airworthiness in respect of an aircraft where the applicant—

- (a) furnishes to the Chairman such documents or other evidence relating to the airworthiness of the aircraft as the Chairman requires; and
- (b) satisfies the Chairman that the aircraft is fit to fly.

(3) The Chairman may direct the owner or operator of an aircraft in respect of which a certificate of airworthiness is in force to furnish to the Chairman such documents or other evidence as the Chairman requires relating to the airworthiness of the aircraft.

187. Duration of certificates of airworthiness.—(1) The Chairman may specify in a certificate of airworthiness granted under these rules the period which shall not exceed two years during which the certificate is to remain in force.

(2) Where the Chairman is satisfied that reasonable doubt exists as to the safety of an aircraft or aircraft of a particular type, he may suspend the certificate of airworthiness of the aircraft or each aircraft of the type for such period as he considers necessary to resolve the doubt.

188. Export certificate of airworthiness.—(1) Where an aircraft is to be exported from Bangladesh, the Chairman may issue an export certificate of airworthiness in accordance with such form as he considers appropriate in respect of the aircraft.

(2) An export certificate of airworthiness is not a certificate of airworthiness for the purposes of these rules.

189. **Foreign operators.**—(1) Where an aircraft of foreign nationality is in Bangladesh and is found to have suffered major damage or to have developed a major defect, the Chairman shall direct that the aircraft be grounded and shall not fly.

(2) Where the Chairman so directs that an aircraft shall not fly, he shall notify the appropriate authority of the country of registration of his action and a report of the damage or defect.

(3) The Chairman may revoke a direction given under this rule if the appropriate authority of the country of registration of the aircraft notifies him that—

- (a) any suspension of the certificate of airworthiness regarding that aircraft imposed by that authority in respect of the damage or defect has been removed;
- (b) it considers that the damage or defect is not of such a nature as to prevent the aircraft from fulfilling the minimum requirements of safety adopted in pursuance of the convention; or
- (c) it considers that the aircraft should be permitted to fly without passengers to a place at which the necessary repairs or modifications can be made.

(4) In revoking a direction given under this rule, the Chairman may impose such conditions on the operation of the aircraft as are notified to him by the appropriate authority of the country of registration.

190. **Certificates of approval.**—(1) A person engaged in, or intending to be engaged in, any stage of design, manufacture, distribution, maintenance or weight control of aircraft, aircraft components or aircraft materials, or in the training of candidates for, or in the conducting of, aircraft maintenance engineer licence examinations may apply to the Chairman for a certificate of approval in respect of those activities and for the renewal of such certificate.

(2) The Chairman may grant or renew a certificate of approval covering the particular activities where the applicant—

- (a) furnishes such evidence as the Chairman requires of the facilities and work procedures of the applicant and of the qualifications and competence of the applicant or his employees; and
- (b) satisfies the Chairman that the particular activities shall be satisfactorily carried out.

(3) A certificate of approval granted under this rule may be endorsed as being subject to such conditions as the Chairman considers necessary in the interests of safety.

(4) The Chairman may specify in a certificate of approval granted or renewed under this rule the period during which the certificate is to remain in force.

(5) For the purpose of ascertaining whether the activities to which a certificate of approval relates are being carried on in a satisfactory manner an authorised person may, at any time,—

- (a) inspect any aircraft, aircraft component or aircraft material;
- (b) inspect any process or systems carried on by, any records maintained by or any documents in the possession of, the holder of the certificate of approval in connection with the particular activities;
- (c) conduct any tests that he considers necessary; and
- (d) require the holder of the certificate of approval to furnish such evidence as the authorised person requires of the facilities at the disposal of the holder or of the qualifications and competence of the holder or his employees.

191. **Maintenance directions.**—(1) The Chairman may give direction specifying requirements for maintenance of Bangladesh aircraft.

(2) The Chairman may give a direction to the owner or operator of a Bangladesh aircraft requiring him to submit a proposed system of maintenance of the aircraft.

(3) The Chairman may approve a proposed system of maintenance, with or without amendments, and direct the person to institute the approved system the details of which shall be set out in a manual.

(4) A person who has been directed to institute a system of maintenance shall furnish copies of the maintenance system manual to—

- (a) the Chairman;
- (b) such other persons associated with the maintenance of the aircraft as the Chairman directs.

(5) A person who has been directed to institute a system of maintenance shall not fail to comply with the requirements of the system in so far as they apply to him or to take all steps reasonably required to ensure that persons in his employ or working under an arrangement with him comply with the requirements of the system in so far as those requirements apply to them.

(6) A person who has been directed to institute a system of maintenance may, at any time, request the Chairman to approve a change in the system and the approval may be given accordingly following which the person shall ensure that the change is incorporated in all copies of the maintenance system manual and that notice of those changes is forwarded to all persons to whom copies of the manual have been furnished.

192. **System of certification.**—(1) The Chairman may give direction to—

- (a) the holder of a certificate of approval;
- (b) the holder of an aircraft maintenance engineer licence; or

(c) a person authorised to carry out maintenance of an aircraft, aircraft component or aircraft material other than any person acting as an employee, requiring him to carry out any activities to which his certificate, licence or authority relates, or to institute such system of certification of the completion of stages of those activities as the Chairman specifies.

(2) A person who has been directed to institute a system of certification shall not fail to comply with the requirements of the system in so far as they apply to him or to take all steps reasonably required of him.

193. Approval of modifications and repairs.—(1) A person may apply to the Chairman for approval of the design of a modification or repair of an aircraft or aircraft component.

(2) The Chairman may approve the design of a modification or repair where the applicant furnishes to the Chairman such evidence relating to the design which conforms with any relevant design standard in force under these rules.

194. Approval of replacement of components.—(1) A person may apply to the Chairman for approval of an aircraft component as a replacement for another aircraft component.

(2) The Chairman may approve an aircraft component as a replacement for another aircraft component where the applicant furnishes to the Chairman such evidence relating to the suitability of the aircraft component as the replacement set out in the application that the design of any such aircraft component conforms with any relevant design standard in force under these rules.

195. Permissible unserviceabilities.—(1) The Chairman may, for the purposes of these rules, approve a defect in, or damage to, a Bangladesh aircraft, as a permissible unserviceability in relation to the aircraft.

(2) The Chairman may direct that the use of a Bangladesh aircraft with a permissible unserviceability is subject to such conditions as he directs.

196. Maintenance of aircraft within Bangladesh.—(1) The owner, operator or pilot in command of a Bangladesh aircraft in Bangladesh shall not authorise or permit any maintenance to be carried out on the aircraft except by an appropriate person.

(2) A person shall not carry out maintenance in Bangladesh of a Bangladesh aircraft unless he is an appropriate person in relation to the maintenance.

(3) An appropriate person shall not carry out a modification or repair in Bangladesh of a Bangladesh aircraft unless—

(a) the design of the modification or repair has been approved under rule 193 or has been specified by the Chairman by a direction under rule 191; and

(b) the modification or repair is carried out in accordance with that design.

(4) When carrying out maintenance of a Bangladesh aircraft in Bangladesh, an appropriate person shall not replace one aircraft component with another unless the aircraft component that he installs—

- (a) is identical with the aircraft component that it replaces; or
- (b) has been approved under rule 194 as replacement for that aircraft component.

(5) Unless the Chairman otherwise approves, no aircraft material or aircraft component may be used or installed in a Bangladesh aircraft in Bangladesh by an appropriate person unless—

- (a) where the aircraft material or aircraft component has been manufactured or maintained by or on behalf of the appropriate person, the work of manufacturing or maintenance has been certified to have been completed in accordance with a system of certification instituted under rule 192; or
- (b) where the aircraft material or aircraft component has been supplied to the appropriate person by another person, the aircraft material or aircraft component was so supplied under cover of a certificate or other document specified by the Chairman for such purposes.

(6) In this rule, "appropriate person", in relation to any maintenance, means—

- (a) the holder of a certificate of approval covering the maintenance or a person working under an arrangement with such a holder; or
- (b) the holder of an aircraft maintenance engineer licence who has in his employ a person who is the holder of an aircraft maintenance engineer licence covering the maintenance; or
- (c) a person authorised to carry out the maintenance.

197. **Manufacture and maintenance of aircraft components.**—Unless the Chairman otherwise approves, the holder of a certificate of approval shall not manufacture or carry out maintenance of an aircraft component or aircraft material unless—

- (a) where, in the course of such maintenance, any aircraft component that was manufactured or overhauled by that holder was incorporated in that first-mentioned aircraft component—the work of manufacturing or overhauling that aircraft component has been certified in accordance with a system of certification instituted under rule 192 to have been completed;
- (b) where, in the course of such maintenance which includes a modification or repair, the design of the modification or repair has been approved under rule 193 or has been specified by the Chairman by a direction under rule 191 and the modification or repair is carried out in accordance with that design; and
- (c) where, in the course of such maintenance, any aircraft component that was supplied to that holder by another person and was incorporated in that first mentioned aircraft component—the aircraft component was so supplied under cover of a certificate or other document specified by the Chairman for such purposes.

198. **Use of aircraft material.**—Where, in the flight manual or the maintenance documents of a Bangladesh aircraft or in Air Navigation Orders, provision is made for the use in the servicing or operation of the aircraft of a specified aircraft material, the owner, operator or pilot in command of the aircraft shall not, unless the Chairman otherwise approves, use, or permit the use of, anything other than that kind of aircraft material for that purpose.

199. **Maintenance of Bangladesh aircraft outside Bangladesh.**—(1) Unless the Chairman otherwise approves, the owner, operator or pilot in command of a Bangladesh aircraft when it is outside Bangladesh shall not, in the maintenance of the aircraft, use, or permit the use of, any aircraft component, aircraft material or other thing if its use in Bangladesh would be an offence against these rules.

(2) The owner, operator or pilot in command of Bangladesh aircraft when it is outside Bangladesh shall not authorise or permit any maintenance to be carried out on the aircraft except by—

- (a) the holder of an aircraft maintenance engineer licence covering that maintenance;
- (b) a person authorised to carry out that maintenance;
- (c) a person who is authorised by the appropriate authority of a Contracting State to carry out on aircraft in that State maintenance of the same kind; or
- (d) a person who possesses qualifications that are recognised by the Chairman as sufficient for the purpose.

(3) The owner, operator or pilot in command of a Bangladesh aircraft on which maintenance has been carried out outside Bangladesh shall not fly the aircraft, or permit it to be flown, until the completion of the maintenance has been certified in a manner acceptable to the Chairman:

Provided that this sub-rule does not apply in relation to approved maintenance carried out by the pilot in command of the aircraft.

200. **Serviceability of replacement items.**—A person shall not make a certification in accordance with a system of certification instituted under rule 192 with respect to the installation or use in a Bangladesh aircraft of an aircraft component or aircraft material unless he considers that the component or material is serviceable.

201. **Maintenance releases.**—(1) Maintenance releases in respect of Bangladesh aircraft shall be issued only by authorised persons and only in such manner, and in accordance with such form, as the Chairman directs.

(2) The Chairman may give a direction specifying the information to be entered on maintenance release before its issue.

(3) Where a person authorised to issue a maintenance release is a body corporate, the Chairman shall specify in the instrument of authorisation that any maintenance release issued by the authorised person is to be signed by a specified person or by a person included in a specified class of persons.

(4) The Chairman may give a direction with respect to the retention and transfer of maintenance releases and copies of maintenance releases issued under this rule.

(5) The Chairman may give a direction specifying the period, or the maximum period, that a maintenance release of a specified kind is to be expressed to remain in force.

(6) Unless the Chairman otherwise approves, a maintenance release shall not be issued in respect of an aircraft unless there is in force a certificate of airworthiness in respect of that aircraft.

(7) A maintenance release shall not be issued in respect of an aircraft unless—

(a) all maintenance in respect of the aircraft required to be carried out to comply with any requirement or condition imposed under these rules has been certified, in accordance with a system of certification instituted under rule 192 or in a manner acceptable to the Chairman for the purposes of sub-rule (3) of rule 199, to have been completed; or

(b) in the case of a maintenance release in respect of a flight for which permission has been given by the Chairman any maintenance specified as a condition of that permission has been certified, in accordance with a system of certification instituted under rule 192, to have been completed.

