PART VII

FLIGHT RULES

119. This Part prescribes the rules of the air applicable to all flight operations. Applicability

General Flight Rules Requirements

120. (1) The regulations set out in this Part (hereinafter referred to as the "rules of the air") shall apply to aircraft bearing the nationality and registration marks of Trinidad and Tobago, wherever they may be, to the extent that they do not conflict with the rules published by State over-flown. General flight rules requirements

(2) For the purposes of flight over those parts of the high seas where a Contracting State has accepted the responsibility of providing air traffic services, the appropriate Air Traffic Control Authority is the relevant authority designated by the State responsible for providing those services.

(3) The operation of an aircraft either in flight or on the movement area of an aerodrome shall be in compliance with the general rules and, in addition, when in flight, either with the Visual Flight Rules or Instrument Flight Rules.

Operation of Aircraft on the Ground

121. (1) A person shall not taxi an aircraft on the movement area of an aerodrome unless the person at the controls— Restrictions on the operation of aircraft on the ground

(a) has been authorized by the operator, the lessee, or a designated agent;

(b) is fully competent to taxi the aircraft;

(c) is qualified to use the radio where radio communications are required; and

(d) has received instruction from a competent person in respect of aerodrome layout, and where appropriate, information on—

(i) routes;

(ii) signs;

(iii) marking;

(iv) lights;

(v) Air Traffic Control signals and instructions, phraseology and procedures;

(e) is able to conform to the operational standards required for safe aircraft movement at the aerodrome.

(2) An operator shall ensure that a helicopter rotor is not turned under power for the purpose of flight unless there is a pilot qualified to operate a helicopter, at the controls.

(3) Notwithstanding subregulation (2), an operator may authorize a person other than a qualified pilot to turn a rotor of a helicopter for purposes other than flight, where the operator –

(a) has provided the person with appropriately specific training and procedures to be followed;

(b) is satisfied that the person is competent to conduct such operations.

(4) A person authorized by an operator under subregulation (3), may turn a rotor of a helicopter under power, for purposes other than flight.

Take-off Conditions

Required take-off conditions

122. Before commencing take-off, a pilot in command shall ensure that—

(a) according to the available information, the weather at the aerodrome and the condition of the runway intended to be used will allow for a safe take-off and departure; and

(b) the Runway Visual Range or visibility in the take-off direction of the aircraft is equal to or better than the applicable minimum.

Flight into Known or Expected Icing Conditions

Requirements and restrictions where flight into known or expected icing

123. (1) An operator shall ensure that a flight is not commenced or intentionally flown into expected or actual icing conditions unless the aircraft is certified and equipped to cope with such conditions.

(2) An operator shall ensure that an aircraft is not allowed to take-off or continue to operate along a route when icing conditions are expected or encountered, without ensuring that the aircraft is certified for icing operations and has sufficient operational de-icing or anti-icing equipment.

(3) An operator shall ensure that an aircraft is not allowed to take-off when frost, ice or snow is adhering to the wings, control surfaces, propellers, engine inlets or other critical surfaces of the aircraft which might adversely affect the performance or controllability of the aircraft.

(4) A pilot in command shall not take-off and an air operator shall ensure that a pilot is not allowed to take-off an aircraft when conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless the procedures approved for the national air operator by the Authority are followed to ensure ground de-icing and anti-icing is accomplished.

(5) An operator shall establish procedures to be followed when ground de-icing and anti-icing and related inspections of the aircraft are necessary.

(6) A pilot in command shall not commence take-off unless the external surfaces are clear of any deposit which might adversely affect the performance and controllability of the aircraft except as permitted in the Aircraft Flight Manual.

(7) Where illumination is used to detect the formation of ice, it shall be of a type that will not cause glare or reflection such that would handicap crew members in the performance of their duties.

Cruising Levels with Altimeter Settings

124. The cruising levels at which a flight or a portion of a flight is to be conducted shall be in terms of—

Cruising levels with altimeter settings

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

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

General Minimum Safe Altitudes

125. (1) An operator shall ensure that when necessary for take-off or landing, an aircraft is not operated below the following altitudes:

General minimum safe altitudes

(a) an altitude allowing for continuation of flight or an emergency landing without undue hazard to persons or property on the surface where a power unit fails;

(b) an altitude of 1,000 feet above the highest obstacle within a horizontal radius of six hundred metres of the aircraft where the aircraft is operated over any congested area of a city, town, or settlement, or over any open-air assembly of persons;

(c) an altitude of five hundred feet above the surface where an aircraft is operated over uncongested areas, except over open water or sparsely populated areas where the aircraft shall not be operated closer than one hundred and fifty metres to any person, vessel, vehicle, or structure.

(2) The pilot of a helicopter is not subject to the proximity restrictions of these Regulations, provided the helicopter is operated in a manner that is not hazardous to persons and property on the surface.

(3) The pilot of a helicopter shall comply with any routes or altitudes for the area that are prescribed for helicopters by the Authority.

(4) An operator shall be permitted to establish minimum flight altitudes for those routes flown for which minimum flight altitudes have been established by the State flown over or the responsible State, provided that such altitudes shall not be less than those established by that State.

(5) An operator shall specify the procedures by which it is intended to determine minimum flight altitudes for operations conducted over routes for which minimum flight altitudes have not been established by the State flown over or the responsible State and shall include this procedure in his Operations Manual.

(6) The procedure for establishing the minimum flight altitudes under subregulations (4) and (5) shall be approved by the Authority, provided that the minima established by any procedure shall not be lower than that specified in Annex 2 of the Chicago Convention.

(7) The Director General may recommend that that the Authority approve the procedures under subregulation (6), after careful consideration of the probable effects of the following factors on the safety of the operation in question:

(a) the accuracy and reliability with which the position of the aircraft can be determined;

(b) the inaccuracies in the indications of the altimeters used;

(c) the characteristics of the terrain such as sudden changes in the elevation;

(d) the probability of encountering unfavorable meteorological conditions, such as severe turbulence and descending air currents;

(e) possible inaccuracies in aeronautical charts; and

(f) airspace restrictions.

Commercial Air Transport Operations Minimum Safe Visual Flight Rules Altitudes

Minimum safe Visual Flight Rules Altitudes for commercial air transport operations

126. (1) A national air operator shall ensure that an aircraft is not operated in commercial air transport operation during the day, under Visual Flight Rules, at an altitude less than 1,000 feet above the surface or within 1,000 feet of any mountain, hill, or other obstruction to flight.

(2) A national air operator shall ensure that an aircraft is not operated in commercial air transport operation at night, under Visual Flight Rules, at an altitude less than 1,000 feet above the highest obstacle within a horizontal distance of five miles from the centre of the intended course, or, in designated mountainous areas, less than 2,000 feet above the highest obstacle within a horizontal distance of 5 statute miles from the center of the intended course.

Aerodrome or Heliport operating minima

127. (1) An operator shall establish operating minima for each aerodrome or heliport planned to be used in operations, by a method acceptable to the Authority. Aerodrome operating minima

(2) Operating minima established under subregulation (1), shall not be lower than any that may be established for such aerodromes or heliports by the State in which the aerodrome is located, except when specifically approved by the State.

