STATUTORY RULES.

1954. No. .

REGULATIONS UNDER THE AIR NAVIGATION
ACT 1920-1950.*

I THE GOVERNOR-GENERAL in and over the Commonwealth of
Australia, acting with the advice of the Federal Executive Council,
hereby make the following Regulations under the Air Navigation
Act 1920-1950.

Dated this [illegible]

day of [illegible]

, 1954.

W. J. Sim.

Governor-General.

By His Excellency's Command,

For and on behalf of

the Minister of State for Civil Aviation.

Amendments of the Air Navigation Regulations.†

1. Regulation 3 of the Air Navigation Regulations is amended—

(a) by omitting the words—

"Part IV.—Airworthiness Requirements. (Regulations
26-49.)
Division 1.—Certificates of Airworthiness. (Regulations
26-37.)
Division 2.—Certificates of Safety. (Regulations
38-41.)
Division 3.—Aircraft Maintenance Engineers.
(Regulations 42-49.)"

and inserting in their stead the words—

"Part IV.—Airworthiness Requirements. (Regulations
26-47.)
Division 1.—Preliminary. (Regulation 26.)
Division 2.—Certificates of Type Approval.
(Regulations 27-39.)
Division 3.—Certificates of Airworthiness. (Regulations
30-35.)
Division 4.—International Operators. (Regulations
36-37.)
Division 5.—Approved Persons, Aircraft Maintenance
Engineers and Approved Technicians.
(Regulations 38-45.)
Division 6.—Maintenance. (Regulations 46-47.)"

* Notified in the Commonwealth Gazette on
1954.
† Statutory Rules 1947, No. 112 as amended by Statutory Rules 1947, No. 162;
1948, No. 60; 1949, Nos. 6 and 76; 1950, No. 69; 1952, Nos. 36, 48 and 47; 1953.
No. 44; 1954, No. 3107.—Price 8d.

10/27.1.1954.
(b) by omitting the words—

"Division 2.—Special Requirements to ensure the Safety of Airline Operations. (Regulations 206-218.)"

and inserting in their stead the words—

"Division 2.—Requirements to ensure the Safety of Commercial Operations. (Regulations 206A-218.)"; and

(c) by omitting the figures "321-330" and inserting in their stead the figures "321-332".

2. Regulation 5 of the Air Navigation Regulations is amended—

(a) by inserting in sub-regulation (1.), after the definition of "charter aircraft", the following definition:—

"commercial operation" means an air operation specified in regulation 191 of those Regulations, other than a private operation;"; and

(b) by inserting in sub-regulation (6.), after the word "aircraft" (first occurring), the words "except in regulations 14, 17 and 18 of these Regulations,".

3. Regulation 254 of the Air Navigation Regulations is amended by omitting from sub-regulation (2.) the words "the fuselage of".

4. Part IV. of the Air Navigation Regulations is repealed and the following Part inserted in its stead:

"PART IV.—AIRMERTHINESS REQUIREMENTS.

"Division 1.—Preliminary.

"26. In this Part, unless the contrary intention appears—

aircraft component" means any apparatus or portion of an aircraft which when fitted to an aircraft is essential to the operation of the aircraft;

item of equipment" means any appliance, article or material, other than an aircraft component or cargo, carried on or fitted to, or intended to be carried on or fitted to, an aircraft;

major damage", in relation to an aircraft, means any damage to the aircraft or to an aircraft component or item of equipment of the aircraft which may affect the safety or navigation of the aircraft or the safety of persons on board, whether the damage occurs in flight or on the ground;

major defect", in relation to an aircraft, means any fault, failure or malfunctioning of the aircraft or an aircraft component or item of equipment of the aircraft which may affect the safety of persons on board, whether the defect occurs in flight or on the ground.

"Division 2.—Certificates of Type Approval.

"27. The Director-General may direct that there shall be a certificate of type approval in respect of any type of aircraft, aircraft component or item of equipment manufactured, sold or distributed in Australia, as a prerequisite 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 or item of equipment of that type has been fitted or installed.

"28.—(1.) A person may apply to the Director-General for the issue of a certificate of type approval in respect of any aircraft, aircraft component or item of equipment.