(8) For the purposes of clause (a) of sub-rule (7) the existence of an earlier maintenance release issued under that clause in respect of an aircraft may, in the absence of any evidence to the contrary, be accepted by an authorised person for the purposes of this rule as proof that all maintenance required under these rules to be carried out on the aircraft before the date of issue of the earlier maintenance release has been certified to have been completed as required by that clause.

(9) A maintenance release may bear an endorsement that the release is issued subject to a condition set out in the endorsement, being a condition imposed for the purpose of ensuring the safety of air navigation.

(10) Where an aircraft has a permissible unserviceability, a maintenance release issued in respect of the aircraft shall bear an endorsement—

(a) setting out each permissible unserviceability that exists with respect to the aircraft;

(b) setting out such of the conditions, if any, with respect to the use of aircraft with those permissible unserviceabilities set out in any direction given under rule 195 in relation to those permissible unserviceabilities as are not set out in any operations manual issued with respect to the aircraft; and

(c) stating that the maintenance release is issued subject to those conditions, whether set out in the maintenance release or otherwise.

(11) A person shall not sign a maintenance release to be issued by virtue of clause (a) of sub-rule (7) in respect of an aircraft if—

(a) he considers that the aircraft is suffering major damage or a major defect and the damage or defect is not a permissible unserviceability;

- (b) he considers that maintenance carried out on the aircraft may have adversely affected to such an extent as to affect the safety of the aircraft, the flight characteristics of the aircraft or the operating characteristics of any aircraft component or of any system of aircraft components installed in the aircraft;
- (c) he is aware that certain maintenance that has been carried out on the aircraft has not been certified in accordance with a system of certification instituted under rule 192 or in a manner acceptable to the Chairman for the purposes of sub-rule (3) of rule 199, to have been completed; or
- (d) he is aware that information entered on the maintenance release is incorrect or that the maintenance release does not contain all information that it is required by or under these rules to contain.

(12) Clause (a) of sub-rule (7) and clause (c) of sub-rule (11) do not apply in relation to approved maintenance carried out by the pilot in command of the aircraft.

(13) Where a maintenance release is issued under this rule, or again commences to be in force by virtue of rule 203, in respect of an aircraft, any other maintenance release in force in respect of the aircraft immediately before that issue or that commencement ceases to be in force.

(14) Where the Chairman is satisfied that a condition set out in, or applying in relation to, a maintenance release has not been complied with, he may suspend or cancel the maintenance release.

202. **Endorsements on maintenance releases.**—(1) Where the owner, operator or a flight crew member of, or an authorised person engaged in the maintenance of, an aircraft in respect of which a maintenance release is in force considers—

- (a) that—
 - (i) a requirement or condition imposed under these rules in respect of the maintenance of the aircraft has not been complied with;
 - (ii) the aircraft has suffered major damage or has developed a major defect, other than damage or a defect that is a permissible unserviceability;
 - (iii) abnormal flight or ground loads have been imposed on the aircraft; or
 - (iv) maintenance carried out on the aircraft may have adversely affected to such an extent as to affect the safety of the aircraft, the flight characteristics of the aircraft or the operating characteristics of any aircraft component or any system of aircraft components installed in the aircraft; and
- (b) that there is a likelihood that the aircraft will be flown before—
 - (i) the requirement or condition referred to in sub-clause (i) of clause (a) has been complied with;
 - (ii) the damage or defect referred to in sub-clause (ii) of clause (a) has been remedied;

- (iii) any damage caused by the imposition of the abnormal loads referred to in sub-clause (iii) of clause (a) has been remedied; or
- (iv) the characteristics referred to in sub-clause (iv) of clause (a) have been corrected,

he shall enter on the maintenance release an endorsement signed by him setting out the facts of the situation and stating that the aircraft is unairworthy, and thereupon the maintenance release ceases to be in force.

(2) A person is not required under sub-rule (1) to enter an endorsement on a maintenance release if—

- (a) the maintenance release was issued by virtue of clause (b) of sub-rule (7) of rule 201; and
- (b) the person considers that the ground for entering the endorsement existed when the maintenance release was issued and was known to the person who issued the maintenance release or to a responsible employee of that person.

(3) Where the owner, operator or the pilot-in-command of, or an authorised person engaged in the maintenance of, an aircraft in respect of which a maintenance release is in force, becomes aware that the certificate of airworthiness in respect of the aircraft has been suspended or cancelled, he shall enter on the maintenance release an endorsement signed by him setting out the facts of the situation and stating that the aircraft is unairworthy, and thereupon the maintenance release ceases to be in force.

203. Maintenance release recommences.—(1) Where a maintenance release ceases to be in force by virtue of an endorsement made under sub-rule (1) of rule 202, the maintenance release shall again commence to be in force if there is entered on the maintenance release a certification, in accordance with a system of certification instituted under rule 192, that—

- (a) where the endorsement refers to a requirement or condition in respect of the maintenance of the aircraft not having been complied with—the maintenance to which the requirement or condition relates has been completed;
- (b) where the endorsement refers to the aircraft having suffered major damage or developed a major defect—the maintenance required to remedy the damage or the defect has been completed;
- (c) where the endorsement refers to the aircraft having had imposed on it abnormal flight or ground loads—the maintenance required to be carried out to check whether that imposition has caused any damage to the aircraft, and if any damage so caused, has been remedied; or
- (d) where the endorsement relates to the flight characteristics of the aircraft or the operating characteristics of an aircraft component, or system of aircraft components, installed in the aircraft—the maintenance required to correct the flight characteristics or the operating characteristics has been completed.

(2) Where a maintenance release ceases to be in force by virtue of an endorsement made under sub-rule (1) of rule 202 the maintenance release shall again commence to be in force if there is entered on it a further endorsement signed by an authorised person cancelling the first-mentioned endorsement.

(3) An authorised person shall not make an endorsement under sub-rule (2) unless he is satisfied that there is no reason why the endorsement to be cancelled should continue in force.

(4) A maintenance release that has ceased to be in force by virtue of an endorsement made under sub-rule (1) of rule 202 shall not again commence to be in force except by virtue of an endorsement made under this rule.

(5) This rule does not have effect in relation to a maintenance release issued in respect of an aircraft if—

- (a) the period during which the maintenance release is expressed to remain in force has expired; or
- (b) a subsequent maintenance release has been issued in respect of the aircraft by virtue of clause (a) of sub-rule (7) of rule 201.

204. Permissible unserviceabilities endorsed on maintenance release.—Where the owner, operator or a flight crew member of, or an authorised person engaged in the maintenance of, an aircraft in respect of which a maintenance release is in force considers—

- (a) that the aircraft has developed a defect, or has suffered damage, that is a permissible unserviceability; and
- (b) that there is a likelihood that the aircraft will be flown before the permissible unserviceability is rectified,

he shall enter on the maintenance release an endorsement signed by him—

- (c) setting out each permissible unserviceability that exists with respect to the aircraft;
- (d) setting out such of the conditions, if any, with respect to the use of an aircraft with those permissible unserviceabilities as are not set out in any operations manual issued with respect to the aircraft; and
- (e) stating that the maintenance release has effect subject to those conditions, whether set out in the maintenance release or otherwise.

205. Defects and major damage endorsed on maintenance release.—Where the owner, operator or a flight crew member of a Bangladesh aircraft—

- (a) becomes aware of the existence of a defect in the aircraft; or
- (b) becomes aware that the aircraft has suffered damage that in the opinion of the owner, operator or the flight crew member is major damage,

he shall enter on the maintenance release an endorsement signed by him setting out the particulars of the defect or damage.

206. **Documents alternative to the maintenance release.**—Where under sub-rule (9) of rule 201, sub-rules (1) and (2) of rule 202, sub-rule (1) and (2) of rule 203 or rule 204 or 205, reference is made to the placement of an endorsement on a maintenance release, the Chairman may approve the use of another document as an alternative to the maintenance release for the purposes of the particular sub-rule or rule.

207. **Reporting of defects in aircraft.**—(1) Where a person who, in the course of his employment is engaged in the maintenance of a Bangladesh aircraft becomes aware of the existence of a defect in the aircraft, the person shall report the defect to his employer.

(2) Where a person engaged, other than as an employee, in the maintenance of a Bangladesh aircraft, other than an aircraft owned or operated by him, becomes aware of the existence of a defect in the aircraft, he shall, if he considers it is a major defect, report the defect to the owner or operator of the aircraft and make a report to the Chairman in the manner specified by the Chairman for the purposes of this sub-rule.

(3) Where the owner or operator of a Bangladesh aircraft becomes aware of the existence of a defect in the aircraft he shall—

(a) have an investigation made of the defect; and

(b) if it is a major defect—have a report made to the Chairman with respect to the defect and to any matters revealed by the investigation, in the manner specified by the Chairman for the purposes of this sub-rule.

208. **Reporting of defects in aircraft components.**—(1) Where the holder of a certificate of approval covering the maintenance of aircraft components owned by him becomes aware that an aircraft component owned by him has developed a defect, he shall—

(a) have an investigation made of the defect; and

(b) if the defect is such that, if the component were installed in an aircraft, the safety of the aircraft or of persons on board the aircraft might be affected—have a report made to the Chairman with respect to the defect and of any matters revealed by the investigation,

in a manner specified by the Chairman for the purposes of this sub-rule.

(2) Where the holder of a certificate of approval covering the maintenance of aircraft components becomes aware of the existence of a defect in an aircraft component in the maintenance of which he is engaged (other than an aircraft component owned by him), he shall, if the defect is such that if the component were installed in an aircraft, the safety of the aircraft, report the defect to the owner of the aircraft component and make a report to the Chairman in the manner specified by the Chairman for the purposes of this sub-rule.

(3) Where the holder of an air operator licence issued by the Chairman becomes aware of the existence of a defect in an aircraft component owned by him and intended for use in aircraft used in operation under his licence, he shall—

(a) have an investigation made of the defect; and

(b) if the defect is such that, if the component were installed in an aircraft, the safety of the aircraft or of persons on board the aircraft might be affected—have a report made to the Chairman with respect to the defect and of any matters revealed by the investigation, in a manner specified by the Chairman for the purpose of this sub-rule.

209. **Investigation of defects in aircraft.**—(1) An authorised person may conduct an investigation into any matter connected with any defect in a Bangladesh aircraft including the making of a test of an aircraft or of any aircraft component installed or provided in an aircraft.

(2) An investigation under sub-rule (1) may extend to defects generally or may be limited to the investigation of a particular defect or a particular kind of defect.

(3) The authorised person may, for the purposes of carrying out the investigation,—

(a) by order in writing served on a person, require the production to the authorised person of any documents, aircraft components or other things that are in the possession, or under the control, of the person on whom the order is served;

(b) retain any document, aircraft component or other thing produced during the course of the investigation for such period as is necessary for the purpose of carrying out the investigation; and

(c) make and retain copies of, or take extracts from, any document so produced.

(4) Where the retention of a document, aircraft component or other thing produced for the purposes of an investigation is no longer necessary, the authorised person shall return the document, aircraft component or other thing to the person by whom it was produced.

210. **Maintenance records.**—(1) The Chairman may give directions specifying—

(a) the records to be kept in relation to—

(i) the maintenance done on each Bangladesh aircraft (including any aircraft component fitted in that aircraft); and

(ii) the time in service and the aircraft components fitted in that aircraft;

(b) the form of, and the manner of keeping, a record referred to in sub-clause (ii) of clause (a); and

(c) the period during which a record kept in compliance with a direction under this rule is to be retained and the circumstances in which the record may, during that period, be transferred to another person.

(2) The owner or operator shall take such action as is necessary to ensure that records with respect to the aircraft are kept, retained and transferred in accordance with any direction under this rule.