(3) In establishing the operating minima which will apply to any particular operation, an operator shall take full account of—

(a) the type, performance and handling characteristics of the aircraft;

(b) the composition of the flight crew, their competence and experience;

(c) the dimensions and characteristics of the final approach and take-off site or runways which may be selected for use and for heliports, the physical characteristics and direction of approach;

(d) the adequacy and performance of the available visual and non-visual ground aids;

(e) the equipment available on the aircraft for the purpose of navigation and control of the flight path during the approach and the missed approach;

(f) the obstacles in the approach and missed approach areas and the obstacle clearance altitude or height for the instrument approach procedures;

(g) the means used to determine and report meteorological conditions; and

(h) the obstacles in the climb-out areas and necessary clearance margins from the obstacles.

(4) The pilot in command of an aircraft shall not commence take-off unless the weather conditions at the aerodrome of departure are equal to or better than applicable minima for landing at that aerodrome unless a suitable take-off alternate aerodrome is available.

(5) When the reported meteorological visibility is below that required for take-off a pilot shall not take-off.

(6) Where no reported meteorological visibility or runway visual range is available, a take-off may only be commenced where the pilot in command can determine that the runway visual range or visibility along the take-off runway is equal to or better than the required minimum.

Threshold Crossing Height for Precision Approaches

Required threshold crossing height for precision approaches

128. An operator shall establish operational procedures designed to ensure that an aircraft being used to conduct precision approaches crosses the threshold by a safe margin, with the aircraft in the landing configuration and attitude.

Required Instrument Approach Operating Minima

Instrument approach operating minima requirements

129. (1) An operator shall ensure that an aircraft is not operated to or from an aerodrome using operating minima lower than those which may be established for that aerodrome by the State in which it is located, unless that State specifically approves such operation.

(2) For instrument approach and landing operations, aerodrome-operating minima below eight hundred metres visibility should not be authorized unless Runaway Visual Range information is provided.

(3) The Director General may recommend that that the Authority approve one or more instrument approach procedures designed in accordance with the classification of instrument approach and landing operations procedures to serve each instrument runway or aerodrome utilized for instrument flight operation.

(4) The Director General shall cause the instrument approach procedures and landing operations procedures to be promulgated.

General Operating Rules for Category II and III Operations

General operating rules for Category II and III operations

130. (1) An operator shall not conduct Category II or Category III operations unless—

(a) each aeroplane concerned is certified for operations with a decision height below 200 feet, or no decision height, and equipped in accordance with the standards prescribed by the Director General;

(b) the operations are approved by the Authority;

(c) the flight crew consists of either two pilots; and

(d) the decision height is determined by a radio altimeter.

(2) A Category II or Category III instrument approach and landing operations shall not be authorized unless Runaway Visual Range information is provided.

(3) When the approach procedure being used provides for and requires the use of a decision height, the authorized decision height is the highest of the following:

(a) the decision height or alert height prescribed by the approach procedure;

(b) the decision height or alert height prescribed for the pilot in command;

(c) the decision height or alert height for which the aircraft is equipped.

(4) Unless otherwise authorized by the Authority, a pilot operating an aircraft in a Category II or Category III approach that provides and requires use of a decision height or alert height shall not continue the approach below the authorized decision height or alert height unless the following conditions are met:

(a) the aircraft is in a position from which a descent to a landing on the intended runway can be made at a normal rate of descent using normal manoeuvres and where that descent rate will allow touchdown to occur within the touchdown zone of the runway of intended landing;

(b) at least one of the following visual references for the intended runway is distinctly visible and identifiable to the pilot:

(i) visual reference containing a segment of at least three consecutive lights being the centre line of the approach lights or touchdown zone lights or runway lights or a combination of these;

(ii) the threshold;

(iii) the threshold markings;

(iv) the threshold lights;

(v) the touchdown zone or touchdown zone markings; and

(vi) the touchdown zone lights.

(5) Unless otherwise authorized by the Authority, a pilot operating an aircraft shall immediately execute an appropriate missed approach whenever, prior to touchdown, the requirements of subregulation (3), are not met.

(6) An operator shall ensure that an aircraft using a Category III approach without decision height shall not be landed except in accordance with the provisions of the letter of authorization issued by the Authority.

(7) Subregulations (1) through (6) shall not apply to operations conducted by a national air operator issued a certificate under the Civil Aviation [(No. 3) Air Operator Certification and Administration] Regulations, 2004.

(8) A national air operator shall ensure that an aircraft in a Category II or Category III operations is conducted in accordance with his operations specifications.

(9) An operator before commencing a Category II or Category III programme shall ensure that—

(a) the pilot in command and co-pilot of the aircraft hold the appropriate authorizations and ratings prescribed under the Civil Aviation [(No. 1) General Application and Personnel Licensing] Regulations, 2004;

(b) each flight crew member has adequate knowledge of, and familiarity with, the aircraft and the procedures to be used; and

(c) the instrument panel in front of the pilot who is controlling the aircraft has appropriate instrumentation for the type of flight control guidance system that is being used.

(10) Unless otherwise authorized by the Authority, an operator shall ensure that an aircraft is not operated in a Category II or Category III programme unless each ground component required for that operation and the related airborne equipment is installed and operating.

(11) An operator shall submit a low visibility operations programme to the Authority for approval prior to conducting Category II and Category III operations.

Category II and Category III Manual

Requirements for Category II and Category III manual

131. (1) Except as provided in subregulation (6) an operator shall ensure that an aircraft is not operated in a Category II or a Category III operations unless—

(a) there is available on such aircraft a current and approved Category II or Category III manual, as appropriate, for that aircraft;

(b) the operation is conducted in accordance with the procedures, instructions and limitations in the appropriate manual; and

(c) the instruments and equipment listed in the manual that are required for a particular Category II or Category III operation have been inspected and maintained in accordance with the maintenance programme contained in the manual.

(2) Where an operator wishes to amend his Category II or III Manual he shall submit such amendment to the Authority for approval.

(3) Where a submission under subregulation (2) is accompanied by a request to initiate operations in accordance with an amendment, such operations shall not commence unless the Authority so approves.

(4) An operator shall ensure that his Category II or Category III manual meets the requirements of Schedule 5. Schedule 5

(5) An operator shall keep a current copy of each approved manual at his principal base of operations and shall make each manual available for inspection upon request by the Authority.

(6) Subregulations (1) and (4) shall not apply to operations conducted by a national air operator issued a certificate under the Civil Aviation [(No. 3) Air Operator Certification and Administration] Regulations, 2004.

Diversion Decision Procedures

Procedures to be followed where a diversion decision is to be made

132. (1) Except as provided in subregulation (2), a pilot in command shall land an aircraft at the nearest suitable aerodrome at which a safe landing can be made whenever an engine of an aircraft fails or is shut down to prevent possible damage.

(2) Where only one engine of an aircraft having three or more engines fails, or its rotation is stopped, a pilot in command may proceed to an aerodrome where in his opinion proceeding to that aerodrome is as safe as landing at the nearest suitable aerodrome after considering the—

(a) nature of the malfunction and the possible mechanical difficulties that may occur should be continued;

(b) altitude, weight, and usable fuel at the time of engine stoppage;

(c) weather conditions en-route and at possible landing points;

(d) air traffic congestion;

(e) terrain characteristics; and

(f) familiarity with the aerodrome to be used.

