

COLONIAL SECRETARY'S DEPARTMENT.

No. 31.—The following is published for general information.

W. T. SOUTHORN,
Colonial Secretary.

15th January, 1932.

The Air Navigation Directions (Hong Kong), 1932, (No. 1).

Issued by the Governor under Article 30 of the Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927, which Order, as amended by the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) Order, 1929, is hereinafter referred to as "the Order."

SECTION I.

INTRODUCTION.

1. These Directions may be cited as "the Air Navigation Directions (Hong Kong), 1932, (No. 1)" and shall come into operation on the 1st day of February, 1932.

SECTION II.

INTERPRETATION.

2. The interpretation of these directions is governed by the interpretation of the Order.

3. In these Directions,—

"Governor" includes, in relation to any purpose of these directions, any person authorised by the Governor for that purpose: Where the designation "Director of Air Services" appears in these Directions, the person for the time being holding such office is hereby declared to be the person so authorised, unless the context otherwise requires.

"Approved" means approved by the Secretary of State for Air or some person authorised by the Secretary of State for Air for that purpose or by the Governor or some person authorised by the Governor for that purpose.

4. A reference in any document to these directions or to any of the provisions thereof shall, unless the context otherwise requires, be construed as referring to these Directions as amended by any subsequent Directions for the time being in force.

SECTION III.

AERODROME AND AIR PORT.

5. With reference to Article 8 (5) of the Order, the Government Aerodrome, that is to say,—

the ground area near Kowloon City, part of the Kowloon Bay or Kai Tak Reclamation, within and bounded by the water line along the seawall from a point towards the eastern end of such reclamation indicated by a boundary stone marked "K.T.A. 6" to another point towards the western end of such reclamation indicated by a boundary stone marked "K.T.A. 1"; and by the public road or roads from the said boundary stone marked "K.T.A. 1" to a point near New Kowloon Inland Lot No. 132 indicated by a boundary stone marked "K.T.A. 3, thence due east to a boundary stone marked "K.T.A. 4" and thence in a south westerly direction to a boundary stone near New Kowloon Inland Lot No. 63 and marked "K.T.A. 5", and thence

by a line to the said boundary stone on the seawall marked "K.T.A. 6" is hereby sanctioned for the use of aircraft, and is hereby approved as a regular place of departure or landing of aircraft carrying passengers for hire or reward: Such Aerodrome, together with the following water area, *Viz.*:—That part of Kowloon Bay lying to the North of a line drawn East and West through Channel Rocks,

shall be the Air Port of this Colony and shall be under the control of the Director of Air Services. A map showing the said Air Port is deposited at the Sub-Registry of Aircraft established in this Colony. (See paragraph 7).

6.—(1) On the arrival of aircraft,—

- (a) from a healthy area—no medical examination is necessary;
- (b) from an infected area—a medical inspection of passengers and crew on landing may be carried out by a Government medical officer if thought desirable.

(2) In the event of a case of illness of an infectious nature occurring *en route*, the infected person and baggage shall be disembarked and be dealt with as may be directed by a Government medical officer, who may require disinfection of the aircraft and baggage.

(3) On the departure of aircraft—no person suffering from an infectious disease shall be allowed to embark, or to be carried.

SECTION IV.

REGISTRATION OF AIRCRAFT.

7. With reference to paragraph 1 of Schedule I to the Order, a Sub-Registry of Aircraft is hereby established at the Harbour Office in this Colony.

8. With reference to Article 4 (1) of the Order and Schedule I thereto, the person for the time being holding the office of Director of Air Services is hereby appointed Registrar of Aircraft for the Colony.

9. Within fourteen days of the importation into this Colony of any aircraft the owner thereof shall fill in and send to the Registrar of Aircraft, Harbour Office, Victoria, Hong Kong, a form containing the particulars set out in Form No. 1 obtainable at the Harbour Office. This paragraph shall not apply to any aircraft consigned to some place outside the Colony and in transitu on any vessel as *bonâ fide* cargo and entered on the manifest.

10. Applications for the registration of aircraft in this Colony should be made to the Registrar of Aircraft, Harbour Office, Victoria, Hong Kong, by whom application forms will be supplied on demand.

11. The register of aircraft may be inspected at the Sub-Registry at any time during normal office hours on payment of the prescribed fee (see paragraph 92).

SECTION V.

CERTIFICATES OF AIRWORTHINESS.