(3) The Chairman or an authorised person may, at any time, inspect any records kept in compliance with a direction under this rule, and the person keeping the records shall make them available for that purpose.

(4) The Chairman may direct the owner or operator to arrange for copies of the entries made in any record kept in compliance with a direction under this rule and carried on the aircraft during a flight be also kept in a safe place on the ground.

211. **Flight manuals.**—(1) The Chairman may—

- (a) approve a flight manual for an aircraft and any subsequent alteration to that flight manual, prepared by, or on behalf of, the manufacturer, owner or operator;
- (b) authorise the manufacturer, owner or operator to issue a flight manual for the aircraft and to issue subsequent alterations to that flight manual; or
- (c) prepare and issue a flight manual for each Bangladesh aircraft and any subsequent alterations to that flight manual.

(2) A flight manual referred to in sub-rule (1) shall contain information and instructions relating to—

- (a) the identification of the aircraft;
- (b) unless the Chairman otherwise approves, the operating procedures and the limitations of the aircraft;
- (c) the performance and loading of the aircraft; and
- (d) the date (if any) of which, or the period (if any) after which, the flight manual ceases to have effect.

(3) The pilot-in-command of a Bangladesh aircraft shall comply with all the requirements, procedures and limitations with respect to the operation of the aircraft set out in the flight manual for the aircraft.

212. **Provision of maintenance facilities.**—(1) An operator engaged in, or offering to be engaged in, an aircraft operation for hire or reward shall provide an adequate organisation including trained staff, together with workshop and other equipment and facilities in such quantities and at such places as the Chairman directs in order to ensure that his airframes, engines, propellers, instruments, equipment and accessories are properly maintained at all times when they are in use.

(2) An operator engaged in, or offering to be engaged in, an aircraft operation for hire or reward shall ensure that provision is made for imparting of proper and periodic instructions to all maintenance personnel, particularly in connection with the introduction into service of new equipment or equipment with which the maintenance personnel are not familiar, and the training programme shall be subject to the approval of the Chairman.

213. **Overseas investigation costs.**—Where the Chairman or an authorised person may, upon an application made to him, finds it necessary to travel outside Bangladesh for the purpose of investigation of an application for the grant, issue or renewal of a licence, certificate or approval referred to in this part, the applicant shall meet the costs involved in that travel.

PART IX

FACILITATION

214. **General provisions.**—(1) The Chairman shall make such arrangements as may necessary for dealing with customs, immigration and health procedures and such other matters concerned with the safety, regularity and efficiency of air navigation in pursuance of the Convention.

(2) The Chairman shall adopt all practical measures to facilitate and expedite navigation of aircrafts and prevent unnecessary delays to aircrafts crews, passengers and cargo.

215. **Entry, transit and departure of civil aircraft on international flights.**—All flights into, from or over Bangladesh territory and landings in Bangladesh territory shall be carried out in accordance with the permission issued by the Chairman.

216. The aircraft after landing at an international airport shall not proceed further unless the pilot-in-command or authorised agent has obtained a clearance certificate in writing from an officer duly authorised by the appropriate authority.

217. **Scheduled flight.**—(1) An airline operating scheduled flights must be designated pursuant to a bilateral agreement signed by the State in which the airline is registered, or obtain a special permission issued by the Chairman.

(2) The designated airline must have the appropriate operating authorisation in order to satisfy the Chairman that it is qualified to fulfil the conditions specified under the laws normally applied to the operation of international air services.

218. **Non-scheduled flights.**—If an operator intends to perform one or more non-scheduled flights originating from Bangladesh or destined for Bangladesh for the purpose of taking on or discharging passengers, cargo or mail, he shall apply to the Chairman well in advance of the intended landing. The application must include the following information, namely:—

- (a) name of operator;
- (b) type of aircraft and registration marks;
- (c) date and time of arrival at, and departure from, Bangladesh;
- (d) place or places of embarkation or disembarkation abroad of passengers or freight;
- (e) name, address and business of charterer; and
- (f) route of flight.

219. **Transit and non-traffic stops.**—If an operator intends to carry out one or more non-scheduled flights in transit across, or making non-traffic stops in the territory of Bangladesh, he shall notify the air traffic control unit concerned well in advance of the entry. The notification must include the following information, namely:—

- (a) name of operator;
- (b) type of aircraft and registration marks;

- (c) date and timing;
- (d) route of flight; and
- (e) intended duration of stay in the event of technical landing.

220. **General aviation flights.**—If an operator intends to perform one or more flights such as business flights, survey flights or agricultural flights in Bangladesh, he shall apply giving details of the flights to the Chairman for permission to carry out such operations.

221. **Flights of State aircraft.**—(1) If any State intends to perform a flight into Bangladesh to operate military, customs or police aircraft it shall apply to the Government through the Ministry of Foreign Affairs for permission. The application must include the following information, namely:—

- (a) type, model and call sign of the aircraft;
- (b) registration number;
- (c) agency to which the aircraft belongs;
- (d) captain's name and nationality;
- (e) names and nationality of the crew;
- (f) names and nationality of passengers other than the crew members (List shall be comprehensive);
- (g) time schedules and itinerary;
- (h) route proposed to be followed (with entry and exit points);
- (i) description of cargo, if any;
- (j) cruising level; and
- (k) type and quantity of fuel, if required.

(2) A certificate to the effect that "NO" war-like materials, such as arms, ammunition, explosives (except escape-aid explosives) pyrotechniques (except flare pistol signal cartridges), nuclear fissionable materials A B C gases, photographic equipment and materials (whether installed or not) electronic devices other than required for normal operation of the aircraft, are being carried by the aircraft.

(3) The provisions of sub-rules (1) and (2), except clauses (f) and (k) of sub-rule (1), shall also apply to foreign state aircrafts intending to overfly Bangladesh territory.

222. **Cabotage.**—No passenger or freight originating at a point in Bangladesh and destined for another point in Bangladesh may be picked up by a foreign operator.

223. **Documentary requirements.**—(1) All airline operators shall, in pursuance to the Convention, submit the required documents in English to the appropriate authority for clearance on entry and departure of their aircrafts to and from Bangladesh.

(2) The following aircraft documents, among others, shall; shall be required for the presentation to the appropriate authorities namely, general declaration (4 copies), passenger manifest (4 copies) and cargo manifest (2 copies).

(3) If no passengers are embarking or disembarking or articles are laden or unladen, no aircraft documents except copies of the general declaration need be submitted to the appropriate authorities.

224. Security provisions (carriage of weapons).—(1) Carriage of arms, explosive or dangerous goods by any person on board an aircraft is strictly prohibited.

(2) All persons shall declare their arms, ammunition, weapons, explosives and dangerous goods before embarkation to the operator.

(3) The carriage of weapons by (law enforcement officers and other) any authorised person may be allowed only when the weapons have been inspected by the authorised agents of the operator or a security officer and only if stowed by the authorised agents of the operator or by a security officer in a place inaccessible to passengers.

PART X

AERONAUTICAL TELECOMMUNICATIONS

225. Aeronautical communication—general provisions.—(1) The Chairman shall make provision for facilities and services for aeronautical telecommunications and air navigation services in order to ensure safety, regularity and efficiency of aircraft operation by securing the highest practicable degree of uniformity in the provision of radio navigation aids and communications facilities, methods of operation, procedures and codes.

(2) The fulfilment of this purpose is dependant upon the implementation by the member States of Articles 15 and 28 of the Convention and the standards and recommended practices published in Annex 10 to the said Convention.

PART XI

AIR TRAFFIC SERVICES

226. Air traffic control.—The Chairman may establish, maintain and operate a service which shall be known as "Air Traffic Control Service".

227. Objectives of air traffic control.—The objectives of air traffic control shall be—

- (a) to prevent collisions between aircrafts and, on the manoeuvring area, between aircrafts and obstructions;
- (b) to expedite and maintain an orderly flow of air traffic;
- (c) to provide such advice and information as may be useful for the safe and efficient conduct of flights;
- (d) to control the initiation, continuation, diversion or termination of flight in order to ensure the safety of aircraft operations; and

- (e) to notify and alert appropriate organisations regarding aircraft known to be, or believed to be, in need of search and rescue aid and assisting those organisations as required.

228. Designation of airspace.—(1) The Chairman may designate—

- (a) an aerodrome as a controlled aerodrome at which aerodrome control service is provided;
- (b) any portion of the airspace within the defined horizontal and vertical limits as control area, control zone, aerodrome traffic zone, flight information region or air traffic advisory route.

(2) Where the Chairman designates an aerodrome or an airspace under sub-rule (1), he shall cause a notification of the boundaries of the airspace to be published in the Aeronautical Information Publication, or where the designation is of a temporary nature, in NOTAM.

229. Compliance with air traffic control clearance.—(1) An aircraft shall comply with air traffic control instructions.

(2) Subject to the provision of sub-rule (3) and unless otherwise authorised by the appropriate air traffic control unit or by a notification in the Aeronautical Information Publication or in NOTAM, an aircraft shall not—

- (a) enter, operate in, or leave controlled airspace;
- (b) operate outside controlled airspace as a result of diversion; or
- (c) operate at a controlled aerodrome.

(3) If an emergency arises that necessitates a deviation from the requirements of an air traffic control clearance in the interests of safety, the pilot-in-command may make such deviation as is necessary but shall forthwith inform the appropriate air traffic control unit of the deviation.

(4) The pilot-in-command of an aircraft is responsible for compliance with the air traffic control clearances and air traffic control instructions.

230. Exemption from the provisions of rule 229(2)(c) under certain condition.—An aircraft operating in a control zone or at a controlled aerodrome shall not be required to comply with the provisions of clause (c) of sub-rule (2) of rule 229 during any period in which air traffic control is not in operation in respect of that control zone or controlled aerodrome.

231. Prohibition to act in air traffic control unit.—A person shall not act in any capacity for controlling air traffic unless he is authorised in writing by the Chairman.

PART XII

SEARCH AND RESCUE

232. Search and rescue service.—(1) The Chairman shall make arrangements for the establishment, maintenance and operation of a search and rescue service for the purpose of search and rescue.

(2) A search and rescue organisation established in pursuance of sub-rule (1) shall be operated in accordance with the requirements of the procedures as may be specified by the Chairman in the search and rescue service manual.

233. **Requisitioning of aircraft for search and rescue operations.**—(1) The Chairman may requisition aircrafts, land vehicles or any means of transport and may engage persons to operate those aircrafts or vehicles for the purpose of search and rescue operations.

(2) The amount of any loss, whether revenue or otherwise, suffered and of any expense incurred by the individual owner of an aircraft, land vehicle or means of transport requisitioned in pursuance of this rule may be recovered from the Government.

(3) Any pilot-in-command who observes an aircraft in distress shall immediately report to the appropriate air traffic service unit.

PART XIII

AIRCRAFT ACCIDENT ENQUIRY

234. In this PART, unless there is anything repugnant in the subject or context,—

(a) “accident”, in relation to an aircraft, means an occurrence taking place between the time any person boards the aircraft with the intention of flight until such time as all those persons have disembarked, in which—

- (i) any person suffers death or serious injury as a result of being in or upon the aircraft or with direct contact with the aircraft or anything attached to the aircraft; or
- (ii) the aircraft receives substantial damage;

(b) “incident”, in relation to an aircraft, means an occurrence taking place either on ground or in flight in which—

- (i) the aircraft suffers damage or a person suffers injury in circumstances other than those specified in the definition of accident;
- (ii) the aircraft has a forced landing;
- (iii) the aircraft is compelled to land the aerodrome of departure without completing the scheduled flight;
- (iv) the aircraft lands in an unairworthy condition;
- (v) the aircraft lands owing to conditions which make continuance of flight inadvisable;
- (vi) the position of the aircraft becomes unknown for any period; or
- (vii) the safety of the aircraft or its occupants or of any other person or property is jeopardized;

(c) “inquiry” means the process leading to determination of the cause of an aircraft accident including completion of the relevant report;

- (d) "investigation" means a process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of cause and, when appropriate, the making of safety recommendations;
- (e) "substantial damage" means damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft which would normally require major repair or replacement of the affected component.