Operation Near Other Aircraft

Procedures to be used for formation flight

133. (1) A person shall not operate an aircraft so close to another aircraft as to create a collision hazard.

(2) A person shall not operate an aircraft, carrying passengers for hire, in formation flight.

(3) An operator shall ensure that an aircraft is not flown in formation except by pre-arrangement among the pilot in command of the aircraft taking part in the flight and, for formation flight in controlled airspace, in accordance with the conditions prescribed by the appropriate Air Traffic Control Authority.

(4) Conditions under subregulation (3), shall include the requirement that—

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

(b) separation between aircraft in the formation flight shall be the responsibility of the flight leader and the pilots in command of the other aircraft in the flight and shall include periods of transition when aircraft are manoeuvring to attain their own separation within the formation and during join-up and break-away; and

(c) a distance not exceeding one kilometer laterally and longitudinally and 100 feet vertically from the flight leader shall be maintained by each aircraft.

General Right-of-Way Rules

General right-of-way rules

134. (1) A pilot of an aircraft in flight or while manoeuvring in the movement area of an aerodrome shall maintain vigilance so as to see and avoid other aircraft.

(2) A pilot of an aircraft in flight that has the right-of-way, has the right to proceed on the same heading and at the same speed before any other aircraft.

(3) Notwithstanding the right-of-way under subregulation (2), a pilot shall be responsible to take such action, including collision avoidance manoeuvres based on resolution advisories provided by Airborne Collision Avoidance System equipment, so as to best avoid collision.

(4) A pilot of an aircraft which does not have right of way in flight shall give way to an aircraft which has the right of way and shall not pass over or under the other aircraft or cross ahead of it unless passing well clear of it taking into account the effect of aircraft wake turbulence.

(5) An aircraft in distress or an aircraft that is compelled to land has the right-of-way over all other air traffic.

(6) Where aircraft of the same category are converging at approximately the same altitude, except head-on or approximately so, the aircraft which has the other to its right shall give way.

(7) Where aircraft of different categories are converging in flight, the following right of way rules shall apply:

(a) a balloon has the right-of-way over any other category of aircraft;

(b) a glider has the right-of-way over an airship, aeroplane, or rotorcraft; and

(c) an airship has the right-of-way over an aeroplane or rotorcraft.

(8) An aircraft towing or refuelling another aircraft has the right-of-way over all other engine-driven aircraft, except aircraft in distress.

(9) Where aircraft are approaching each other head-on, or approximately so, the pilot of each aircraft shall alter course to the right.

(10) An aircraft that is being overtaken has the right-of-way and a pilot of the overtaking aircraft shall alter course to the right to pass well clear.

(11) An aircraft, while on final approach to land or while landing, has the right-of-way over other aircraft in flight or operating on the surface.

(12) Where two or more aircraft are approaching an aerodrome for the purpose of landing, the aircraft at the lower altitude has the right-of-way.

(13) Notwithstanding subregulation (12), power driven heavier than air aircraft shall give way to gliders for the purpose of landing.

(14) An aircraft taxiing on the manoeuvring area of an aerodrome shall give way to aircraft taking off or about to take-off.

(15) In case of danger of collision between two aircraft taxiing on the movement area of the aerodrome, the following shall apply:

(a) where two aircraft are approaching head on or approximately so, each shall stop or where practicable alter its course to the right so as to keep well clear;

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

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

(d) an aircraft taxiing in the manoeuvring area shall stop and hold at all taxi-holding positions unless otherwise authorized by the aerodrome control tower; and

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

Right-of-Way Rules for Water Operations

Right-of-way Rules for Water Operations

135. (1) An operator shall ensure that an aircraft operating on the water shall, as far as possible, keep clear of all vessels and avoid impeding their navigation and shall give way to any vessel or other aircraft that is given the right-of-way by these Regulations.

(2) When two aircraft or an aircraft and a vessel, are on crossing courses, the aircraft or vessel which has the other on its right shall give way so as to keep well clear.

(3) When two aircraft or an aircraft and a vessel, are approaching head-on, or approximately so, each shall alter its course to the right to keep well clear.

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

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

(6) Where two aircraft or an aircraft and a vessel, approach so as to pose to a risk of collision, each aircraft or vessel shall proceed with careful regard to existing circumstances, including the limitations of the respective aircraft or vessel.

Requirements for the Use of Aircraft Lights

Requirements for the use of aircraft lights

136. (1) Except as provided in subregulation (4), all aircraft in flight shall display—

(a) anti-collision lights, to attract attention to the aircraft at all times, and

(b) navigation lights intended to indicate the relative path of the aircraft to an observer, from sunset to sunrise or during any other period specified by the appropriate authority.

(2) Except as provided in subregulation (4), a person shall not park or move an aircraft at night in a movement area or in dangerous proximity to a movement area of an aerodrome, unless the aircraft—

(a) has lighted navigation lights to attract attention to the aircraft;

(b) has display lights at the extremities of its structure; or

(c) is in an area that is marked by obstruction lights.

(3) An aircraft shall display red anti-collision beacon lights prior to commencement of engine start and while engines are running.

(4) A pilot shall be permitted to switch off or reduce the intensity of any flashing light where—

(a) such light adversely affects or is likely to adversely affect the satisfactory performance of duties of persons engaged in an aircraft operations; or

(b) such light may subject an outside observer to harmful dazzle.

(5) An operator shall ensure that an aircraft on water is not anchored between sunset and sunrise or such other period as may be prescribed by the appropriate authority, unless that aircraft—

(a) has lighted anchor lights; or

(b) is in an area where anchor lights are not required on aircraft or vessels.

Simulated Instrument Flight Requirements

137. (1) An operator shall ensure that an aircraft is not operated in simulated instrument flight unless— Requirements for simulated instrument flight

(a) that aircraft has fully functioning dual controls;

(b) the pilot operating the simulated instrument flight is accompanied at the other control seat by a safety pilot who holds at least a Private Pilot Licence with category and class ratings appropriate to the aircraft being flown; and

(c) the safety pilot has adequate vision forward and to each side of the aircraft, or a competent observer in communication with the safety pilot occupies a position in the aircraft from which the field of vision of the observer adequately supplements the vision of the safety pilot.

(2) An operator shall ensure that simulated instrument flight conditions are not conducted during commercial air transport operations.

In-flight Simulation of Abnormal Situations

138. An operator shall ensure that an abnormal or emergency situation is not simulated during commercial air transport operations. Requirements for in-flight simulation of abnormal situations

Requirements for Dropping, Spraying, Towing

139. Except under conditions prescribed by the appropriate Authority and as indicated by relevant information, advice and clearance from Air Traffic Control Authority a pilot shall not— Restrictions on dropping, spraying and towing

(a) drop, dust or spray from an aircraft;

(b) tow an aircraft or other object; or

(c) allow parachute descents unless formally approved by the Authority.

Requirements for Participation in Aerobatic Flight

Restriction on aerobatic flight

140. (1) A person shall not operate an aircraft in aerobatic flight—

(a) over any city, town or settlement;

(b) over an open air assembly of persons;

(c) within the lateral boundaries of the surface areas of Class B, C, D or E airspace designated for an aerodrome;

(d) below an altitude of one thousand, five hundred feet above the land or sea surface; or

(e) when the flight visibility is less than 3 statute miles.