"(2.) The Director-General may issue a certificate of type approval where—

(a) the applicant furnishes such documents or other evidence relating to the suitability of the aircraft, aircraft component or item of equipment for aviation purposes as the Director-General requires; and

(b) the Director-General is satisfied as to its suitability for aviation purposes.

"(3.) A certificate of type approval shall be issued subject to the payment by the applicant of such expenses incurred by the Commonwealth in respect of inspections, tests or other work carried out in connexion with the issue of the certificate of type approval as the Director-General specifies.

"29. If, at any time, the Director-General is satisfied that there is reasonable evidence to indicate that the safety of an aircraft is, or may be, imperilled because of a defect in the aircraft or in an aircraft component or item of equipment of that aircraft or in an aircraft, aircraft component or item of equipment of the same type, the Director-General may suspend or cancel the certificate of type approval for the aircraft, aircraft component or item of equipment, as the case requires.

"Division 3.—Certificates of Airworthiness.

"30.—(1.) The owner or operator of an aircraft may apply to the Director-General 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 Director-General may issue, renew or render valid a certificate of airworthiness in respect of an aircraft where—

(a) the applicant furnishes such documents or other evidence relating to the airworthiness of the aircraft as the Director-General requires; and

(b) the Director-General is satisfied that it is airworthy.

"(3.) A certificate of airworthiness shall be issued, renewed or validated subject to the payment by the applicant of such expenses incurred by the Commonwealth in respect of inspections, tests or other work carried out in connexion with the issue, renewal or validation of the certificate of airworthiness as the Director-General specifies.

"31.—(1.) The Director-General may—

(a) notify conditions applicable in respect of certificates of airworthiness of a particular type or class of aircraft in Air Navigation Orders; and

(b) issue, renew or validate a certificate of airworthiness subject to such conditions as he considers necessary to ensure the safety of the aircraft and of persons on board the aircraft, having regard to the limitations of the aircraft.
"(2.) If, at any time, the Director-General considers that any modification, repair, replacement, inspection or overhaul of any aircraft or type of aircraft or of any aircraft component or item of equipment of that aircraft or type of aircraft is necessary in the interests of safety, he may require the modification, repair, replacement, inspection or overhaul to be carried out as a condition of the certificate of airworthiness remaining in force.

"32.—(1.) A person shall not modify or repair an aircraft in respect of which there is a valid certificate of airworthiness, or modify or repair any aircraft component or item of equipment of that aircraft, unless he has been required to do so in pursuance of the last preceding regulation or unless he has obtained the prior approval of the Director-General.

"(2.) The Director-General may give approval for the repair or modification of an aircraft in respect of which there is a valid certificate of airworthiness, or of any aircraft component or item of equipment of that aircraft, where the owner or operator furnishes such evidence relating to the intended modification or repair and its effect on the airworthiness of the aircraft, as the Director-General requires.

"(3.) Where an aircraft, or an aircraft component or item of equipment of the aircraft, has been modified, repaired, replaced, inspected or overhauled or has developed a major defect, the aircraft shall not be flown until an aircraft maintenance engineer licensed for the purpose or an approved inspector has certified that the aircraft is airworthy and safe for flight or that the aircraft is in a fit condition to be flown for the purpose of experiment or test, as the case may be.

"(4.) A certification in pursuance of the last preceding sub-regulation shall not be issued unless the design, materials, components and workmanship comply with such drawings, specifications and instructions as the Director-General has approved or required.

"33. Subject to these Regulations, a certificate of airworthiness shall remain in force for such period as is specified in the certificate and may from time to time, be renewed by the Director-General.

"34.—(1.) Where an aircraft—

(a) ceases or fails to conform with a requirement of these Regulations, or a requirement made under these Regulations, in respect of operation, maintenance, modification, repair, replacement, inspection or overhaul, which is applicable to that aircraft;

(b) is modified or repaired otherwise than in accordance with regulation 38 of these Regulations;

(c) suffers major damage; or

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

the certificate of airworthiness of that aircraft shall be deemed to be suspended until the aircraft has been inspected and certified as safe for flight in accordance with these Regulations, or has been maintained, modified, repaired, replaced or overhauled and certified as airworthy in accordance with these Regulations, as the case requires.
“(2.) If, at any time, the Director-General is satisfied that reasonable doubt exists as to the safety of an aircraft or as to the safety of the type to which that aircraft belongs, the Director-General may suspend or cancel the certificate of airworthiness in respect of the aircraft.