235. **Notification.**—(1) When an accident or incident occurs—

(a) to a Bangladesh registered aircraft; or

(b) to any aircraft in Bangladesh territory, the pilot-in-command, the owner, the operator and the hirer (if any) shall each be responsible for ensuring that a notification of the accident or incident is furnished by telegram or telephone immediately after the occurrence followed by a written report to the Chairman.

(2) Any pilot observing any aircraft accident in Bangladesh shall report the same in detail to the Chairman.

236. **Contents of notification.**—(1) The written report referred to in sub-rule (1) of rule 235 shall contain the following information and particulars:—

- (a) the type, model, nationality and registration marks of the aircraft;
- (b) the name of the owner, operator and hirer (if any) of the aircraft;
- (c) the name of the pilot-in-command;
- (d) the date and time in Greenwich Mean Time when the accident or incident occurred;
- (e) the last point of departure and point of intended landing of the aircraft and the nature of the flight;
- (f) the location of the accident or incident with reference to some easily defined geographical point or latitude and longitude;
- (g) the number of persons killed (if any) and the number of persons seriously injured, and where possible, the names of such persons; and
- (h) the nature and cause of the accident or incident as far as is known and the nature and extent of damage to the aircraft.

(2) If all the particulars specified in sub-rule (1) are not immediately available, the report shall so state and supplementary reports containing particulars not included in the first report shall be furnished at the earliest possible time.

237. **States to be notified of occurrence.**—If the aircraft to which the accident or incident has occurred is registered in a State other than Bangladesh, the Chairman shall forward to the State of registration, the State of operator and the State of manufacture a notification containing the particulars supplied in the report furnished in accordance with this PART and indicating the nature of the investigation or inquiry being conducted with respect to the accident or incident.

238. **Custody, protection and removal of aircraft.**—(1) Where an accident occurs to an aircraft in Bangladesh, the aircraft shall be deemed to be in the custody of the Chairman and it shall not be removed or otherwise interfered with except with the permission of the Chairman.

(2) Nothing in these rules shall prevent any action necessary for—

- (a) the extrication of persons, animals and mails from the wreckage of an aircraft;
- (b) the protection of the wreckage from destruction by fire or other cause;
- (c) the prevention of danger, or removal of obstruction to air navigation to other transport or to the public;
- (d) the removal of the aircraft and its contents to a place of safety when the aircraft is wrecked on water;
- (e) the removal of goods or baggage under the supervision of a police officer, but in the case of an aircraft which has come from outside Bangladesh, the goods or baggage shall not be removed from the vicinity of the aircraft except on a clearance by or with the consent of a Customs Officer or under the supervision of an officer of the Civil Aviation Authority; and
- (f) the removal of mails under the supervision of an officer of the Police Department or an officer of the Postal Department or of an officer of the Civil Aviation Authority.

(3) The Chairman may authorize any person so far as is necessary for the purpose of any investigation or inquiry—

- (a) to take measures for the preservation of the aircraft;
- (b) to have access to, examine, remove or otherwise deal with the aircraft; and
- (c) to make records by photographic or other adequate means of any material evidence which can be removed, effaced, lost or destroyed.

239. **Aircraft of foreign State to remain undisturbed on request.**—(1)

Upon receipt of notification from a State to which rule 237 applies of its intention to send an accredited representative together with a request by that State that the aircraft, its contents and any other evidence shall remain undisturbed pending inspection by the accredited representative, the Chairman shall, subject to the provisions of sub-rule (2), take such steps as are reasonably necessary and practicable to comply with the request, including the facilitation of access to the aircraft, contents or evidence.

(2) If any aircraft, its contents or evidence lies in a restricted or prohibited area including a temporary restricted or prohibited area, the Chairman may refuse access to that area, but shall effect removal of the aircraft, its contents or evidence, as the case may be, to a point outside that area for the purpose of access.

240. **Release of aircraft, etc., from custody.**—When the retention of an aircraft, any parts or the contents thereof is no longer necessary for the purpose of an investigation or an inquiry, the Chairman shall, in writing, release from his custody the aircraft, parts or contents, as the case may be, to the owner of the aircraft, or in the case of aircraft other than a Bangladesh aircraft, to the persons duly authorised by the State of registration.

241. **Appointment of investigator.**—The Chairman may appoint an investigator to conduct an investigation into any matter connected with any accident or incident occurring in Bangladesh; and where more than one investigator has been appointed, one of them shall be designated as the Chief Investigator.

242. **Powers of investigator.**—(1) For the purpose of an investigation authorised under rule 241, an investigator may—

- (a) summon any person as a witness;
- (b) take evidence on oath or affirmation;
- (c) require the production of documents, or any part or component of an aircraft relevant to the investigation; and
- (d) require all or any flight crew members of the aircraft involved in the accident or incident to undergo medical examination promptly after the occurrence.

(2) Where an investigator has required the production of a document or a part or component of an aircraft relevant to the investigation, he may retain the document, part or component of the aircraft, as the case may be, for such period as is necessary for the purpose of the investigation and may make copies of, or take extracts from, the documents so produced or retained.

(3) A summons under these rules shall be in writing under the hand of the investigator and shall specify the time and place for taking of evidence and the documents and the parts or components of an aircraft (if any) required to be produced.

(4) A summons under these rule may be served either personally on the person to be served or by prepaid registered letter addressed to the person at his last known place of abode or business.

243. **Rights of persons who may be charged.**—If it appears to the investigator that the investigation may result in framing a charge against any person for an offence under these rules or in the suspension or cancellation of any licence or certificate issued under these rules or of a rating or other endorsement endorsed in a licence or certificate issued under these rules, the investigator shall give that person, or the holder of that licence or certificate, an opportunity of making any statement or giving any evidence and calling witnesses on his behalf.

244. **Witnesses.**—(1) A person summoned as a witness at an investigation shall be guilty of an offence, if he—

- (a) disobeys the summons;

- (b) refuses to be sworn or to make an affirmation as a witness;
- (c) fails to answer any question which he is lawfully required by the investigator to answer; or
- (d) refuses or fails to produce any document or part or component of an aircraft which he is lawfully required to produce.

(2) If a person objects to answering a question asked to him as a witness at an investigation on the ground that the answer might tend to incriminate him or to make him liable to any penalty and the investigator informs that person of his obligation to answer that question, the person shall not refuse to answer the question, but the answer given shall not be admissible in evidence in any proceedings against him other than proceedings in respect of the falsity of the answer, or in respect of the refusal or failure to answer the question.

(3) A person summoned as a witness shall be paid such fees and travelling expenses as may be determined by the Government.

245. Report of the investigator.—Upon conclusion of an investigation, the investigator shall forward a report in writing to the Chairman including all signed statements and other documents which have come into his possession in course of the investigation.

246. Publication of report.—Upon receipt of a report of an investigation under rule 245, the Chairman may make public the whole or any part of the report.

247. Accidents of foreign aircrafts in Bangladesh.—(1) Where an accident occurs in Bangladesh to an aircraft registered in a foreign State,—

- (a) the State of registration, the State of Operator and the State of manufacture may each appoint a representative, who may be accompanied by technical or other advisors, to take part in all or any portion of the investigation conducted in Bangladesh;
- (b) the representative may examine witnesses and shall be given access to all information and evidence;
- (c) the Chairman may authorise any person appointed by the State of registration to conduct an investigation and the person so authorized shall submit the report of investigation to the Chairman;
- (d) the State of registration or of any State taking part in the investigation may request the Chairman to re-open the investigation if new and material evidence becomes available.

(2) The Chairman shall as soon as possible, send to the State of registration, the State of Operator and the State of manufacture a copy of the report of the investigation.

248. Accidents to Bangladesh aircrafts in foreign States.—(1) Where an accident occurs to a Bangladesh aircraft in a foreign State, the Chairman may appoint a representative to participate in the investigation or inquiry conducted in the State of occurrence.

(2) Where an accident occurs to a Bangladesh aircraft in a foreign State and an investigation or inquiry is conducted by that State, the Chairman shall, request from the appropriate authority of that State, furnish that authority with all the relevant information.

249. Appointment of Board of Inquiry.—(1) Where an accident has been investigated under rule 247 or 248, the Government may, whenever it considers it desirable to do so in the public interest, appoint a Board of Inquiry, hereinafter in this Part referred to as the Board, to inquire into the causes of the accident and such other matters relating to the accident as are referred to it by the Government.

(2) The Board shall have, for the purpose of the inquiry, all the powers of a Civil Court under the Code of Civil Procedure, 1908 (Act V of 1908), and without prejudice to those powers, the Board may—

- (a) enter and inspect, or authorise any person to enter and inspect, any place or building, the entry or inspection whereof appears to the Board requisite for the purposes of the inquiry; and
- (b) enforce the attendance of witnesses and compel the production of documents and material objects; and every person required by the Board to furnish any information shall be deemed to be legally bound to do so within the meaning of section 176 of the Penal Code (Act XLV of 1860).

(3) Every such inquiry as aforesaid shall be judicial proceeding within the meaning of section 193 and section 228 of the Penal Code (Act XLV of 1860).

250. Constitution of Board of Inquiry.—(1) A Board appointed under rule 249 shall consist of a Chairman and such assessors as the Government considers necessary.

(2) The Chairman shall be a person who is, or has been, or is qualified to be, a Judge of the Supreme Court or possesses legal, aeronautical and engineering knowledge and experience including knowledge and experience of air navigation.

(3) The assessors shall be persons possessing legal, aeronautical or engineering knowledge and experience including knowledge and experience of air navigation.

(4) The Chairman and the assessors shall be paid such remuneration as the Government may determine.

251. Proceedings before a Board of Inquiry.—(1) A Board appointed under these rules shall conduct an inquiry into the causes of the accident and into other matters referred to it.

(2) The Chairman shall forward a report of the result of an investigation, conducted under rule 247 or 248 to the Chairman of the Board.

(3) The time and place of conducting the inquiry shall be fixed by the Chairman of the Board after receipt by him of the report referred to in sub-rule (2).

(4) The Chairman of the Board may grant leave to appear before the Board any person being—

- (a) a person whom the Chairman considers may be affected or prejudiced by the inquiry;
- (b) the representative of an association which the Chairman considers may be affected or prejudiced by the inquiry; and
- (c) in the case of an accident to an aircraft of a foreign State, the representative of the concerned State.

(5) Any person granted leave to appear before the Board under sub-rule (4) may be represented by counsel, solicitor or agent who may examine witnesses and address the Board.

(6) Unless the Chairman otherwise directs, the sittings of the Board shall be open to the public.

(7) The Chairman of the Board may—

- (a) direct that a witness be excluded from the sittings of the Board while another witness is giving evidence; and
- (b) direct that the whole or specified part of the evidence not be published if, in his opinion, this course is in the public interest.

252. Powers of Board.—(1) The Chairman of the Board may, by writing under his hand, summon a person to attend before the board at a time and place specified in the summons to give evidence and to produce books, documents and writings or a part of component of an aircraft in the custody or control of the person which he is required by the summons to produce.

(2) The Board may inspect books, documents or writings or a part or component of an aircraft produced before it, and may retain them for such reasonable period as it thinks fit, and may make copies of such portions of the books, documents or writings as are relevant to the inquiry.

253. Appearance of witnesses before a Board.—(1) The Board may examine on oath a person appearing as a witness before it, whether the witness has been summoned or appears without being summoned, and, for this purpose, may administer an oath to the witness.

(2) A person served with a summons to attend before a Board shall, without reasonable excuse—

- (a) attend before the Board unless excused by the Chairman of the Board or until he is released from further attendance by the Chairman of the Board; or
- (b) produce the books, documents or the part or component of an aircraft in his custody or control.

(3) A witness appearing before a Board shall not refuse to answer a question put to him which is relevant to the proceedings.

(4) A statement or disclosure made by a witness to the Board is not admissible in evidence against him in civil or criminal proceedings in a court except in a prosecution for giving false evidence before the Board.