(2) A person shall not operate an aircraft in manoeuvres exceeding a bank angle of sixty degrees or pitch angle of thirty degrees from level flight attitude unless all occupants of the aircraft are wearing parachutes packed by a qualified parachute rigger in the past twelve months.

Restriction on Location of Flight Test

Restrictions on where flight test is conducted

141. A person shall not flight-test an aircraft except over open water, or sparsely populated areas having light traffic.

Restriction on use of Aircraft in Prohibited Areas and Restricted Areas

Restrictions on the use of an aircraft in a prohibited or restricted area

142. (1) A person shall not operate an aircraft in a prohibited area, or in a restricted area, except in accordance with the conditions of the restrictions or by permission of the State over whose territory the areas are established.

(2) In this regulation, “a prohibited area” or “restricted area” means an area designated by a Civil Aviation Authority to be prohibited or restricted area.

Restrictions on operations in Minimum Navigation Performance Specification or Reduced Vertical Separation Minimum

Operations in Defined Portions of Airspaces with Specific Navigation Performance Requirements or Reduced Vertical Separation Minimum.

143. (1) An operator shall not operate—

(a) an aeroplane in defined portions of airspace based on a Regional Air Navigation Agreement where—

(i) minimum navigation performance specifications are prescribed, such as MNPS, RNP Type or RNAV; or

(ii) a reduced vertical separation minimum (RVSM) of one thousand feet is applied between FL290 and FL410; or

(b) a helicopter in defined portions of airspace or on routes where an RNP type has been prescribed, unless approved to do so by the Authority.

(2) Where an operator wishes to apply to operate an aeroplane or helicopter under the conditions set out in subregulation (1), he shall apply to the Authority in the prescribed form.

(2A) An application under subregulation (2) shall be accompanied by the following documents:

(a) an identification of the RVSM aircraft group or the non-group aircraft;

(b) a definition of RVSM flight envelopes applicable to the aircraft;

(c) documentation that establishes compliance with the applicable RVSM aircraft requirements; and

(d) the conformity tests used to ensure that aircraft approved in accordance with the documents meet the RVSM aircraft requirements.

(3) An operator shall not operate an aeroplane or helicopter in defined portions of airspace or routes specified in subregulation (1), except in accordance with conditions of the procedures and restrictions required for such airspace or routes.

Approval for Operations in Reduced Vertical Separation Minimum Airspace

143A. (1) The Director General may recommend the Authority grant approval for an operator to operate an aeroplane in Reduced Vertical Separation Minimum airspace where he is satisfied that—

Approval for Operations in reduced vertical separation minimum airspace

(a) the vertical navigation performance capability of the aeroplane satisfies the altimetry system performance requirements for operations in RVSM airspace;

(b) the operator has instituted appropriate procedures for his aeroplane in respect to continued airworthiness practices and programmes;

(c) the operator has instituted appropriate flight crew procedures for operations in RVSM airspace;

(d) the operator has adequate provisions for receiving the reports issued by the monitoring agencies of height keeping performance of aeroplanes approved for operations in RVSM airspace; and

(e) the operator shall take immediate corrective action for individual aircraft or aircraft type groups, identified in a report referred to in paragraph

(d) as not complying with the height-keeping requirements for operation in airspace where RVSM is applied.

(2) The Director General may recommend that the Authority amend, suspend or revoke the Air Operator Certificate of a national operator where the national operator conducts operations in RVSM airspace without the required approval from the Authority.

Operations on or in the Vicinity of an Uncontrolled Aerodrome

Requirements where operations are conducted on or in the vicinity of an uncontrolled aerodrome

144. (1) A pilot of 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; and

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

(2) When approaching to land at an aerodrome without an operating control tower, each pilot of—

(a) an aeroplane shall make all turns to the left or shall comply with any traffic patterns established by the civil aviation authority having jurisdiction over that aerodrome; and

(b) a helicopter shall avoid the pattern of traffic flow of aeroplanes.

(3) When departing an aerodrome without an operating control tower, a pilot of an aircraft shall make all turns to the left or shall comply with any traffic patterns established by the civil aviation authority having jurisdiction over that aerodrome.

(4) A pilot of an aircraft shall land and take-off into the wind unless safety, the runway configuration or traffic considerations determine that a different direction is preferable.

Aerodrome Traffic Pattern Altitudes for Turbojet, Turbofan, or Large Aircraft

145. (1) When arriving at an aerodrome, the pilot in command of a turbojet, turbofan or large aircraft shall enter the traffic pattern at least 1,500 feet above ground level until further descent is required for landing.

Required altitudes for turbojet, turbofan or large aircraft on entering aerodrome traffic pattern

(2) When departing an aerodrome, the pilot in command of a turbojet, turbofan or large aircraft shall climb to 1,500 feet above ground level as rapidly as practicable.

Compliance with Visual and Electronic Glide Slopes

146. (1) The pilot in command of an aircraft approaching to land on a runway served by a visual approach slope indicator shall maintain an altitude at or above the glide slope until a lower altitude is necessary for a safe landing.

Compliance with visual and electronic glide slopes

(2) The pilot in command of a turbojet, turbofan, or large aeroplane approaching to land on a runway served by an Instrument Landing System, shall fly that aeroplane at or above the glide slope from the point of interception to the middle marker.

Commercial Air Transport Operations Restriction or Suspension of Operations

147. Where a pilot in command or an air operator knows of conditions, including aerodrome and runway conditions that are a hazard to safe operations, such person shall restrict or suspend all commercial air transport operations to such aerodromes and runways as necessary until those conditions are corrected.

Restriction or suspension of operations for commercial air transport operations

Continuation of Flight in Commercial Air Transport Operations when Destination Aerodrome is Temporarily Restricted

148. A pilot in command shall not allow a flight to continue toward any aerodrome of intended landing where commercial air transport operations have been restricted or suspended, unless—

Continuation of flight in commercial air transport when destination aerodrome is temporarily restricted

(a) in the opinion of the pilot in command, the conditions that are a hazard to safe operations may reasonably be expected to be corrected by the estimated time of arrival; or

(b) there is no safer procedure.

Interception of Civil Aircraft

149. (1) Interception of civil aircraft by a military aircraft of an armed force of Trinidad and Tobago shall be conducted in a manner—

Requirements where interception occurs

(a) to have due regard for the safety of navigation of civil aircraft; and

(b) as prescribed by the Authority.

Schedule 7

(2) When intercepted by a military aircraft, the pilot in command of a civil aircraft shall comply with the international standards when interpreting and responding to visual signals as specified in paragraphs (e), (l), and (m) of Schedule 7.

Air Traffic Control Clearances

Requirements for Air Traffic Control clearances

150. (1) A pilot in command shall obtain an Air Traffic Control clearance prior to operating a controlled flight, or any portion thereof.

(2) A pilot in command shall request an Air Traffic Control clearance through the submission of a flight plan to an Air Traffic Control Facility.

(3) Whenever a pilot in command of an aircraft has requested a clearance involving priority, he shall where requested by the appropriate Air Traffic Control Facility and upon completion of flight, submit a report explaining the necessity for such priority.

(4) A person operating an aircraft at a controlled aerodrome shall not taxi on the manoeuvring area or any runway without clearance from the aerodrome control tower.