“(3.) Subject to the next succeeding sub-regulation, an aircraft shall not be flown during any period for which its certificate of airworthiness is suspended or deemed to be suspended.

“(4.) Where the certificate of airworthiness of an aircraft is suspended or deemed to be suspended, the Director-General may—

(a) upon application by the owner or operator of the aircraft, permit the aircraft to proceed to a place where it can be restored to an airworthy condition;

(b) authorize flights for the purpose of experiment or test; or

(c) authorize flights where the safety or succour of persons or aircraft is involved,

subject to such requirements as the Director-General makes having regard to the safety of the aircraft and persons on board the aircraft.

“35. Where any defect in or damage to an aircraft, aircraft component or item of equipment is detected during operation, maintenance, inspection or overhaul, it shall be recorded and reported in the manner specified by the Director-General.

“Division 4.—International Operators.

“36.—(1.) When an aircraft of a Contracting State whilst in Australian territory sustains major damage or a major defect, or major damage or a major defect is discovered, the Director-General on ascertaining that fact may, subject to this regulation, prohibit the aircraft from flying.

“(2.) Where, in pursuance of the last preceding sub-regulation, the Director-General prohibits an aircraft from flying, he shall furnish to the appropriate authority of the country of registration of the aircraft notification of the action which he has taken and a report of the damage or defect suffered or ascertained.

“(3.) A prohibition imposed in pursuance of sub-regulation (1.) of this regulation shall not be removed until the appropriate authority of the country of registration of the aircraft notifies the Director-General that—

(a) any suspension of the certificate of airworthiness of the aircraft imposed by that authority in respect of the damage or defect suffered or ascertained has been removed;

(b) it considers that the damage or defect suffered or ascertained is not of such a nature as to prevent the aircraft from fulfilling the minimum requirements of safety adopted in pursuance of the Convention; or

(c) it considers that, in the circumstances of a particular case, the aircraft should be permitted to fly without passengers to an aerodrome at which it can be restored to an airworthy condition.
"(4.) In removing a prohibition imposed in pursuance of sub-
regulation (1.) of this regulation, the Director-General may impose
such conditions on the operation of the aircraft as are notified to
him by the appropriate authority of the country of registration of that
aircraft.

"37. When an Australian aircraft is operating in a country outside
Australia, the aircraft, or any of its aircraft components or items of
equipment shall not be modified, repaired, replaced, inspected or over-
hauled except by or under the supervision of, and certified by—

(a) an aircraft maintenance engineer or an inspector licensed
or approved, as the case may be, for that purpose;

(b) in the case of a Contracting State—a person who is approved
by the appropriate authority of the Contracting State in
accordance with the minimum requirements adopted in
pursuance of the Convention; or

(c) in the case of a country other than a Contracting State—a
person who possesses qualifications which are recognized
by the Director-General as sufficient for the purpose.

"Division 5.—Approved Persons, Aircraft Maintenance Engineers and
Approved Technicians.

"38.—(1.) A person shall not carry out any phase of design,
manufacture, processing, modification, repair, replacement, inspection,
overhaul, maintenance or distribution of aircraft, aircraft components
or items of equipment used or intended to be used in Australia or in
Australian aircraft, unless he is—

(a) a person holding a valid certificate of approval for the
purpose issued under this Division;

(b) a person holding a valid licence as an aircraft maintenance
engineer with the requisite rating for the purpose issued
under this Division;

(c) a person holding a valid certificate as an approved technician
with the requisite rating for the purpose issued under this
Division; or

(d) a person specifically authorized for the purpose.

"(2.) A person shall not without the approval of the Director-
General use an aircraft component or item of equipment in the manu-
facture, modification, repair, replacement, inspection, overhaul,
maintenance or operation of an aircraft unless there is a valid certificate
of type approval for the aircraft component or item of equipment (if
required under regulation 27 of these Regulations) and unless it has
been manufactured, or processed, and certified by—

(a) a person holding a valid certificate of approval for the
purpose issued under this Division;

(b) a person holding a valid licence as an aircraft maintenance
gineer with the requisite rating for the purpose issued
under this Division;

(c) a person holding a valid certificate as an approved techni-
cian with the requisite rating for the purpose issued
under this Division; or

(d) a person specifically authorized for the purpose.
29.—(1.) A person engaged in or intending to engage in any phase of design, manufacture, processing, modification, repair, replacement, inspection, overhaul, maintenance or distribution of aircraft, aircraft components or items of equipment may apply to the Director-General for the issue of a certificate of approval in respect of the activity in which that person is engaged or intends to be engaged.