(5) A witness summoned to attend before a Board shall be paid such fees and travelling expenses as may be determined by the Government.

254. Report of the Board.—(1) The Chairman of the Board shall, as soon as is convenient after conducting the inquiry, forward to the Government a written report stating the findings, together with any observations and recommendations which the Board thinks fit to make with a view to the preservation of life and property and the avoidance of similar accidents in future.

(2) The Chairman and each assessor constituting the Board shall sign the report.

(3) When the Chairman or assessor disagrees with a finding or recommendation of the Board, the Chairman or the assessor shall state in writing his reasons for disagreement and those reasons shall be forwarded to the Government along with the report which shall be deemed to be part of the report.

255. Inquiry may be extended or reopened.—(1) The Government may, at any stage of an inquiry, request the Board to inquire into such further matters relating to the accident as the Government thinks fit, and may, where an inquiry has been completed and a report has been forwarded, constitute a Board to inquire further into such matters relating to the accident as the Government thinks fit.

(2) The Government may make public the whole or part of the report of the Board.

PART XIV

AERODROMES AND AIRPORTS

256. Responsibility.—All Government aerodromes and airports shall be under the control and management of the Chairman who may, subject to these rules, determine the conditions for the use thereof.

257. Admission fee for entry into aerodromes and airports.—(1) No person shall enter, or be in, the terminal building of any Government aerodrome or airport or any other area in such aerodrome or airports as may be notified by the Chairman, unless he holds an admission ticket valid for entry therein:

Provided that it shall not apply to—

(a) any passenger embarking, disembarking or in transit holding a valid air ticket; or

(b) any person who is engaged on duty at such aerodrome or airport or is exempted by general or special order in writing of the Chairman.

(2) An admission ticket may be obtained on payment of a fee of Taka five.

(3) The admission ticket shall be non-transferable and shall be produced for examination on demand by any officer authorised by the Chairman in this behalf.

(4) Notwithstanding anything contained in this rule, the Chairman may, if he is satisfied that it is necessary so to do for the maintenance of proper order or decorum of the Government aerodrome or airport refuse admission to any person into the terminal building or any part of such building, or any other area, or require any person in such building, part or area to leave the same.

258. Passenger services fees.—(1) Subject to the provisions of sub-rule (4), every passenger before embarking on an aircraft of any scheduled or non-scheduled flight at a Government aerodrome or airport shall pay a fee for the use of, and for the services provided at, the aerodrome or airport at the following rates, namely:—

- (a) where the destination is outside Bangladesh Tk. 100.00.
- (b) where the destination is within Bangladesh Tk. 10.00.

(2) No passenger shall board any aircraft unless such passenger has paid the passenger service fees under sub-rule (1).

(3) The passenger service fees shall be collected by such person or authority and in such manner as may be specified by the Chairman.

(4) Notwithstanding anything contained in sub-rule (1), the following persons shall be exempt from the payment of passenger service fees, namely:—

- (a) Heads of States and Governments along with their entourage;
- (b) Ministers and high dignitaries visiting Bangladesh as State guests;
- (c) transit passengers leaving Bangladesh by a flight bearing the same number as the one with which they entered the country or by the next available flight by which they have to reach their destination;
- (d) children under two years of age; and
- (e) such other person or category of persons as may be exempted from such payment by the Government by general or special order.

259. Use of aerodromes.—(1) An aircraft shall not land at or take-off from, any place unless that place is a Government aerodrome or airport has been licensed under this Part or is a place authorised by the Government for use as an aerodrome or airport.

(2) The Chairman may, in relation to any aerodrome or airport, issue such directions as he considers necessary to ensure the safety of aircrafts and compliance with the standards, recommended practices and procedures adopted from time to time in pursuance of the Convention.

260. Licensing of aerodromes.—(1) Upon application by the owner of any place, the Chairman may issue to him an aerodrome licence authorising the use of the place as an aerodrome.

(2) An aerodrome shall be licensed in one of the following categories, namely—

(a) for public use;

(b) for private use which means for use by the licensee and by individuals specifically authorised by the licensee.

(3) An aerodrome licence shall be issued subject to such conditions as the Chairman considers necessary to ensure compliance with the Convention.

(4) A licence issued under these rules shall not be varied or altered in any manner without the written permission of the Chairman.

261. **Public aerodromes.**—Every aerodrome which is licensed for public use or which is open to public use by the aircraft registered in Bangladesh shall, upon payment of charges to the same extent and upon the same conditions, be open to use by aircrafts possessing the nationality of any other State.

262. **Screening of dangerous lights.**—(1) Whenever any light is exhibited at, or in the neighbourhood of, an aerodrome, air route or airway facility 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 described in these rules or of air route or airway facilities operated in pursuance of these rules, the Chairman may cause a notice to be served upon the owner of the place where the light is exhibited or upon the person having charge of the light directing the owner or person, within a reasonable time to be specified in the notice, to extinguish or to screen effectually the light in the manner specified in such notice.

(2) If any owner or person on whom a notice under sub-rule (1) is served fails, within the time specified in the notice, to extinguish or screen effectually in the manner mentioned in the notice, the Chairman may authorize an officer, with such assistance as he requires, to enter the place where the light is and extinguish or screen the light, and may recover the expenses incurred in so doing from the owner or person on whom the notice has been served.

263. **Isolation of aircrafts.**—An isolated parking position for aeroplanes shall be designated by the Chairman or in the absence of such designation, the control tower shall advise the pilot-in-command to park the aeroplane in such area of the aerodrome as is considered to be suitable for the parking which is known or believed to be the subject of unlawful interference or which, for other reasons, needs isolation from normal aerodrome activities.

264. **Apron lighting.**—Apron floodlights shall be provided on all aprons intended to be used at night and also on a designated isolated aeroplane parking position.

265. **Protection by fences and barriers.**—The Chairman, in the case of Government aerodromes and airports, and the owner, in the case of private aerodromes, shall provide fences or other suitable barriers at aerodromes and airports established or licensed under these rules to prevent unauthorised persons to enter the unauthorised or protected area of the aerodrome or airport and also in the areas where ground installations and facilities essential for the safety of civil aviation are located outside an aerodrome boundary.

266. **Prohibition of entry into aerodromes and airports.**—No person shall, unless exempted by any general or special order in this behalf, without the permission in writing of the Chairman or any authorized officer,—

- (a) enter or remain or cause any other person to enter or remain in the movement area;
- (b) leave or throw or cause to be thrown any animal, bird or property or object of any nature whatsoever in the movement area;
- (c) permit any animal under his possession or control or otherwise to stray in the movement area; and
- (d) operate any vehicle in the movement area;

Provided that the provisions contained in clause (a) shall not apply to—

- (i) persons authorised under rule 257;
- (ii) *bona fide passengers* and crew members and their baggage, freight and mail during the process of embarkation and disembarkation in the movement area.

267. **Obstruction clearance.**—(1) **Stopway.**—The length of the stopway shall be up to 900 feet for international airports and up to 500 feet for domestic airports with a width of 500 feet on either side for international airports and 250 feet on either side for domestic airports of the runway axis; and a width equal to that of the runway for the length of the stopway shall be constructed to a bearing strength equal to one-third of that of the runway.

(2) **Stopway extension.**—The length of the stopway may be extended to 3,000 feet for international airports cleared of the obstructions including canals and ditches.

(3) **Funnel.**—(a) The flying area shall start from the end of 900 feet stopway for international airports and 500 feet for domestic airports spreading out to a maximum width of 2,000 feet on either side of runway extended centre line at a distance of 10,900 feet for international airports and 10,500 feet for domestic airport from the end of the runway.

(b) The elevation clearance of the funnel shall be 1:50 starting from the end of stopway to a maximum height of 182 feet which shall be maintained up to a distance of 13,000 feet from the end of the runway and, from 13,000 feet, the elevation clearance shall be 1:40 till it reaches a height of 500 feet which shall be maintained till 50,000 feet from the end of the runway.

(4) **Runway clearance.**—A side clearance of 500 feet for international airports and 250 feet for domestic airports on either side of the centre line of the runway shall be maintained free of all obstructions including ditches for the full length of the runway including stopway.

(5) **Taxi, way clearance.**—(a) There shall be no taxi-way within the runway clearance line that is, 500 feet for international airports and 250 feet for domestic airports from the centre line of the runway.

(b) An area of 225 feet on either side from the centre line of the taxi-way shall be cleared of all kinds of obstructions.

((6) **Fair weather strips.**—(a) Except as provided in clause (b), the width of the fair weather strips shall extend laterally to a distance of 250 feet on each side of the runway centre line including stopway.

(b) For instrument runways, the width of the fair weather strips shall extend laterally to a distance of at least 500 feet on the each side of the runway centre line.

(7) **Apron.**—The horizontal clearance for aprons shall be 125 feet measuring from its edges.

(8) **Transition area.**—There shall be outward and upward transition surface with a slope of 1 : 7 measuring from the area ending the fair weather strips along the runway including stopway axis except at the end of stopway where it will be measured parallel to funnel area.

(9) **Inner horizontal surface clearance.**—Within the inner horizontal surface of an airport, there shall not be any obstacle above 150 feet from the runway level.

(10) **Inner conical surface clearance.**—From the circumference of the inner horizontal surface, an outward and upward slope in 1 : 20 up to a maximum height of 500 feet shall be maintained.

(11) **Outer horizontal surface clearance.**—From the outer periphery of the inner conical surface, a height of 500 feet above the level of runway up to a distance of 50,000 feet shall be maintained.

(12) **Demolition of obstacles, etc.**—Any construction made or obstacle created in violation of the provisions of these rules shall be demolished or removed at the expense of the owner or, as the case may be, the person responsible for creation of such obstacle.

268. **Obstruction clearance and marking.**—(1) Whenever any object which is located on or within the defined limits of a Government aerodrome or airport or on routes used by aircrafts engaged in international air navigation (within Bangladesh) and which projects above the surfaces, constitutes an obstruction or a potential hazard to aircraft moving in the navigable air space in the vicinity of an aerodrome or airport, the Chairman may cause a notice to be served upon the owner of the property in which the object is located directing the owner, within such reasonable time as is specified in the notice to—

- (a) remove the object or such portion of it specified in the notice as is necessary; or
- (b) install and operate lights on the object and mark it in accordance with the requirements of the Convention.

(2) If a person upon whom a notice is served in pursuance of this rule fails to comply with a direction in the notice, he shall be guilty of an offence and the Chairman may authorize an officer, with such assistance as he requires, to enter the place where the obstruction is located and carry out the directions contained in the notice and may recover the expenses in so doing from the owner or person on whom the notice has been served.

269. **Tariff charges.**—The charges for landing, parking and housing at Government aerodromes and airports and for providing route navigation facilities in the territory of Bangladesh shall be applicable to all aircrafts whether registered in Bangladesh or in any other state and shall be leviable in accordance with the provisions contained in Schedule III.

270. **Qualification of licensee for private aerodromes.**—A licence for an aerodrome shall not be granted to any person other than—

- (a) a citizen of Bangladesh; or
- (b) a company or body corporate registered, and having its principal place of business, in Bangladesh.

271. **Period of validity of licence.**—An aerodrome licence may be granted for any period not exceeding twelve months and may be renewed for any period not exceeding twelve months.

272. **Fees for grant or renewal of a licence.**—The fees chargeable for the grant or renewal of a licence for an aerodrome shall be—

- (a) when the licence is granted or renewed for 12 months—Taka 500·00;
- (b) when the licence is granted or renewed for less than 12 months—Taka 300·00.

PART XV

AERONAUTICAL INFORMATION SERVICES

273. **Publication of aeronautical information.**—(1) Chairman shall provide and publish an Aeronautical Information Publication; and may agree with other States for the provision of joint services, where necessary, provided the Standards and Recommended Practices adopted in pursuance of the Convention are adequately met.

(2) The aeronautical information service of the Civil Aviation Authority shall collect, collate, edit and publish aeronautical information concerning the entire territory of Bangladesh and shall include—

- (a) the preparation of Aeronautical Information Publication (AIP);
- (b) the origination of NOTAM; and
- (c) the origination of Aeronautical Information Circulars.