Adherence to Air Traffic Control Clearances

Requirement to adhere to Air Traffic Control clearances

151. (1) When an Air Traffic Control clearance has been obtained, a pilot in command shall not deviate from the clearance, except in an emergency unless he obtains an amended clearance.

(2) When operating in airspace requiring controlled flight, a pilot in command shall not operate contrary to Air Traffic Control instructions, except in an emergency.

(3) A pilot in command who in an emergency deviates from an Air Traffic Control Clearance shall notify Air Traffic Control of that deviation as soon as possible.

(4) A pilot in command may amend his Air Traffic Control clearance at any time but shall not operate under such amended clearance until it has been accepted by the Air Traffic Control Facility.

Communication Requirements

Communication requirements

152. (1) A pilot operating an aircraft on a controlled flight shall maintain a continuous listening watch on the appropriate radio frequency of, and establish two-way communication as required with, the appropriate Air Traffic Control Facility except as may be prescribed by the appropriate air traffic services authority in respect of aircraft forming part of aerodrome traffic at a controlled aerodrome.

(2) Regulations for communication failure in Visual Meteorological Conditions and Instrument Meteorological Conditions are prescribed in regulations 170 and 188 respectively.

(3) A person operating an Instrument Flight Rules flight outside controlled airspace but within or into areas, or along routes, designated by the appropriate Air Traffic Control Authority shall maintain an air-ground voice communication on the appropriate communication channel and establish two-way communication as necessary with the Air Traffic Service Facility providing flight information service and shall make position reports as required by regulation 156.

(4) Where a communication failure prevents compliance with subregulation (1), a pilot shall comply with the voice communication failure procedures specified in the Implementing Standards for Regulation 152 in Schedule 12 and the following procedures as are appropriate:

(a) attempt to establish communication with the appropriate air traffic services facility using all other available means; and

(b) where the aircraft is forming part of aerodrome traffic at a controlled aerodrome, keep a watch for such instructions as may be issued by visual signals.

Route to be flown

153. (1) Unless otherwise authorized by the appropriate air traffic services authority or directed by the appropriate Air Traffic Control Facility, a pilot in command of a controlled flight shall, as far as practicable— Pilot in command to fly along assigned route

(a) when on an established Air Traffic Control route, operate along the defined center line of that route; or

(b) when on any other route, operate directly between the navigation facilities and points defining that route.

(2) Where a pilot in command deviates from the requirements of subregulation (1), he shall notify the appropriate Air Traffic Control Facility as soon as possible.

(3) A pilot in command of a controlled flight operating along an Air Traffic Control route defined by reference to Very High Frequency Omni Range shall change over for primary navigation guidance from the facility behind the aircraft to that ahead of it at, or as close as operationally feasible to, the change-over point, where established.

(4) Where an Automatic Dependent Surveillance agreement is in place, the Air Traffic Services Facility shall be informed automatically via data link whenever changes occur beyond the threshold values stipulated by the Automatic Dependent Surveillance event contract.

Inadvertent Changes to Route

Procedures where inadvertent changes occur

154. Where in a controlled flight a pilot in command inadvertently deviates from the current flight plan he shall—

(a) where the aircraft is off track adjust the heading of the aircraft to regain track as soon as practicable;

(b) where the average true airspeed at cruising level between reporting points varies from that given in the flight plan or is expected to vary by plus or minus five per cent of the true airspeed, inform the appropriate Air Traffic Control Facility;

(c) where the time estimated for a reporting point, flight information region boundary or destination aerodrome, whichever comes first, is found to be in excess—

(i) of three minutes from that notified to Air Traffic Control Facility, or

(ii) such other period of time as is prescribed by the appropriate Air Traffic Control Authority,

notify as soon as possible the appropriate Air Traffic Control Facility and give a revised estimated time.

Intended Changes for Air Traffic Control Clearance

Procedures where there are intended changes for Air Traffic Control clearance

155. Requests for flight plan changes shall include the following information:

(a) aircraft identification;

(b) in respect of a change in cruising level, the requested new cruising level and cruising speed at this level and revised time estimates, when applicable, at subsequent flight information region boundaries;

(c) in respect of a new route without destination change, the flight rules, a description of the new route of flight including related flight plan data beginning with the position from which requested change of route is to commence, revised time estimates and any other pertinent information;

(d) in respect of a destination change, the flight rules under which the flight will operate, a description of the revised route of the flight to the revised destination aerodrome including related flight plan data beginning with the position from which the requested change of route is to commence, revised time estimates, alternate aerodrome and any other pertinent information.

Position Reports

Requirements for position reports

156. (1) A pilot of a controlled flight shall, unless exempted by the appropriate Air Traffic Control Authority, report to the appropriate Air Traffic Control Facility, as soon as possible, the time and level of passing each designated compulsory reporting point, together with any other required information.

(2) A pilot of a controlled flight shall make position reports in relation to additional points or intervals when requested by the appropriate Air Traffic Control Facility.

(3) A pilot of a controlled flight shall, except when landing at a controlled aerodrome, advise the appropriate Air Traffic Control Facility as soon as it ceases to be subject to Air Traffic Control Services.

Operations on or in the Vicinity of a Controlled Aerodrome

Procedures where operations are conducted on or in the vicinity of a controlled aerodrome

157. (1) An operator shall ensure that an aircraft is not operated to, from, through, or on an aerodrome having an operational control tower unless two-way communications are maintained between that aircraft and the control tower.

(2) On arrival at an aerodrome, a pilot in command shall establish communications required by subregulation (1), at least four nautical miles distance from the aerodrome when operating from the surface up to and including 2,500 feet.

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

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

(5) A clearance to “taxi to” the take-off runway authorizes the person to cross other runways during the taxi to the assigned runway but is not a clearance to cross or taxi on to that runway.

(6) A clearance to “taxi to”, any other point on the aerodrome authorizes a person to cross all runways that intersect the taxi route to the assigned point.

(7) Where the radio fails or two-way communication is lost in the vicinity of a controlled aerodrome a pilot in command may continue a Visual Flight Rules flight operation using the procedures set out in regulation 170 and land the aircraft when—

(a) the weather conditions are at or above basic Visual Flight Rules minima; and

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

(8) The two-way communications failure procedures under regulation 188 shall apply during Instrument Flight Rules operations in the vicinity of a controlled aerodrome.

Unlawful Interference

Procedures where there has been unlawful interference on board an aircraft

158. (1) A pilot in command shall, when and where possible, notify the appropriate Air Traffic Control Facility when an aircraft is being subjected to unlawful interference, including—

(a) any significant circumstances associated with the unlawful interference, and

(b) any deviation from the current flight plan necessitated by the circumstances, to enable the Air Traffic Control Facility to give priority to the aircraft and to minimize conflict with other aircraft.

(1A) A pilot in command of an aircraft subjected to an act of unlawful interference shall attempt to land as soon as practicable at –

(a) the nearest suitable aerodrome; or

(b) a dedicated aerodrome assigned by the appropriate authority, unless considerations aboard the aircraft dictate otherwise.

(2) In this regulation "interference" means—

(a) any act which causes or threatens the safety of the aircraft or of persons on board the aircraft;

(b) the use of abusive language or insulting words towards crew member or passenger on the aircraft; or

(c) when used in relation to a crew member, threats of assaults or intimidation of a crew member while he is performing his duties.