(2.) The Director-General may issue an applicant with a certificate of approval where—

(a) the applicant furnishes such evidence as to his qualifications to design, manufacture, process, modify, repair, replace, inspect, overhaul, conduct maintenance on or distribute aircraft, aircraft components or items of equipment, as the Director-General requires; and

(b) the Director-General is satisfied as to the qualifications of the person.

(3.) A certificate of approval shall be issued subject to such conditions as the Director-General considers necessary to ensure the safety of aircraft or of persons on board aircraft.

(4.) The holder of a certificate of approval shall at all times permit an authorized person to enter upon premises used by the holder and to examine any relevant processes, systems, records and documents and to conduct any tests which he considers necessary, for the purposes of ascertaining whether the conditions subject to which the certificate of approval was issued are being complied with.

40.—(1.) The Director-General may—

(a) issue licences to qualified persons to act as aircraft maintenance engineers; and

(b) issue certificates to qualified persons to act as approved technicians.

(2.) An aircraft maintenance engineer’s licence or an approved technician’s certificate issued under this Division shall be endorsed with a rating or ratings specifying the types of airframes, engines and other aircraft components and items of equipment in respect of which the holder of the licence or certificate is entitled to perform the functions for which it was issued.

(3.) An aircraft maintenance engineer’s licence or an approved technician’s certificate issued under this Division may be issued subject to such conditions as the Director-General considers necessary to ensure the safety of aircraft or of persons on board aircraft.

41. For the purposes of the last preceding regulation, a person shall be deemed to be a qualified person if he is the holder of a valid licence or certificate equivalent to the rating sought issued by the competent authority in any other country and he satisfies the Director-General that he has complied with the minimum conditions required under the Convention, or if—

(a) he has attained the age of twenty-one years;
(b) he possesses knowledge that the Director-General considers adequate of—

(i) the assembly, functioning, inspection, servicing and maintenance and the principles of construction; and
(ii) the methods and procedures for inspection and approval of the repair, overhaul, maintenance and functional testing,

of the airframes, engines and other aircraft components and items of equipment relative to the rating sought;

(c) he has had such practical experience of the duties to be performed in relation to the rating sought, not being less than the minimum requirements adopted in pursuance of the Convention, as the Director-General requires and notifies in Air Navigation Orders; and

(d) he has passed such examinations and tests in relation to the rating sought as the Director-General requires and notifies in Air Navigation Orders.

"42. An aircraft maintenance engineer's licence or an approved technician's certificate issued under this Division—

(a) shall, subject to these Regulations, remain in force for such period as is specified in the licence or certificate; and

(b) may, from time to time, be renewed.

"43.—(1.) The Director-General may, at any time, require the holder of an aircraft maintenance engineer's licence or an approved technician's certificate issued under this Division to undergo an examination or test in respect of any rating endorsed on the licence or certificate.

"(2.) An authorized person may, at any time, examine an aircraft component or item of equipment for the purpose of ascertaining the competency and diligence of the holder of an aircraft maintenance engineer's licence or an approved technician's certificate issued under this Division.

"44. An aircraft maintenance engineer's licence or an approved technician's certificate issued under this Division shall be deemed to be invalid where the holder has not served as an aircraft maintenance engineer or as an approved technician, as the case may be, for a period amounting to one hundred and eighty days within any period of two years, unless the Director-General approves the continuance in force of the licence or certificate.

"45. The holder of a licence or certificate issued under this Division shall pay such charges—

(a) for the issue, endorsement or renewal of the licence or certificate; and

(b) for examinations and tests held in connexion with that issue, endorsement or renewal,

as the Director-General notifies in Air Navigation Orders.

"Division 6.—Maintenance.