(3) The aeronautical information service shall, in addition, obtain information to enable it to provide pre-flight information service and to meet the need for inflight information—

- (a) from the aeronautical information of other States; and
- (b) from other sources that may be available.

274. **Information for flight operations.**—The aeronautical information service shall promptly make available to the aeronautical information services of other States, any information necessary for the regularity, safety or efficiency

of air navigation to ensure that information necessary for the safety, regularity or efficiency of air navigation is available in a form suitable for the operational requirements of—

- (a) flight operations personnel including the members of the flight crew and the services responsible for pre-flight information; and
- (b) the air traffic services unit responsible for flight information service.

275. Authority for publication of AIP.—(1) Aeronautical information published by the Chairman which shall clearly indicate that it has been published under his authority.

(2) Aeronautical information obtained under clause (a) of sub-rule (3) of rule 273 shall be disseminated clearly identifying as having been obtained from the authority of the State of origin.

(3) Aeronautical information obtained under clause (b) of sub-rule (3) of rule 273 shall, if possible, be verified before dissemination and if not verified, shall, when disseminated, be clearly identified as such.

PART XVI

AIRCRAFT NOISE

276. Certificate requirement.—(1) An aircraft registered in Bangladesh shall not be engaged in international air navigation unless there is in force in respect of it a noise certificate issued or validated by the Chairman.

(2) This Part shall apply to such of the following categories of aircrafts as are specified from time to time in Annex 16 to the Convention, namely:—

- (a) turbo-jet or turbo-fan powered aeroplanes that—
 - (i) are incapable of sustaining level flight at a speed in excess of Mach 1; and
 - (ii) require, in accordance with their approved flight manuals a runway of more than 600m (2,000 ft) in length for take-off at their certificated maximum take-off weights;
- (b) propeller-driven aeroplanes of certificated maximum take-off weight greater than 5,700 kg. (12,566 lbs) except those that—
 - (i) are specifically designed for fire fighting or agricultural purposes; and
 - (ii) require, in accordance with their approved flight manuals, a runway of more than 600m (2,000 ft.) in length for take-off at their certificated maximum take-off weights; and
- (c) propeller-driven aeroplanes of certificated maximum take-off weight not greater than 5,700 kg. (12,566 lbs) except those that are specifically designed for fire fighting, agricultural or aerobatic purposes.

277. Noise certificate.—(1) The owner or operator of an aircraft registered in Bangladesh may apply to the Chairman for the issue or renewal of a noise certificate in respect of the aircraft or for the validation of a noise certificate issued by a State in respect of the aircraft.

(2) The Chairman may issue, renew or validate a noise certificate in respect of an aircraft where the applicant furnishes to the Chairman such documents or other evidence relating to the noise characteristics of the aircraft as the Chairman requires and—

- (a) satisfies the Chairman through demonstration that the aircraft complies with noise requirements which are at least equal in effect to the minimum noise standards adopted in pursuance of the Convention;
- (b) satisfies the Chairman that a State has issued a noise certificate for the aircraft in compliance with the minimum noise standards adopted in pursuance of the Convention; or
- (c) satisfies the Chairman that the aircraft has been modified in accordance with an applicable design that has been certified by a State as achieving compliance with the minimum noise standards adopted in pursuance of the Convention.

(3) A noise certificate shall contain at least the following information concerning the aircraft, namely:—

- (a) State of registry;
- (b) manufacturer's serial number;
- (c) manufacturer's type and model;
- (d) statement of any additional modifications incorporated for the purpose of compliance with the applicable noise certification standards;
- (e) the maximum weight at which compliance with the applicable noise certification standards has been demonstrated; and
- (f) the noise level and their 90% confidence limits for which compliance with applicable noise certification standards have been demonstrated.

278. **Withdrawal of noise certificate.**—(1) Where the Chairman is satisfied that reasonable doubt exists concerning the compliance of an aircraft registered in Bangladesh with the noise certification requirements, he may suspend the noise certificate of the aircraft or of each aircraft of the type for such period as he considers necessary to resolve the doubt.

(2) Where the Chairman becomes aware that an aircraft registered in Bangladesh has ceased to comply with noise standards that are at least equal in effect to the minimum noise standards adopted in pursuance of the Convention, he shall suspend or revoke the noise certificate of the aircraft or of each aircraft of the type and shall not remove the suspension or grant a new noise certificate unless the aircrafts are found, on reassessment, to comply with the applicable noise certification requirements of this Part.

279. **Application of this rule to foreign aircrafts.**—The rules contained in this Part shall, *mutatis mutandis*, apply to aircrafts registered in a foreign State while flying in or over the territory of Bangladesh.

PART XVII

SAFEGUARD AGAINST ACTS OF UNLAWFUL INTERFERENCE

280. **Applicability.**—The provisions of this Part shall be applied by the concerned authorities to the prevailing threats of acts of unlawful interference against civil aviation to which each aerodrome or airport within Bangladesh is exposed.

281. **Co-operation and co-ordination.**—(1) The Chairman shall co-operate with the civil aviation authorities of other States, particularly with adjacent States, and those with which Bangladesh has major air transport relationships in developing complementary civil aviation security programme.

(2) The Chairman shall exchange such information with the civil aviation authorities of other States as considered appropriate and, at the same time, supplying such information to ICAO related to plans, designs, equipment, methods and procedures for safeguarding civil aviation against acts of unlawful interference.

282. **The Civil Aviation Security Committee.**—The Chairman may constitute a committee to be called the Civil Aviation Security Committee for co-ordinating activities between the Government departments, agencies and other organisations concerned with, or responsible for, various aspects of the national civil aviation security programme.

283. **Security measures.**—(1) Security measures and procedures shall be applied at aerodromes and airports in such a manner as to cause a minimum of interference with, or delay to the activities of, civil aviation.

(2) Precautions shall be taken to prevent unauthorised access to unattended aircrafts.

284. **Bangladesh Operators Security Programme.**—(1) The Chairman shall require operators of aircrafts registered in Bangladesh to adopt a security programme and to apply it in proportion to the threat to civil aviation and its facilities as known to the appropriate authorities, and shall ensure that such a programme is compatible with the aerodrome security arrangements.

(2) The Chairman shall require the operators of aircrafts registered in Bangladesh to conform to the civil aviation security requirements of those States into which they operate.

285. **Unlawful interference.**—(1) Whenever an aircraft is being subjected to unlawful interference, the pilot-in-command shall endeavour to notify the appropriate ATS unit about the fact, any significant circumstances associated therewith and any deviation from the current flight plan necessitated by the circumstances, in order to enable the appropriate ATS unit to give priority to the aircraft and to minimize conflict with other aircrafts.

(2) The pilot-in-command may, when he has reasonable ground to believe that a person has committed, or is about to commit, on board the aircraft, an

offence or act which may jeopardize the safety of the aircraft or of person or property therein or jeopardize good order and discipline on board, impose restraint which are necessary—

- (a) to protect the safety of the aircraft, or of persons or property therein; or
- (b) to maintain good order and discipline on board; or
- (c) to enable him to deliver such person to the competent authority or to disembark him.

(3) The pilot-in-command may require or authorise the assistance of other crew members and may request (or authorise, but not require), the assistance of passengers to restrain any person whom he is entitled to restrain; and any crew member or passenger may also take reasonable preventive measures without such requirement or authorisation when he has reasonable grounds to believe that such action is immediately necessary to protect the safety of the aircraft, or of persons or property therein.

^P (4) An aircraft known or believed to be in a state of emergency, including being subjected to unlawful interference, shall be given priority over other aircrafts.

286. **Notification to other States.**—The Chairman shall notify immediately by the most expeditious means the State of registry of an unlawfully seized aircraft landing in Bangladesh.

287. **Report to ICAO.**—In the case of unlawful interference within Bangladesh, the Chairman shall provide the International Civil Aviation Organisation with all pertinent information concerning the aeronautical aspect of such an incident.

PART XVIII

AIR TRANSPORT SERVICES

288. **Licensing of air transport services.**—Except as provided in rule 217, no air transport service shall be established or shall operate within Bangladesh except under the authority of, and in accordance with, a licence issued by the Chairman :

Provided that the Chairman may permit the operation of air transport services to or across Bangladesh from and to places outside Bangladesh by persons not domiciled in Bangladesh or by companies registered outside Bangladesh with aircrafts registered in or outside Bangladesh, on such terms and conditions as he may think fit.

289. **Filing of Tariff.**—(1) Every operator of an air transport service operating in accordance with rules 217 and 288 shall file with the Chairman, a tariff showing fares, rates and charges for air transportation of passengers and cargo to and from Bangladesh between the points served by it including the rates, terms and conditions of commission payable to the passengers or sales agents.

(2) If an operator is participating in a joint tariff with other air transport services, a separate declaration shall also be filed with the Chairman confirming the applicability of the joint tariff.

(3) A tariff (including a joint tariff) or any amendment thereof shall be filed at least thirty days in advance of its introduction.

(4) The Chairman may, for reasons to be recorded in writing, reject any tariff so filed under this rule and any tariff so rejected shall be ineffective.

290. Levy of fixed fares, rates and charges.—(1) No operator shall charge or demand or collect or receive any greater or less or different compensation for air transportation or for any service connected therewith other than the approved fares, rates or charges.

(2) No operator shall, in any manner or by any device directly or indirectly or through any agent or broker or otherwise, refund or remit any portion of the approved fares, rates and charges or extend to any person any privileges or facilities with respect to any matters required by the Chairman under rule 289.

291. Changes in tariff.—(1) No change shall be made in fares, rates and charges or in classifications, rules, regulations, practices or services affecting such fares, rates and charges or value of the services thereunder specified in any effective tariff including any change in the terms or conditions of the commission payable to the passenger or cargo sales agents except after previous approval by the Chairman.

(2) An application for such changes shall be made to the Chairman at least thirty days in advance.

(3) The Chairman may, for reasons to be recorded in writing, revise or disallow any change.

(4) The revised tariff shall, after approval by the Chairman be published in such form and manner as may be specified by the Chairman.

(5) All or any of the records relating to tariff required to be maintained under these rules shall, on demand, by the Chairman, by general or special order in writing, be produced for inspection.

292. Appeal.—Any operator of an air transport service aggrieved by the decision of the Chairman under sub-rule (3) of rule 291 or under sub-rule (4) of rule 289 may, within a period of thirty days from the date of such decision, prefer an appeal to the Government and the Government shall, after giving the appellants an opportunity of being heard, pass such orders as it deems fit.

293. Applications for licence.—(1) Applications for a licence to operate an air transport service shall be made to the Chairman not less than sixty days before the date on which it is desired to commence the service.

(2) The application shall be made in the form specified by the Chairman and shall be signed by the person applying for the licence and, if made by any body corporate, shall be signed by a person duly authorized in that behalf by such body.

294. **Particulars and conditions of licence.**—(1) A licence granted under this Part shall contain, among others, the following particulars :—

- (a) Name and address of licensee ;
- (b) Number and the date of licence;
- (c) Nature of licence whether scheduled or non-scheduled operation ;
- (d) The places at which aircraft may land for traffic or other purposes ;
- (e) The period of validity of the licence ;
- (f) Frequency of service to be operated ;
- (g) The type of aircraft to be used normally.

(2) A licence for the operation of air transport services, scheduled or non-scheduled, shall be subject to the conditions hereinafter specified and to such other rules as may from time to time be made by the Government.

(3) Any person desires to have a licence to operate air transport services in Bangladesh shall either be a body corporate created by state or be registered in accordance with the provisions of the Companies Act, 1913 (VII of 1913) and shall be subject to the provisions of the statute or the Companies Act and the rules made thereunder. A copy of the Memorandum and Articles of Association of the Company, in duplicate, or, as the case may be, the statute creating the body corporate shall be forwarded to the Chairman along with the application for licence.