Time Checks

159. (1) A pilot in command shall use, in flight operations Coordinated Universal Time, expressed in hours and minutes of the twenty-four hour day beginning at midnight. Time checks requirements

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

Universal Signals

160. (1) An operator shall ensure that procedures to be followed upon the observation or reception of the designated universal aviation signals are established. Universal signals requirements

(2) Upon observing or receiving any of the designated universal aviation signals, a person operating an aircraft shall take such action as may be required by the interpretation of the signal.

(3) Universal signals shall have the meanings designated in Schedule 7. Schedule 7

(4) A person using universal signals in the movement of aircraft shall use them only for the purpose indicated.

(5) A person shall not use signals likely to cause confusion with universal aviation signals.

(6) All ground staff when engaged in ground signaling shall use—

(a) daylight fluorescent-coloured wands, table-tennis bats or gloves during daylight hours; or

(b) illuminated wands during the night or in low visibility.

(7) No person shall guide an aircraft unless the person is trained and qualified and is approved by the appropriate authority to carry out the functions of a signalman.

(8) A signalman under subregulation (7) shall—

(a) be responsible for providing standard marshalling signals to a pilot while operating an aircraft in a clear and precise manner using the signals prescribed in Schedule 7; and

(b) wear a distinctive fluorescent identification vest to allow the flight crew of an aircraft to identify that he is the person responsible for the marshalling operation.

Technical and servicing communication Signals

Technical and servicing communication signals

160A. (1) A signalman shall use as appropriate the technical and servicing communication signals at figures 24 through 29 of the marshalling signals prescribed in paragraph *(j)* of Schedule 7 to communicate to flight crews during the aircraft movement process relating to servicing or handling functions.

(2) Notwithstanding subregulation (1), manual signals shall be used only for technical and servicing communication when verbal communication is not possible.

(3) A Signalman shall ensure at all times that an acknowledgement is received from flight crew in response to technical and servicing communication signals.

Visual Flight Rules Requirements and Navigation

Visual Flight Rules and navigation requirements

161. Navigation for flights under Visual Flight Rules shall be accomplished by visual reference to landmarks.

Visual Meteorological Conditions

Restrictions on operations under Visual Meteorological conditions

162. An operator shall ensure that an aircraft is not operated under Visual Flight Rules when—

(a) the flight visibility is less than, or at a distance from the clouds that is less than that prescribed; or

Schedule 8

(b) the corresponding altitude and class of airspace set out in Schedule 8 exists.

Visual Flight Rules Weather Minima for Take-off and Landing

Visual Flight Rules Weather minimums for take-off and landing

163. (1) A pilot shall not enter the traffic pattern, land or take-off an aircraft under Visual Flight Rules from an aerodrome located in Class B, Class C, Class D or Class E airspace unless the—

(a) reported ceiling is at least 1,500 feet; and

(b) reported ground visibility is at least 3 statute miles, where reported.

(2) Where the ground visibility is not reported, the pilot shall conduct such flight as if flight visibility is 3 statute miles.

(3) Where an aerodrome located in Class G airspace below 1,200 feet above ground level a pilot shall not enter the traffic pattern, land or take-off an aircraft under Visual Flight Rules unless—

(a) in an aeroplane, the visibility is at least 1 statute mile and the aeroplane can be operated clear of clouds within one-half mile of the runway; or

(b) in a helicopter it can be operated clear of clouds at a speed that allows the pilot adequate opportunity to see any air traffic or obstruction in time to avoid a collision.

Special Visual Flight Rules Operations

164. (1) A pilot shall not conduct a Special Visual Flight Rules flight operation to enter the traffic pattern, land or take-off an aeroplane under Special Visual Flight Rules from an aerodrome located in Class B, Class C, Class D or Class E airspace unless— Special Visual Flight Rules Operations

(a) given clearance by an Air Traffic Control Authority;

(b) the aircraft remains clear of clouds; and

(c) the flight visibility is at least 1 statute mile.

(2) A pilot shall not conduct a Special Visual Flight Rules flight operation in an aircraft between sunset and sunrise unless authorized by the appropriate Air Traffic Control Authority and—

(a) the pilot in command has a valid licence and rating for Instrument Flight Rules operations; and

(b) the aircraft is certified for Instrument Flight Rules flight.

Visual Flight Rules Cruising Altitudes

165. (1) A pilot operating an aircraft in level cruising flight under Visual Flight Rules at altitudes above 3,000 feet from the ground or water, shall maintain— Visual Flight Rules Cruising Altitudes

(a) for magnetic courses from 0° to 179°, any odd thousand Mean Sea Level altitudes plus 500 feet or cruising level plus 500 feet, such as 3,500 feet, 5,500 feet or Flight Level 215;

(b) for magnetic courses from 180° to 359°, any even thousand Mean Sea Level altitude level plus 500 feet or cruising level plus 500 feet, such as 4,500 feet, 6,500 feet or Flight Level 225.

(2) A pilot may deviate from cruising altitudes specified in subregulation (1) only when—

(a) authorized by the Air Traffic Control Authority;

(b) operating in a holding pattern; or

(c) manoeuvring in turns.

Air Traffic Control Clearances for Visual Flight Rules Flights

Requirement to comply with Air Traffic Control clearances for Visual Flight Rules flights

166. A pilot of a Visual Flight Rules flight shall obtain and comply with Air Traffic Control clearances and maintain a listening watch before and during operations—

(a) within Classes B, C and D airspace;

(b) as part of aerodrome traffic at controlled aerodromes; and

(c) under Special Visual Flight Rules as prescribed under regulation 167.

Visual Flight Rules Flights Requiring Air Traffic Control Authorization

Requirement to have Air Traffic Control Authorization for Visual Flight Rules flights

167. Unless authorized by the appropriate Air Traffic Control Authority, a pilot shall not operate in Visual Flight Rules flight—

(a) above Flight Level 200; or

(b) at transonic and supersonic speeds.

Weather Deterioration Below Visual Meteorological Conditions

Procedure where there is weather deterioration below Visual Meteorological Conditions

168. A pilot of a Visual Flight Rules flight operated as a controlled flight shall, when he finds it is not practical or possible to maintain flight in Visual Meteorological Conditions in accordance with the Air Traffic Control flight plan—

(a) request an amended clearance enabling the aircraft to continue in Visual Meteorological Conditions to its destination or to an alternative aerodrome, or to leave the airspace within which an Air Traffic Control clearance is required;

(b) where no clearance can be obtained, continue to operate in Visual Meteorological Conditions and notify the appropriate Air Traffic Control Facility of the action being taken either to leave the airspace concerned or to land at the nearest suitable aerodrome;

(c) where operating within a control zone, request authorization to operate as a Special Visual Flight Rules flight; or

(d) where currently rated for Instrument Flight Rules operations, request clearance to operate under Instrument Flight Rules.

Changing from Visual Flight Rules to Instrument Flight Rules

Changing from Visual Flight Rules to Instrument Flight Rules

169. A pilot operating under Visual Flight Rules who wishes to change to Instrument Flight Rules shall—

(a) where a flight plan was submitted, communicate the necessary changes to be effected to his current flight plan; or

(b) submit an amended flight plan to the appropriate Air Traffic Control facility and obtain a clearance prior to operating under Instrument Flight Rules when in controlled airspace.