"46.—(1.) Subject to these Regulations, an aircraft shall not be flown unless—

(a) it has been maintained in accordance with such requirements as are notified by the Director-General in Air Navigation Orders or in accordance with an approved maintenance system;
(b) all maintenance on the aircraft has been carried out by or under the supervision of a person licensed or approved for the purpose; and

c) the maintenance carried out has been certified by means of a maintenance release by a person licensed or approved for the purpose.

"(2.) In notifying maintenance requirements in Air Navigation Orders or in approving a maintenance system the Director-General shall have regard to—

(a) the maintenance facilities available to the operator of an aircraft;
(b) the intervals which may elapse with safety between inspections, tests or overhauls;
(c) the records, if any, maintained in accordance with Division 2 of Part XIII. of these Regulations;
(d) the class of operation in which the aircraft is engaged; and
(e) any conditions, being dust, salt air, climatic conditions or other factors on the routes flown or bases used, which may have an effect upon airworthiness.

"47.—(1.) A maintenance release issued in pursuance of paragraph (c) of sub-regulation (1.) of the last preceding regulation shall be retained by the pilot in command of the aircraft and a copy of the maintenance release shall be retained by the person issuing the maintenance release.

"(2.) The maintenance release shall be carried in the aircraft until a further maintenance release has been issued in respect of the aircraft or the period for which the maintenance release was issued has expired, whichever first occurs, and then it shall be forwarded by the pilot in command to the owner of the aircraft.

"(3.) The owner of the aircraft shall keep the maintenance release, and the person issuing the maintenance release shall keep the copy of the maintenance release, for a period of twelve months from the date of issue."

5. Regulation 71 of the Air Navigation Regulations is amended—

(a) by omitting paragraph (c) of sub-regulation (1.) and inserting in its stead the following paragraph:

"(c) a propeller log book for every propeller, other than a fixed pitch propeller of a type notified in Air Navigation Orders in pursuance of the next succeeding sub-regulation;";

(b) by inserting after that sub-regulation the following sub-regulation:

"(1a.) The Director-General may notify in Air Navigation Orders those types of fixed pitch propellers in respect of which he considers that there would be no loss of safety if a log book were not maintained."; and

(c) by omitting sub-regulation (3.).
6. Regulation 73 of the Air Navigation Regulations is repealed and the following regulation inserted in its stead:

"72. The aircraft log book shall contain the following particulars:

(a) the classification of the aircraft, its nationality and registration marks, the full name, nationality and residence of the owner and the name of the constructor of the aircraft;

(b) details of the engines, propellers, radio apparatus and such other equipment as the Director-General may direct, fitted to the aircraft; and

(c) a fully detailed engineering record of the life of the aircraft, including hours flown, all flight tests, overhauls, replacements, repairs, modifications and all work of a like nature, and all inspections made and certificates issued in respect of the aircraft."

7. Regulation 73 of the Air Navigation Regulations is amended by omitting sub-regulation (2.) and inserting in its stead the following sub-regulation:

"(2.) The engine log book shall contain the following particulars:

(a) the type, model and serial number of the engine and the constructor's name;

(b) the registration marks and types of aircraft in which the engine has been installed; and

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

8. Regulations 76 and 77 of the Air Navigation Regulations are repealed and the following regulations inserted in their stead:

"76. The radio maintenance log book shall contain the following particulars:

(a) the type, model and serial number of the radio apparatus installed in the aircraft and the constructor's name;

(b) the registration marks and types of aircraft in which the apparatus has been installed; and

(c) a complete record of maintenance, adjustments, modifications, replacements, repairs, tests and certificates issued in connexion with the functioning of the apparatus.

"77. The propeller log book shall contain the following particulars:

(a) the type, model and serial number and the name of the manufacturer in respect of both hub and blades;

(b) where applicable, a table of maximum and minimum pitch settings for each particular engine installation on which the propeller has been fitted; and
(c) a complete engineering record of the life of the propeller and accessories including hours run, replacements, repairs, modifications and all work of a like nature, and all inspections made and certificates issued in respect of the propeller.”

9. Regulation 79 of the Air Navigation Regulation is repealed and the following regulation inserted in its stead:—

“79.—(1.) Subject to the next succeeding sub-regulation, an Australian aircraft used on a regular public transport service and such other Australian aircraft or classes of aircraft as the Director-General from time to time, directs, shall be equipped with approved radio apparatus.