(4) The licensee shall conduct its business in accordance with the statute or, as the case may be, the Companies Act, 1913, and the air navigation orders and shall supply such information as may be required by the Government and shall comply within the notified period with the instructions which may be issued.

(5) The licensee shall so conduct its air transport operations as not to involve in the breach of any obligations imposed upon the Government.

(6) Before the commencement of operation, the licensee shall submit to the Chairman for his approval—

- (a) copies of the proposed Maintenance, Operation and Route Manuals ;
- (b) detailed schedule of each route to be operated showing points of call ;
- (c) frequency to be operated on each route with the proposed time table ;
- (d) type of aircraft to be used ;
- (e) equipment available ;
- (f) management proposed with details of traffic maintenance and operational organisations.

(7) The licensee shall submit for previous approval of the Chairman all proposals for fares to be charged for the carriage of passengers and freight on each route to be operated by it and no rules and regulations made by the licensee for the carriage of passengers and freight shall be published without the previous approval of the Chairman.

(8) No alteration in the route or the frequency or the time and fare table shall be effected without the approval in writing of the Chairman and any change proposed shall be submitted to the Chairman sufficiently in advance.

(9) Except by a special permission of the Government, no licence shall be given to a body corporate for the carriage of freight or passengers on a route on which any Bangladesh operator is already operating under a licence.

(10) The Chairman or an authorised officer shall have the right of access, in the normal course of discharge of his duties, to the licensee's workshop, stores and offices.

295. **Special provisions for the national carrier.**—(1) The copy, in duplicate, of the annual accounts and auditor's report shall be sent to the Chairman at the time such accounts and reports are furnished to the Government.

(2) No appointment to any executive post requiring high technical or flying experience, shall be made without the previous approval of the Chairman.

(3) No purchase of an aircraft or an engine by the licensee and no sale thereof shall be effected without the approval of the Chairman.

(4) The licensee shall, at any time, during its operations, take out an insurance policy approved by the Government to ensure against claims on the licensee as provided in the Warsaw Convention, 1929, and the Hague Protocol of 1955. The licensee shall at all times, effect adequate insurance against "third party" risks to cover claims relating to damage to personnel or property resulting from the crash or improper operation of its aircraft.

(5) The licensee shall be liable for any expenses incurred by the Government in connection with air and sea rescue operations resulting from improper or negligent operation of a licensee's aircraft.

(6) The licensee shall pay all landing and housing charges relating to aircraft operating in Bangladesh according to the rates specified by the Government.

(7) No aircraft, except with the previous permission in writing of the Chairman, shall be operated under a licence issued under these rules unless the crew of the aircraft are not in the regular employment of the licensee.

Explanation.—For the purposes of this rule, crew employed on hourly, daily or part-time basis shall not be considered to be in regular employment.

296. **Amendment of terms of licence.**—(1) The Chairman may, at any time, if it appears to be necessary for securing the more effective development of air transport or otherwise in the public interest, amend the terms of a licence after giving the holder thereof a reasonable opportunity of showing cause against the proposed amendment.

(2) The Chairman may, on the application of the holder of a licence, make such amendment in the licence as appears to be unobjectionable.

(3) When a licence is amended under sub-rule (1) or (2) the licensee shall submit it to the Chairman who shall make an endorsement thereon showing reasons in brief for the amendment.

297. **Revocation and suspension of licence.**—(1) The Chairman may revoke, or suspend for such period as he thinks fit, a licence, if he is satisfied that any of the conditions thereof has not been complied with or that the failure to comply is due to any wilful act or omission on the part of the licensee or is due to such negligence on his part and committed so frequently that the licence should, in the public interest, be revoked or, as the case may be, suspended.

(2) Before any action is taken under sub-rule (1), the Chairman shall give to the licensee in the case of revocation not less than thirty days notice and in the case of suspension, fifteen days notice in writing specifying the grounds upon which it is proposed to revoke or, as the case may be, suspend the licence, and shall give him an opportunity of showing cause against the proposed action.

(3) Where a licence is revoked under sub-rule (1), the Chairman shall record in writing the reason for its decision and the licensee shall be entitled to a copy thereof, showing the date on which revocation is to take effect.

(4) Where a licence is suspended under sub-rule (1), the licensee shall submit the licence to the Chairman who shall make an endorsement thereon showing the period of, and the reasons in brief, for the suspension.

298. **Appeal.**—Any person aggrieved by an order under rule 297 may, within sixty days from the date of making the order of revocation or, as the case may be, suspension, prefer an appeal to the Government and the Government shall, after giving an opportunity to the parties concerned of being heard in person or through legal representative, give its decision which shall be final.

299. **Transfer of licence.**—A licence granted under this Part shall not be transferable. But if an application is made by a licensee to the Chairman, fresh licence shall be issued to that licensee if it has amalgamated or has agreed to amalgamate its services with the services of another licensed transport company.

300. **Continuance of rights.**—Nothing in this Part shall be construed as conferring upon the licensee any right, after the expiry of the validity of the licence, to the issue of a new licence for the operation of a transport service on the same route or to the continuance of any other benefits arising from the provisions of this Part or any licence granted thereunder.

301. **Custody, production and surrender of licences.**—(1) A licence issued under this Part shall be kept at the principal office of the holder thereof in Bangladesh and shall be produced for inspection, on demand, by any Magistrate, any police officer not below the rank of Superintendent of Police, any Customs Officer, any authorised Officer of the Civil Aviation Authority or any person authorised by the Government by special or general order in writing in this behalf.

(2) On the expiration of a licence whether by efflux of time or in consequence of a decision of the Government under these rules, or when a licence is suspended by the Chairman the holder shall surrender the licence to the Chairman for endorsement or cancellation as the case may require provided no appeal has been filed under rule 298.

302. **Carriage of mails.**—A licensee shall perform all such reasonable services in regard to the conveyance of mails as the Director of Post may, from time to time, require. The remuneration for carriage of mails shall be such as may be determined from time to time by the Director General of Posts. The mails to be carried in conformity with any international agreement ratified by the Government. Any dispute arising out of the carriage of mails by a licensee shall be decided by the Government.

303. **Fees.**—(1) A fee of Taka 5,000 shall be payable in respect of the grant of a licence under this Part for every year or part thereof during which the licence remains valid.

(2) A fee of Taka 1,000 shall be payable in respect of every application for amendment of a licence under rule 296.

(3) A treasury receipt for the fees payable under these rules shall be forwarded to the Chairman along with the applications for the grant or amendment of licence.

304. **Periodical returns.**—(1) Every person to whom a licence has been granted under this Part shall submit to the Chairman in such form as may be specified—

- (a) monthly returns regarding the operation of the licenced air transport services and other air transport operations of the licence-holder which shall reach the Chairman not later than forty-five days after the expiry of the month to which the return relates; and
- (b) annual returns regarding the financial results of the undertaking during each calendar year which shall reach the Chairman not later than three months after the expiry of the year to which the return relates.

(2) No information furnished in an annual return under clause (b) of sub-rule (1) shall be published or disclosed in respect of any individual air transport service or licensee without the consent of the licensee, and if any person publishes or discloses any such information without such consent he shall be guilty of an offence punishable under these rules.

PART XIX

MISCELLANEOUS

305. **Interference with flight crew or aircraft.**—(1) A person shall not obstruct or impede any other person from exercising a power or performing a duty conferred on that other person by or under these rules.

(2) A person shall not, while in an aircraft,—

- (a) interfere with a crew member;
- (b) behave in a disorderly or offensive manner; or
- (c) do any act which may threaten the safety of the aircraft or of any person on board the aircraft.

(3) A person shall not tamper with an aircraft or component or item of equipment of an aircraft.

306. **Interference with air navigation facilities.**—A person shall not tamper with any radio or navigational aids or any component or equipment which may endanger the safety of the flight.

307. **Powers of the pilot-in-command.**—(1) The pilot-in-command, with such assistance as he requires, may—

- (a) take such action, including the removal of a person from the aircraft or the placing of a person under restraint or in custody, by force, as he considers reasonably necessary to ensure compliance with the Ordinance or these rules in or in relation to the aircraft; and
- (b) detain the passengers, crew member and cargo for such period as he considers reasonably necessary to ensure compliance with the Ordinance or these rules in or in relation to the aircraft.

(2) A person who, on an aircraft in flight, whether within or outside Bangladesh is found committing, or is reasonably suspected of having committed, or of having attempted to commit, or of being about to commit, an offence against the Ordinance or these rules may be arrested without warrant by a crew member in the same manner as a person who is found committing a crime may be arrested by a private person under section 59 of the Code of Criminal Procedure, 1898 (Act V of 1898) and shall be dealt with in the same manner provided in that section.

308. **Liability for damage to aircraft during tests.**—Chairman or any officer of the Civil Aviation Authority shall not be liable for any loss or damage to an aircraft which occurs while the aircraft is in the custody of the Chairman for the purpose of flying tests or other official tests, or during any inspection by an officer in pursuance of these rules.

309. **Carriage of prisoners in aircraft.**—No prisoner shall be taken abroad or carried on aircraft except under, and in accordance with, a permit in writing issued by the Chairman, and subject to such conditions, if any, as may be specified in the permit.

Explanation.—The term “prisoner” means a person who is confined in any prison and includes a person who is arrested under any law for the time being in force.

310. **Carriage of animals, birds and reptiles in aircraft.**—No animal, bird or reptile shall be taken abroad or carried on any aircraft to, from and within Bangladesh, except under, and in accordance with, a general or special permit in writing issued by the Chairman in this behalf, and subject to such conditions, if any, as may be specified therein.

311. **Restricted area.**—(1) No person shall enter any restricted area of an airport or aerodrome except with the permission of the Chairman or Airport Manager concerned, and on such terms as may be specified in the permission.

(2) No person shall enter the air traffic control centre, the control tower, the communications centre, the loading platform at the airport, any customs area, runways, taxiways and parking aprons, incoming and outgoing passenger lounges except—

- (a) persons lawfully assigned to duty therein;
- (b) passengers embarking or disembarking; and
- (c) persons authorised by the collector of customs or the Chairman or the Airport Manager concerned.

312. **Powers of Airport Manager to destroy birds or animals.**—The Airport Manager of the airport concerned or any other person authorised by the Chairman in this behalf is authorised to shoot at any time kites, vultures, stray dogs or any other bird or animal constituting a hazard or danger to aerial navigation or for the safety of the aircraft.

313. **Operation of vehicles in an aerodrome.**—No person shall operate any vehicle authorised for use on the taxi-track or loading platform or the aircraft landing area, except—

- (a) a person assigned to duty therein, or
- (b) a person authorised by the Airport Manager.

314. **Parking.**—No person shall park any motor vehicle at a place in the airport or aerodrome other than an area designated in this behalf by the Airport Manager concerned.

315. **Intoxication.**—No person under the influence of liquor or drugs shall operate motor vehicle of any kind in the airport or aerodrome.

316. **Disorderly conduct.**—No person shall commit any nuisance or any disorderly act in the airport or aerodrome and engage in gambling in any form or operate gambling devices of any type in the airport or cause any vexation to any passenger or other person.

317. **Sanitation.**—No person shall dispose of garbage, waste papers, refuse or any other object in the Airport or aerodrome except in the receptacles provided for the purpose.

318. **Preservation of property.**—No person shall destroy, damage, deface or disturb in any way any building, sign, equipment, mark or other structure, tree, flower, lawn or other property in the airport or aerodrome.

319. **Radio operations.**—No person shall operate any radio equipment contrary to any tele-communications laws, regulations or orders for the time being in force or in any aircraft when such aircraft is in the hanger.

320. **Sign and bulletin boards.**—The Chairman or the Airport Manager may direct a tenant or lessee of any premises in the airport or aerodrome to maintain boards for the display of signs and bulletins in a conspicuous place.

321. **First-aid equipment.**—All tenants or lessees of hanger or other premises in the airport or aerodrome shall provide in such hangers or premises in a conveniently accessible place first aid kits.

