

APPENDIX F

EXAMPLES OF TRENDS OBSERVED IN REGULATION OF CIVIL AVIATION

(Vide Chapter 8, paragraph 112)

“(A) *There is a tendency to extend Government control, through the medium of Regulations, Directions, Notices to Airmen, Notices to Aircraft Owners and Engineers, Requirements, and other instructions, beyond the usual level of Government regulation of an activity. Measures which have been taken amount also to an assumption of the management of operations.*”

Example 1

Among the conditions attaching to an Air Service Certificate is that the operator must produce for the approval of the Director of Civil Aviation a “draft Operations Manual covering details of operating methods, procedures, and limitations of route” (Air Service Certificate application form). Notice to Airmen 52/1948, issued over the signature of the Director of Civil Aviation “by direction of the Minister of Defence,” lays down (in paragraph 33) :—

(c) The airline shall revise the Operations Manual from time to time where necessary as the result of changes in the airline operations, aircraft or equipment, or in the light of experience, and any such revision shall be subject to the prior approval of the Director.

(d) The airline shall furnish copies of the Operations Manual to such of its personnel as the airline considers necessary, to the Director, and to such other persons as the Director considers necessary.

(e) The airline shall ensure that all copies of the Operations Manual are kept up to date.

(f) The airline shall ensure that all operating personnel are properly instructed with regard to their particular duties and responsibilities and the relationship of such duties to the operations system.

Example 2

Notice to Airmen 52/1948, paragraph 35 :—

(a) An airline shall provide a training and checking organisation to ensure that members of its operating crews maintain their competency.

(b) The training and checking organisation shall include provision for the making in each calendar year of three checks of a nature sufficient to test the competency of each member of its operating crews and at intervals of not less than three months.

(c) The training and checking organisation of each airline and the details of the syllabus, tests and checks employed therein, shall be subject to the approval of the Director.

Example 3

Notice to Airmen 52/1948, para 11 (a), reads—

An aircraft shall not be used in any class of operation unless the particular type of aircraft is authorised and approved for such use by the Director.

Regulation 5 (1) (i) states that no person shall fly an aircraft unless certain general conditions are complied with, one of which is—

The aircraft shall be certified as airworthy in the prescribed manner, and any terms or conditions on or subject to which the certificate of airworthiness was granted shall be duly complied with.