(2.) The Director-General may, for such period, and subject to such conditions, as he determines, exempt an aircraft, other than an aircraft engaged in an international public transport service, either wholly or in part from the application of the last preceding sub-regulation.

(3.) The owner of an aircraft on which radio apparatus is installed shall ensure that the apparatus is installed and operated in accordance with the provisions of the Wireless Telephony Act 1905-1950.

(4.) In this regulation ‘approved radio apparatus’ means radio apparatus of a type approved by the Director-General having regard to—

(a) its airworthiness in relation to the standards of airworthiness adopted in pursuance of the Convention;
(b) the safety of the aircraft equipped with the apparatus;
(c) its suitability and efficiency in relation to its use in conjunction with the air route and airway facilities provided in pursuance of Part IX. of these Regulations; and
(d) in the case of aircraft engaged in international air navigation, its suitability and efficiency in the conditions in which it is to be used.

10. Regulation 80 of the Air Navigation Regulations is amended by omitting from paragraph (c) of sub-regulation (1.) the words “an authorized person” and inserting in their stead the words “a person licensed or approved for the purpose”.

11. Regulation 81 of the Air Navigation Regulations is repealed and the following regulation inserted in its stead:—

“81. A foreign aircraft which carries radio apparatus, while flying in or over Australian territory, shall comply with the following requirements:—

(a) a licence to install and operate the apparatus shall have been issued by the appropriate authority of the country in which the aircraft is registered; and
(b) the apparatus shall be used only by such members of the flight crew as are provided with a licence for the purpose issued by the appropriate authority of the country in which the aircraft is registered.”.
12. Regulation 108 of the Air Navigation Regulations is amended by omitting sub-regulation (2.) and inserting in its stead the following sub-regulation—

"(2.) Paragraphs (a), (b) and (d) of the last preceding sub-regulation shall not apply to aircraft flown in Australian territory in accordance with the permission and directions of the Director-General—

(a) for the purpose of experiment or test or the safety or succour of persons or aircraft; or

(b) to enable an aircraft to proceed to a place at which repairs or airworthiness inspections are to be carried out."

13. Regulation 193 of the Air Navigation Regulations is amended by omitting sub-regulation (2.) and inserting in its stead the following sub-regulations:

"(2.) An aircraft shall not be used in any class of operations unless it is fitted with such instruments and is fitted with or carries such equipment, including emergency equipment, as the Director-General approves or directs.

(3.) Where the Director-General approves or 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 (if any) of the Director-General."

14. Division 2 of Part XIII. of the Air Navigation Regulations is amended—

(a) by omitting the heading and inserting in its stead the following heading—

"Division 2.—Requirements to ensure the Safety of Commercial Operations."; and

(b) by inserting before regulation 206 the following regulation—

"206A. In this Division, 'operator' means an operator engaging in commercial operations."

15. Regulation 206 of the Air Navigation Regulations is amended by omitting the word "airline" and inserting in its stead the word "operator".

16. Regulation 207 of the Air Navigation Regulations is amended—

(a) by omitting from sub-regulation (1.) the word "airline" and inserting in its stead the word "operator";

(b) by inserting in that sub-regulation, before the word "its" (whenever occurring), the words "his or";

(c) by omitting from sub-regulation (3.) the word "airline" (whenever occurring) and inserting in its stead the word "operator";

(d) by inserting in that sub-regulation, before the word "its", the words "his or";

(e) by omitting from sub-regulation (3A.) the word "airline" (whenever occurring) and inserting in its stead the word "operator"; and

(f) by omitting from sub-regulation (4.) the word "airline" and inserting in its stead the word "operator".
17. Regulation 208 of the Air Navigation Regulations is amended—

(a) by omitting from sub-regulation (1.) the word “airline” (first occurring) and inserting in its stead the word “operator”;

(b) by omitting from that sub-regulation the words “the airline” and inserting in their stead the words “his or its”; and

(c) by omitting from sub-regulation (3.) the word “airline” and inserting in its stead the word “operator”.

18. Regulation 209 of the Air Navigation Regulations is repealed.

19. Regulation 210 of the Air Navigation Regulations is amended by omitting the word “airline” and inserting in its stead the word “operator”.