322. **Provision for fire-fighting appliances and equipments.**—Every tenant or occupier of any premises in any airport or aerodrome not being premises occupied by or on behalf of the Bangladesh Air Force, shall provide on the said premises and maintain in good working order fire-fighting appliances and equipments to a standard approved by the Chairman or the Airport Manager.

323. **Restriction on smoking, use of naked flame, etc.**—No person shall smoke, in any place of an airport or aerodrome or where smoking is prohibited by the Chairman or the Airport Manager nor shall any person light or use any fire or naked light flame except in such places and to such extent as may be approved by the Chairman or the Airport Manager. Every person using any oiled rags, cotton waste, waste oil, cleaning rags or articles liable to spontaneous combustion or otherwise inflammable shall take utmost care while using the said goods or articles on or near aircrafts on the ground, fuelling unit, or at any hangar, workshop or other building or installation in which any combustible liquid is stored.

324. **Restriction on combustible liquid.**—(1) No combustible liquid exceeding 15 litres (4 gallons) shall be stored at any place in any airport or aerodrome except in such places and subject to such conditions as may be specified by the Chairman or the Airport Manager in writing.

(2) Any quantity of 15 litres (4 gallons) or less shall be kept in a closed metal container :

Provided that the provisions of these rules shall not apply to any petroleum which may be contained in the tanks of any aircraft, motor vehicle or approved place of unit.

325. Restrictions on Installation of engines and electrical apparatus.—within any airport or aerodrome,—

- (a) no person shall install or cause to be installed for use in any building any engine or electrical apparatus of any kind or make or cause to be made any alteration or addition to existing electrical installation in any building without the consent of the Chairman or the Airport Manager in writing;
- (b) all places where facilities for the charging of batteries are to be installed shall first be inspected and approved by the Chairman or the Airport Manager and not such installation shall be left unattended unless the power supply has first been switched off or the battery is disconnected.

326. Disposal of combustible waste and other matters.—The waste and other matters referred to in rules 317 and 323 shall not be permitted to accumulate and shall be disposed of daily in such place as may be approved by the Chairman or the Airport Manager for that purpose.

327. Fuelling of aircraft and vehicles.—(1) No aircraft shall be fuelled within 15 meters (50 feet) of any building.

(2) Fuelling operations shall be carried out under the supervision of a qualified engineer or member of the flight crew of an aircraft appointed by the owner or operators or by a fully trained supervisor appointed by the recognised fuelling organisation for the purpose. Such engineer or supervisor or member of the flight crew shall make certain before commencing fuelling operations that both aircraft and fuelling unit are completely bonded and adequately earthed in order to prevent static electrical discharges, and the fuelling hose and funnel are electrically bonded to the aircraft, and that no ground battery, gas starter or other external engine starting device or apparatus is in the vicinity of the aircraft.

(3) Efficient appliances and personnel for extinguishing fires during fuelling operations shall be provided by the recognised fuelling organisations to the satisfaction of the Chairman or the Airport Manager.

(4) Before commencing the operation of fuelling all radio equipment installed in the aircraft shall be switched off and, during the operation of fuelling, no person shall switch on or off any electrical switch in the aircraft.

(5) No fuelling units or other apparatus used for the fuelling of aircraft shall be used unless approved by the Chairman or the Airport Manager.

328. Authorisation to certain persons to enter certain premises.—The Chairman or the Airport Manager, or any person specially authorised by either of them, shall have power to enter at all times by day or night into or upon any aircraft, hangar, workshop, building, store or fuel installation in the airport or aerodrome in order to inspect the same and to assure that the provisions of these rules have been and are being complied with.

329. **Details of restrictions imposed on obstructions in the vicinity of radio navigation aids and in the noise zone area of an aerodrome or airport.**—(1) No person shall erect any obstruction in the vicinity of a Non-directoral Beacon, Very High Frequency Omni Range, Instrument Landing System, Radar and any other facility or in the noise zone area of an airport or aerodrome.

(2) Any person erecting any obstructions in contravention of sub-rule (1) shall, if so required by the Chairman, remove the obstruction at his own cost.

330. **Removal from the airport or aerodrome.**—Any person who is guilty of a breach of any rule, or any order or instructions issued by the Chairman or Airport Manager or persons duly authorised by them for the purpose of the enforcement of these rules, may be removed or rejected from the Airport or the aerodrome and may, in addition to any other penalty to which he may be liable under these rules, be deprived of the further use of the airport or aerodrome and its facilities for such time as may be necessary in the public interest and for ensuring the safety of the air navigation.

331. **Photographs at aerodrome and airports.**—No person shall take, or cause or permit to be taken, at an airport or aerodrome any photograph except in accordance with, and subject to the terms and conditions of, a permission in writing issued by the Chairman.

332. **Carriage of photographic apparatus in aircraft.**—(1) No camera or other apparatus for recording photographic impression shall be carried in any aircraft except where the permission for taking photographs from the air has been granted by the Chairman.

(2) Except where permitted by the Chairman under sub-rule (1), a person in possession of a loaded camera shall unload it at the time of emplaning and deliver the same to the pilot-in-command who shall keep it for the duration of the flight in a place inaccessible to such person and shall return the same to that person at the termination of the flight.

333. **Prevention of flights in contravention of the rules.**—An authority authorised under section 8 of the Civil Aviation Ordinance 1960, to detain aircraft may do so by the issue of a written direction to the pilot-in-command or some other person for the time being in charge of the aircraft to be detained, or taking such other steps as may be necessary to make the detention effective. If an aircraft detained by a person so authorised is housed or kept at a Government aerodrome, the housing or picketing charges normally applicable shall be payable in respect of the whole period during which it is detained.

334. **Penalty.**—Any person contravening any of the provision of these rules shall be punishable with imprisonment for a term not exceeding three months or with fine not exceeding Taka one thousand, or with both.

335. **Summary trial.**—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), or in any other law for the time being in force, any Magistrate of the first class may try in a summary way in accordance with the provision of sections 262 to 265 of that Code of any breach of, or failure to comply with, any rule.

SCHEDULE I

[See Rule 72 (2)]

VISUAL GROUND SIGNALS

PROHIBITION OF LANDING

A horizontal red square panel with yellow diagonals (Fig. 1) when displayed in a signal area indicates that landing are prohibited and that the prohibition is liable to be prolonged.



Fig. 1

NEED FOR SPECIAL PRECAUTIONS

WHILE APPROACHING OR LANDING

A horizontal red square panel with one yellow diagonal (Fig. 2) when displayed in a signal area indicates that owing to the bad state of the manoeuvring area, or for any other reason special precautions must be observed in approaching to land or in landing.



Fig. 2

USE OF RUNWAYS AND TAXIWAYS

A horizontal white dumb-bell (Fig. 3) when displayed in a signal area indicates that aircraft are required to land, take off and taxi on runways and taxiways only.



Fig. 3

The same horizontal white dumb-bell as stated above but with a black bar placed perpendicular to the shaft across each circular portion of the dumb-bell (Fig. 4) when displayed in a signal area indicates that aircrafts are required to land and take off on runways only, but other manoeuvres need not be confined to runways and taxiways.

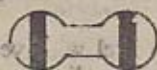


Fig. 4

UNSERVICEABILITY OF THE MANOEUVRING AREA

Crosses of a single contrasting colour, preferably yellow or white (Fig. 5) displayed horizontally on the manoeuvring area indicate an area unfit for the movement of aircraft.



Fig. 5

DIRECTION FOR LANDING OR TAKE-OFF

When either one or both of the following signals are used, will indicate the direction to be used by aircraft for landing or take-off as follows:—

- (1) A horizontal white or orange landing "T" (Fig. 6) in a direction parallel to the shaft of the "T" towards the cross arm.

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

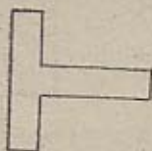


Fig. 6

A set of two digits (Fig. 7) displayed vertically at or near the aerodrome control tower indicates to aircraft on the manoeuvring area the direction for take-off, expressed in units of 10° to the nearest 10° of the magnetic compass.

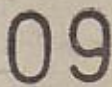


Fig. 7

RIGHT-HAND TRAFFIC

When displayed in a signal area, or horizontally at the end of the runway or strip in use, a right-hand arrow of conspicuous colour (Fig. 8) indicates that turns are to be made to the right before landing and after take-off.

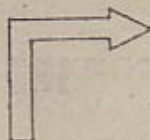


Fig. 8

AIR TRAFFIC SERVICES REPORTING OFFICE

The letter "C" displayed vertically in black against a yellow background (Fig. 9) indicates to aircraft on the manoeuvring area the place at which reports concerning air traffic services are made.



Fig. 9

GLIDER FLIGHTS IN OPERATION

A double white cross displayed horizontally (Fig. 10) in the signal area indicates that the aerodrome is being used by gliders and that glider flights are being performed.

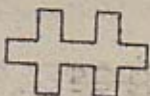


Fig. 10

SCHEDULE III

[See Rule 269]

TARIFF OF LANDING, HOUSING AND ROUTE NAVIGATION
FACILITY CHARGES

1. **Landing Charges.**—The charges for landing of aircraft other than airships, at Government airports/aerodromes shall be as follows:—

	Single Landing Charge (Calculated to nearest 1000 kg.)	
	International Flights.	Domestic Flights.
Not exceeding 10,000 kg.	Tk. 30 per 1000 kg.	Tk. 15 per 1000 kg.
Over 10,000 kg but not exceeding 20,000 kg.	Tk. 40 per 1000 kg.	Tk. 20 per 1000 kg.
Over 20,000 kg. but not exceeding 50,000 kg.	Tk. 50 per 1000 kg.	Tk. 25 per 1000 kg.
Over 50,000 kg. but not exceeding 1,00,000 kg.	Tk. 80 per 1000 kg.	Tk. 40 per 1000 kg.
Over 1,00,000 kg.	Tk. 110 per 1000 kg.	Tk. 55 per 1000 kg.

- (a) 10% of the landing charges shall be payable as surcharge for each landing or take-off after sunset and before sunrise.
- (b) In the case of an aircraft engaged in training purposes, 50% of the landing charges shall be payable.

2. **Exemption.**—The provisions of paragraph 1 shall not apply to the following cases, namely:—

- (a) an aircraft belonging to the United Nations Organisation or any of its agencies or International Red-Cross engaged in medical, relief or humanitarian mission;
- (b) an aircraft engaged on non-remunerative basis in search and rescue operations or medical, relief or humanitarian mission;
- (c) an aircraft belonging to Flying Clubs of Bangladesh;
- (d) test flights, provided prior approval has been obtained from the concerned Airport Manager or his designated representative before operating such flights;
- (e) any aircraft engaged in air calibration work; and
- (f) state aircraft of Bangladesh.

3. Parking and housing charges of aircraft shall be as follows:—

- (a) Parking charges for each 24 hours period shall be 20% of the landing charges when parking exceeds 6 hours.
- (b) Hanger charge for each 24 hours period or part thereof shall be double of the parking charges.
- (c) Monthly charges for both parking and hanger shall be 20 times and quarterly charges shall be 40 times of the parking or, as the case may be, hanger charges for 24 hours.

4. Route navigation facility charges.—The charges for providing route air navigation facilities for overflying the territory of Bangladesh, by international flights, including flights landing in Bangladesh, shall be as follows:

	Taka
Not exceeding 2,000 kg.	40·00
Over 2,000 kg. but not exceeding 5,000 kg.	80·00
Over 5,000 kg. but not exceeding 10,000 kg.	160·00
Over 10,000 kg. but not exceeding 20,000 kg.	400·00
Over 20,000 kg. but not exceeding 50,000 kg.	800·00
Over 50,000 kg. but not exceeding 1,00,000 kg.	1,600·00
Over 1,00,000 kg. but not exceeding 2,00,000 kg.	2,400·00
Over 2,00,000 kg.	3,200·00

Note: All calculations are based on the total weight of aircraft as provided in the Certificate of Airworthiness.

By order of the
Chief Martial Law Administrator

A. K. M. NURUL ISLAM

*Deputy Secretary,
Civil Aviation and Tourism Division,
Ministry of Defence.*