12. With reference to Article 4 (1) (ii) of the Order and Schedule II thereto, applications for certificates of airworthiness should be made to the Registrar of Aircraft, Harbour Office, Victoria, Hong Kong, by whom application forms will be supplied on demand.

13. With reference to paragraph 5 of Schedule II to the Order, the owner of an aircraft applying for a certificate of airworthiness, shall present the aircraft at such place and time as may be directed, for inspection.

14. A certificate of airworthiness will normally only be validated, issued or renewed, provided the aircraft, its instruments, equipment and installations, substantially conform to the conditions specified on the original certificate of airworthiness.

TYPE AIRCRAFT.

15. No original certificate of airworthiness will be issued in this Colony for type aircraft. "Type Aircraft" is defined as the first aircraft constructed in accordance with a type design, in respect of which an application is made, under the Air Navigation Act, 1920, and any Directions issued thereunder, for a certificate of air-worthiness.

SUBSEQUENT AIRCRAFT.

16. Original certificates may be issued by the Director of Air Services in respect of subsequent aircraft; "Subsequent aircraft" is defined as an aircraft which, in the opinion of the Director of Air Services, conforms in all essential respects affecting the safety of the aircraft with a type aircraft in respect of which a certificate of airworthiness has been issued by the Secretary of State for Air.

17.—(1) Subject to (6) of this paragraph inspection of subsequent aircraft, including all such inspection as was carried out in the cases of the type aircraft by the Secretary of State, will be carried out by an adequate inspecting staff provided by the constructor for the purpose.

(2) The constructor shall fulfil the following conditions:—

- (a) All materials used in the construction of the aircraft shall be in accordance with the specifications approved for the type design and every batch of such material shall be proved to comply with such specification by suitable examination, sampling and testing by approved methods.
- (b) The constructor's inspecting staff referred to in (1) of this paragraph shall stamp, or otherwise provide means for the identification of, each detail and part approved by them for incorporation in the aircraft, in such a way that the individual responsible for such approval can subsequently be identified.
- (c) Only details and parts which have been approved in accordance with (b) of this paragraph may be issued by the constructor to the shops for assembly into components.
- (d) The constructor shall maintain an efficient process inspection during the work of assembly, and record the progress of such inspection for each component. Every component shall be finally inspected and approved by a qualified member of his inspection staff who shall stamp the component in such a way that he may afterwards be identified as the person responsible, and shall also sign the inspection record.
- (e) Operations such as heat treatment of steels, seasoning and conversion of timber, glueing of important parts, doping, etc., must be carried out by approved methods.
- (f) The constructor shall ensure that all components and parts obtained from sub-contractors have been inspected and approved in accordance with these conditions.
- (g) The constructor (of the aircraft or engine, as may be arranged) shall ensure that all engines have been inspected and approved in accordance with these conditions and have undergone, to the satisfaction of the Director of Air Services, such tests as may be required by him. The constructor shall provide adequate facilities for these tests.
- (h) The constructor shall satisfy the Director of Air Services that the specified instruments and equipment have been manufactured, and any repairs thereto executed, under approved conditions, and that such instruments comply with current specifications approved by him.

- (i) The aircraft constructor shall ensure by suitable inspection that all engines, instruments and parts (including wiring for electrical equipment other than wireless apparatus) that are fitted into the aircraft are so installed as to function correctly, and, if wireless telegraphy or wireless telephony apparatus is fitted, that the installation of such apparatus, including bonding and screening, is not such as to prejudice the operation of the aircraft and is in conformity with such requirements as may have been laid down by the Governor. The individuals responsible for such inspection shall be indicated by signatures on the inspection record referred to in (d) of this paragraph.
- (3) The constructor shall satisfy the Director of Air Services that his inspecting staff are such as to ensure that aircraft passed by them conform in all essential respects to the type aircraft.
- (4) On completion of the construction of the aircraft and of flying trials under paragraph 18, a final inspection of the aircraft as regards its fitness for flight shall be made by a representative or representatives of the constructor holding ground engineer's licences in Categories A and C for the type of aircraft concerned, and, if the result of this inspection warrants it, a certificate of fitness for flight, in a form satisfactory to the Director of Air Services, shall be furnished to him.
- (5) On completion of the whole of the inspection operations specified above, the constructor shall forward to the Director of Air Services a summary of the inspection record of the aircraft. For this purpose, A.M. Form 1221 (copies of which can be obtained on demand) shall be used, and a separate form employed for each aircraft. All the particulars required by the Form must be given.
- (6) When the constructor does not possess adequate facilities or adequate staff or is for any other reason unable to fulfil all or any of the requirements of this paragraph other arrangements for fulfilling these requirements may be sanctioned by the Director of Air Services.