20. Regulation 211 of the Air Navigation Regulations is amended by omitting the word “airline” and inserting in its stead the word “operator”.

21. Regulation 212 of the Air Navigation Regulations is amended—

(a) by omitting from sub-regulation (1.) the word “airline” and inserting in its stead the word “operator”;

(b) by inserting in that sub-regulation before the word “its” the words “his or”;

(c) by omitting from sub-regulation (3.) the words “airline” (first occurring) and inserting in its stead the word “operator”;

(d) by omitting from that sub-regulation the words “the airline” and inserting in their stead the words “his or its”;

(e) by omitting sub-regulation (4.) and inserting in its stead the following sub-regulation:

“(4.) An operator shall furnish copies of the operations manual to such of his or its personnel as the operator considers necessary, to the Director-General and to such other persons associated with the operator’s operations as the Director-General considers necessary and directs.”;

(f) by omitting from sub-regulation (4A.) the word “airline” (wherever occurring) and inserting in its stead the word “operator”;

(g) by omitting from sub-regulation (5.) the word “airline” and inserting in its stead the word “operator”; and

(h) by omitting from sub-regulation (6.) the word “airline” and inserting in its stead the word “operator”.

22. Regulation 213 of the Air Navigation Regulations is amended—

(a) by omitting the word “airline” and inserting in its stead the word “operator”; and

(b) by inserting before the word “its” the words “his or”.

23. Regulation 216 of the Air Navigation Regulations is amended by omitting the word “airline” (wherever occurring) and inserting in its stead the word “operator”.

24. Regulation 217 of the Air Navigation Regulations is amended by omitting the word "airline" (wherever occurring) and inserting in its stead the word "operator".

25. Regulation 218 of the Air Navigation Regulations is amended by omitting the word "regular" (wherever occurring).

26. Regulation 225 of the Air Navigation Regulations is amended—

(a) by omitting from sub-regulation (1.) the words "satisfied himself" and inserting in their stead the words "taken such action as is necessary to ensure"; and

(b) by omitting from paragraph (a) of that sub-regulation the words "certificate of safety" and inserting in their stead the words "maintenance release".

27. Regulation 227 of the Air Navigation Regulations is repealed and the following regulation inserted in its stead:

"227.—(1.) An aircraft shall not attempt to take-off or fly at a weight which is in excess of the maximum permissible all-up weight as specified in its certificate of airworthiness or at a weight which is in excess of a permissible weight for that purpose determined in pursuance of sub-regulation (3.) of this regulation, whichever is the lesser.

(2.) Except in an emergency, an aircraft shall not land at a weight which is in excess of the maximum permissible landing weight as specified in its certificate of airworthiness or at a weight which is in excess of a landing weight determined in pursuance of sub-regulation (3.) of this regulation, whichever is the lesser.

(3.) The permissible weights at which an aircraft may take-off, fly and land may be reduced by the Director-General below the maximum permissible weights as specified in its certificate of airworthiness, if rendered necessary by any of the following factors:

(a) the meteorological conditions at the aerodrome of take-off or landing;

(b) the aerodrome dimensions in the direction of take-off or landing;

(c) the surface material, condition and slope in the direction of take-off or landing of the aerodrome;

(d) the presence of obstacles in an area specified in Air Navigation Orders in the vicinity of the intended take-off or landing paths;

(e) the anticipated meteorological conditions over the intended route to be flown and planned diversions from that route; and

(f) the altitude of the terrain within a distance specified in Air Navigation Orders on either side of the intended route to be flown or planned diversions from that route, and those reduced weights or the method by which they may be calculated shall be notified in Air Navigation Orders.

(4.) An aircraft shall not take-off or fly at a weight which, allowing for the weight of fuel which would normally be used in flying, would result in the weight of the aircraft on arrival at the destination or
planned alternate aerodrome being in excess of the maximum permissible landing weight as specified in its certificate of airworthiness, or in excess of a permissible landing weight determined in pursuance of the last preceding sub-regulation.

"(5.) The load of an aircraft throughout a flight shall be so distributed that the centre of gravity position of the aircraft falls within the limitations specified in its certificate of airworthiness."

28. Regulation 241 of the Air Navigation Regulations is amended by inserting in sub-regulation (1.), after the words "in the manner", the words "and to the persons".