Two-way Radio Communication Failure in Visual Meteorological Conditions

Two-way radio communication failure in Visual Flight Rules

170. (1) Where radio communications failure occurs in Visual Meteorological Conditions while under Air Traffic Control, or where Visual Meteorological Conditions are encountered after such radio communications failure, a pilot shall—

(a) continue the flight under Visual Flight Rules;

(b) land at the nearest suitable aerodrome; and

(c) report arrival to Air Traffic Control Facility by the most expeditious means possible.

(2) Where radio communication failure occurs while operating under Instrument Flight Rules, or if the pilot of an aircraft operating under Instrument Flight Rules flight considers it inadvisable to complete the flight under subregulation (1), the pilot shall complete the flight in accordance with regulation 188.

Instrument Flight Rules Flights in Controlled Airspace

Restrictions on Instrument Flight Rules flights in controlled airspace

171. A pilot shall not operate an aircraft in controlled airspace under Instrument Flight Rules unless he has—

(a) filed an Instrument Flight Rules flight plan; and

(b) received an appropriate Air Traffic Control clearance.

Instrument Flight Rules Flights Outside Controlled Airspace

Procedures for Instrument Flight Rules Flights outside controlled airspace

172. (1) A pilot in command of an Instrument Flight Rules flight operating outside controlled airspace, but within or into areas, or along routes, designated by the appropriate Air Traffic Control Authority, shall—

(a) maintain a listening watch on the appropriate radio frequency; and

(b) establish two-way communication, as necessary, with the Air Traffic Control facility providing flight information service.

(2) A pilot in command of an Instrument Flight Rules flight operating outside controlled airspace for which the appropriate Air Traffic Control Authority requires a flight plan shall—

(a) maintain a listening watch on the appropriate radio frequency;

(b) establish two-way communication, as necessary, with the Air Traffic Control facility providing flight information service;

(c) report the position of the aircraft as specified for controlled flights.

Instrument Flight Rules Take-off Minima for Commercial Air Transport Operations

Procedures for Instrument Flight Rules take-off minima for commercial air transport

173. Unless otherwise authorized by the Authority, a pilot operating an aircraft in commercial air transport operations shall not accept a clearance to take-off from a civil aerodrome under Instrument Flight Rules unless weather conditions are at or above—

(a) 1 statute mile visibility for aircraft, other than helicopters, having two engines;

(b) ½ statute mile visibility for aircraft having more than two engines; or

(c) ½ statute mile visibility for helicopters.

Minimum Altitudes for Instrument Flight Rules Operations

Restrictions on take-off or landing under Instrument Flight Rules Operations

174. (1) Except where necessary for take-off or landing a person shall not operate an aircraft under Instrument Flight Rules—

(a) below the applicable minimum altitudes prescribed by the relevant civil aviation authority having jurisdiction over the airspace being overflown; or

(b) where no applicable minimum altitude is prescribed by the relevant civil aviation authority—

(i) over high terrain or in mountainous areas, at a level which is at least 2,000 feet above the highest obstacle located within 8 km of the estimated position of the aircraft; and

(ii) elsewhere than as specified in subregulation (1), at a level which is at least 1,000 feet above the highest obstacle located within 8 km of the estimated position of the aircraft.

(2) Where a Minimum En-route Altitude and a Minimum Obstacle Clearance Altitude are prescribed for a particular route or route segment, a pilot may operate an aircraft below the Minimum En route Altitude down to, but not below the minimum obstacle clearance altitude when within twenty-two nautical miles of the very high VHF Omni Range concerned.

(3) Where a pilot is unable to communicate with an Air Traffic Control Facility, he shall climb to a higher minimum Instrument Flight Rules altitude immediately after passing the point beyond which that minimum altitude applies.

(4) Where there are intervening obstructions, a pilot shall climb to a point above which the higher minimum altitude under subregulation (3), applies, at or above the applicable Minimum Clearance Altitude.

Minimum Altitudes for Use of an Autopilot

Minimum altitudes for use of an autopilot

175. (1) For en-route operations, a pilot shall not use an autopilot at an altitude which is less than 500 feet above the terrain.

(2) Where the maximum altitude loss, specified in the Aircraft Flight Manual for a malfunction under cruise conditions under subregulation (1), when multiplied by two is greater than 500 feet, then such altitude becomes the controlling minimum altitude for use of the autopilot.

(3) Except for auto-land, for instrument approach operations, a person shall not use an autopilot at an altitude above the terrain that is less than 50 feet below the minimum decision altitude or decision height.

(4) Where the maximum altitude loss specified in the Aircraft Flight Manual for a malfunction under approach conditions under subregulation (3) when multiplied by two is more than 50 feet, then such altitude becomes the controlling minimum altitude for use of the autopilot.

(5) The Director General may recommend that the Authority approve the use of a flight control guidance system with automatic landing capability to touchdown and rollout.

Instrument Flight Rules, Cruising Altitude or Flight Level in Controlled Airspace

Instrument Flight Rules, Cruising Altitude or flight level in controlled airspace

176. A pilot operating an aircraft under Instrument Flight Rules in level cruising flight in controlled airspace shall maintain the altitude or flight level assigned that aircraft by the Air Traffic Control Facility.

Instrument Flight Rules, Cruising Altitude or Flight Level in Uncontrolled Airspace

Instrument Flight Rules, Cruising Altitude or flight level in uncontrolled airspace

177. (1) A pilot operating an aircraft in level cruising flight in uncontrolled airspace under Instrument Meteorological Conditions at altitudes above 3,000 feet from the ground or water, shall maintain—

(a) for magnetic courses from 0o to 179o, any odd thousand mean sea level altitude or flight level, such as 5,000 feet, 7,000 feet, or Flight Level 210; and

(b) for magnetic courses from 180o to 359o, any even thousand mean sea level altitudes or flight level, such as 4,000 feet, 6,000 feet or Flight Level 220.

(2) A pilot may deviate from the cruising altitudes specified in subregulation (1), only when—

(a) authorized by the Air Traffic Control Authority;

(b) operating in a holding pattern; or

(c) manoeuvring in turns.

Instrument Flight Rules Radio Communications

Instrument Flight Rules radio communications

178. A pilot in command of an aircraft operated under Instrument Flight Rules in controlled airspace shall have a continuous watch maintained on the appropriate frequency and shall report by radio as soon as possible—

(a) the time and altitude of passing each designated reporting point, or the reporting points specified by the Air Traffic Control Authority, except that while the aircraft is under radar control, only the passing of those reporting points specifically requested by Air Traffic Control Authority, need be reported;

(b) any unforecast weather conditions encountered; and

(c) any other information which may affect the safety of flight, such as hazardous weather or abnormal radio station indications.

Malfunction Reports for Operation Under Instrument Flight Rules in Controlled Airspace

Requirement for malfunction reports for operation under Instrument Flight Rules in controlled airspace

179. (1) A pilot in command of an aircraft operated in controlled airspace under Instrument Flight Rules shall report as soon as practical to the Air Traffic Control Authority any malfunctions of navigational, approach or communication equipment occurring in flight.