18. After completion of the aircraft, flying trials will be carried out by the applicant's or constructor's pilot under approved arrangements.

19. Following the receipt by the Director of Air Services of an application form duly completed, a certificate of airworthiness will be granted subject to compliance with paragraphs 17 and 18.

INSTRUMENTS AND EQUIPMENT.

20. With reference to Article 14 of the Order, the instruments and equipment with which an aircraft is required to be fitted for the purpose of the issue of a certificate of airworthiness are, in the case of flying machines as follows :—

Air speed indicator.

Altimeter.

Such gauges as are considered necessary by the Director of Air Services for the particular installation.

Revolution indicator.

WEIGHT.

21. Every flying machine shall, if required, be weighed to the satisfaction of a representative of the Director of Air Services :—

(a) Before a certificate of Airworthiness is issued in respect thereof ; and

(b) At such times after the issue of a certificate of airworthiness as the Director of Air Services may require.

22. Every flying machine for which a certificate of airworthiness is for the time being in force shall bear clearly painted upon it in a prominent position :—

(a) Its weight empty (including water in radiators), as ascertained at its last previous weighing ; and

- (b) The maximum total weight authorised for it, as shown for the time being in its certificate of airworthiness,

and shall carry displayed in a prominent position inside it a weight schedule showing what items of equipment (if any) are included in the "weight empty (including water in the radiators)" as painted on it.

MODIFICATIONS SUBSEQUENT TO THE ISSUE OF CERTIFICATE.

23.—(1) If at any time the Governor or the Secretary of State for Air consider modifications to an aircraft, in respect of which a certificate of airworthiness is in force, to be necessary for safety, the Governor may require such modifications to be carried out as a condition of the certificate of airworthiness remaining in force.

(2) The owner of an aircraft in respect of which a certificate of airworthiness is in force, shall not carry out any modifications (including changes of equipment or its installation) which affect the safety of the aircraft without first obtaining the approval of the Director of Air Services.

(3) The Director of Air Services may, in case of modifications affecting the structure of the aircraft, the engine, or the installations, or any modifications affecting the navigation of, or the pilot's view while navigating the aircraft, require, in respect of the aircraft proposed to be so modified, the submission of an application for a new certificate of airworthiness. Pending a decision on this application, the aircraft in question may only be flown in its unmodified state.

CLASSIFICATION OF FLYING MACHINES.

24. A certificate of airworthiness will only be issued for the appropriate category and subdivision of the aircraft as is provided in paragraph 25, and in the case of validation or renewal, the category and subdivision for which the original certificate of airworthiness was issued will be adhered to.

25. The following are the categories and subdivisions under which flying machines are classified :—

(1) Normal category :—

Subdivision (a) ; Public transport machines for passengers.

Subdivision (b) ; Public transport machines for mails.

Subdivision (c) ; Public transport machines for goods.

"Public transport machines" are defined as those which may be used for flight with passengers, mails, or goods, for remuneration.

Subdivision (d) ; Private machines. "Private machines" are defined as those which (i) are the property of an aeroplane club, or (ii) may be used for purposes other than either the carriage of passengers, mails, or goods for remuneration or any other industrial purpose.

Subdivision (e) ; Aerial work machines. "Aerial work machines" are defined as those which may be used for industrial purposes not included in the definition of public transport machines. (These purposes, which may depend on the incorporation of special structural features or equipment, may be limited by the certificate of airworthiness).

(2) Special category :—

Subdivision (f) ; Racing or record machines. "Racing or record machines" are defined as those which are specially intended or arranged for the purpose of sporting or technical performances, to the exclusion of any other use.

Subdivision (g) ; Research or experimental machines. "Research or experimental machines" are defined as those which are specially intended or arranged for the purpose of experimenting in flight with regard to new apparatus and checking the results thereof, to the exclusion of any other use.

(3) Acrobatic category :—

Subdivision (a) to (g) in the two preceding categories.

NOTES. (i) All machines in the normal and special categories are limited to straight flying, *i.e.*, are precluded from any evolution which might cause abrupt variations in the height or altitude of the machine.

(ii) The flight of machines in the special category may be limited, as a precautionary measure, to certain areas and to certain periods.

(iii) Machines in the acrobatic category are not restricted to straight flying.