(2) A pilot in command shall include in his report under subregulation (1)—

(a) the aircraft identification;

(b) the equipment affected;

(c) the degree to which the capability of the pilot to operate under Instrument Flight Rules in the Air Traffic Control area is impaired; and

(d) the nature and extent of assistance desired from Air Traffic Control.

Continuation of Instrument Flight Rules Flight Toward a Destination

Continuation of Instrument Flight Rules Flight toward a destination

180. A pilot shall not continue an Instrument Flight Rules flight toward an aerodrome or heliport of intended landing, unless the latest available meteorological information indicates that the conditions at that aerodrome or at least one destination alternate aerodrome will, at the expected time of arrival, be at or above the specified instrument approach minima.

Instrument Approach Procedures and Instrument Flight Rules Landing Minima

Instrument approach procedures and Instrument Flight Rules landing minimums

181. (1) A person shall not make an instrument approach at an airport except in accordance with Instrument Flight Rules weather minima and instrument approach procedures set forth in the operations specifications of the air operator.

(2) The instrument approach under subregulation (1), may be continued below decision height and the landing may be completed provided that the required visual reference is established at the decision height and is maintained.

Commencing an Instrument Approach

Commencing An instrument approach

182. (1) The pilot in command or the pilot to whom conduct of a flight has been delegated may commence an instrument approach regardless of the reported runway visual range or visibility but such instrument approach shall not be continued beyond the outer marker, or equivalent position, where the reported runway visual range or visibility is less than the applicable minima.

(2) Where after passing the outer marker or equivalent position in accordance with subregulation (1), the reported Runway Visual Range falls below the applicable minima, the approach may be continued to decision height.

(3) Where no outer marker or equivalent position exists, the pilot in command or the pilot to whom conduct of the flight has been delegated shall make the decision to continue or abandon the approach before 1,000 feet above the aerodrome on the final approach segment.

Instrument Approaches to Civil Aerodromes

Procedures for instrument approaches to civil aerodromes

183. (1) A pilot operating an aircraft in accordance with Instrument Flight Rules shall use a standard instrument approach procedure prescribed by the authorities having jurisdiction over the aerodrome, unless otherwise authorized by the Air Traffic Control Authority.

(2) For the purpose of this regulation, when the approach procedure being used provides for and requires the use of a Decision Height, the authorized decision height is the highest of the following:

(a) the decision height prescribed by the approach procedure;

(b) the decision height prescribed for the pilot in command; or

(c) the decision height for which the aircraft is equipped.

Operation Below Decision Height or Minimum Decent Altitude

Requirements for operation below decision height or minimum decent altitude

184. (1) Where a decision height or minimum decent altitude is applicable, a pilot shall not operate an aircraft at any aerodrome or heliport below the authorized minimum decent altitude or continue an approach below the authorized decision height unless—

(a) the aircraft is continuously in a position from which a descent to a landing on the intended runway can be made at a normal rate of descent using normal manoeuvres;

(b) the flight visibility is not less than the visibility prescribed in the standard instrument approach being used;

(c) at least one of the following visual references for the intended runway is distinctly visible and identifiable to the pilot:

(i) the approach light system, except that the pilot shall not descend below 100 feet above the touchdown zone elevation using the approach lights as a reference unless the red terminating bars or the red side row bars are also distinctly visible and identifiable;

(ii) the threshold;

(iii) the threshold markings;

(iv) threshold lights;

(v) the runway end identifier lights;

(vi) the visual approach slope indicator;

(vii) the touchdown zone or touchdown zone markings;

(viii) the touchdown zone lights;

(ix) the runway or runway markings; or

(x) the runway lights.

(2) For commercial air transport operations the pilot in command shall ensure that the descent rate under subregulation (1)*(a)*, allows touchdown to occur within the touchdown zone of the runway of intended landing.

(3) The visual references under this regulation shall not apply to Category II and III operations.

Landing During Instrument Meteorological Conditions

185. A pilot operating a civil aircraft shall not land that aircraft when the flight visibility is less than the visibility prescribed in the standard instrument approach procedure being used unless the required visual cues are present. Requirements for landing during Instrument Meteorological Conditions

Execution of a Missed Approach Procedure

186. A pilot operating an aircraft shall immediately execute an appropriate missed approach procedure when one of the following conditions exists: Execution of missed approach procedures

(a) whenever the required visual reference criteria are not met in the following situations:

(i) when the aircraft is being operated below minimum decent altitude; or

(ii) upon arrival at the missed approach point, including a decision height where a decision height is specified and its use is required, and at any time after that until touchdown;

(b) whenever an identifiable part of the aerodrome is not distinctly visible to the pilot during a circling manoeuvre at or above minimum decent height, unless the inability to see an identifiable part of the aerodrome results only from a normal bank of the aircraft during the circling approach.

Change from Instrument Flight Rules Flight toVisual Flight Rules Flight

187. (1) A pilot electing to change from an Instrument Flight Rules flight to a Visual Flight Rules flight shall notify the appropriate Air Traffic Control Facility specifically that the Instrument Flight Rules flight is cancelled and then communicate the changes to be made to his current flight plan. Procedure where change from Instrument Flight Rules flight to Visual flight Rules flight

(2) When a pilot operating under Instrument Flight Rules encounters visual meteorological conditions, he shall not cancel the Instrument Flight Rules flight unless it is anticipated, and intended, that the flight will be continued for a reasonable period of time in uninterrupted visual meteorological conditions.

Two-way Radio Communication Failure in Instrument Meteorological Conditions

Two-way Radio Communication failure in instrument Meteorological Conditions

188. Where radio communication failure occurs in Instrument Meteorological Condition or when the pilot of an Instrument Flight Rules flight considers it advisable to complete the flight under Visual Flight Rules under regulation 170, the pilot shall—

(a) unless otherwise prescribed on the basis of regional air navigation agreement, in airspace where radar is not used in the provision of air traffic control—

(i) maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of twenty minutes following the aircraft's failure to report its position over a compulsory reporting point; and

(ii) thereafter, adjust level and speed in accordance with the filed flight plan;

(b) in airspace where radar is used in the provision of air traffic control, maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of seven minutes following:

(i) the time the last assigned level or minimum flight altitude is reached;

(ii) the time the transponder is set to Code 7600; or

(iii) the aircraft's failure to report its position over a compulsory reporting point, whichever is later, and thereafter adjust level and speed in accordance with the filed flight plan;

(c) when being radar vectored or having been directed by Air Traffic Control to proceed offset using area navigation without a specified limit, rejoin the current flight plan route no later than the next significant point, taking into consideration the applicable minimum flight altitude;

(d) proceed according to the current flight plan route to the appropriate designated navigation aid or fix serving the destination aerodrome and when required to ensure compliance with *(e)* below, hold over this aid or fix until commencement of descent;

(e) commence descent from the navigation aid or fix specified in paragraph *(b)* at, or as close as possible to, the expected approach time last received and acknowledged or if no expected approach time has been received and acknowledged, at, or as close as possible to, the estimated time of arrival resulting from the current flight plan;

(f) complete a normal instrument approach procedure as provided for the designated navigation aid or fix; and

(g) land, if possible, within thirty minutes after the estimated time of arrival specified in paragraph *(c)* or the last acknowledged expected approach time, whichever is later.

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