26. Classification of individual machines.—(1) The category in which a machine may be given a certificate of airworthiness will depend mainly upon its load factors.

27.—(1) The subdivisions, which are the means of further classifying machines according to the purposes for which they may be used, are defined above.

These definitions are not, however, to be understood as necessarily restricting a machine to use for the purpose of only one subdivision, for, as indicated in paragraph 28 (2) below, it may be used for the purpose of more than one subdivision, provided that (except in the case mentioned in (2) (i) of this paragraph) the subdivisions concerned are specified on its certificate of airworthiness.

(2) (i) A public transport machine for passengers may be used for the carriage of passengers without remuneration.

(ii) The classification of a machine only under subdivision (d) does not enable it to be used for the purposes of public transport.

(iii) A machine will be classified as an aerial work machine under subdivision (e) for the special purposes for which its structural features and/or equipment are accepted as satisfactory.

EMPLOYMENT OF MACHINES.

28.—(1) A machine may be employed, in any given flight, solely for the purpose of one of the subdivisions in which it is classified on its certificate of airworthiness, provided that in that flight all requirements (including those in respect of the equipment and operation of the machine) which attach to the subdivision concerned are complied with.

(2) A machine may be employed, in any given flight, for the purpose of more than one of the subdivisions in which it is classified on its certificate of airworthiness, provided that in that flight all requirements (including those in respect of the equipment and operation of the machine) which are common to the subdivisions concerned are complied with, and in cases where differences occur between the requirements attached to the subdivisions in question the highest standard is satisfied.

(3) A machine classified in any one of the subdivisions (a) to (f) inclusive, and/or category 3 may take part in any sporting competitions.

29. In the event of its being desired to use a machine for purposes of subdivisions other than those stated on its certificate of airworthiness, an application for reclassification should be forwarded to the Registrar of Aircraft, Harbour Office, Victoria, Hong Kong, prior to the machine being used for such purposes. The application should be accompanied by all the necessary particulars to show that all requirements in respect of the proposed new classification are satisfied.

The application will be submitted for decision by the Governor. Prior to the issue of a new certificate of airworthiness by the Director of Air Services the machine may only be used for the purposes shown in its original certificate of airworthiness.

30. Application for a certificate of airworthiness.—When applying for a certificate of airworthiness for a flying machine an applicant should state the proposed category and the purpose or purposes for which it is proposed to employ the machine in question.

SECTION VI.

GROUND ENGINEERS.

31. With reference to paragraph 7 of Schedule II to the Order, the issue of licences to persons desirous of being licensed as competent persons for the inspection and certification of aircraft in accordance with Section VII of these Directions and for other purposes in connection with the Order and these Directions is normally carried out by the Secretary of State for Air. Persons so licensed, and persons licensed by the Governor for such inspection and certification as herein mentioned are herein referred to as "ground engineers".

32. A ground engineer's licence will only be issued by the Governor with the approval of the Secretary of State for Air, and subsequent to a report by the Director of Air Services, in each case, as to the competence of the applicant, accompanied by a medical certificate of fitness, after medical examination in accordance with paragraph 83, and a recommendation by the Director of Air Services that the licence be issued to the applicant.

33. Subject as appears in paragraphs 31 and 32, a person may be licensed as a ground engineer in any of the following categories,—

- A.—Inspection of aircraft before flight.
- B.—Inspection of aircraft after overhaul.
- C.—Inspection of aero-engines before flight.
- D.—Inspection of aero-engines after overhaul.
- X.—Other duties as specified in the licence.

34. In order to qualify for the issue of a ground engineer's licence, a candidate—

- (a) Must not be under 21 years of age ;
- (b) Must have passed an examination held by the Director of Air Services, or approved by him for the purpose ; and
- (c) Must produce satisfactory proof of practical experience or knowledge in accordance with paragraph 36 below.

35. Syllabuses of the examinations for the various categories may be obtained on application to the Director of Air Services Harbour Office Hong Kong.

36.—(1) As regards licences in Categories A, B, C and D, a candidate will normally be required to have had at least two years' satisfactory practical experience—

- (i) On aircraft construction and/or maintenance in the case of an application for a licence in Category A and/or Category B.
- (ii) On aero-engine construction and/or maintenance in the case of an application for a licence in Category C and/or Category D.

Provided, however, that in lieu of such two years' practical experience, proof may be accepted that the candidate has otherwise acquired adequate knowledge of the construction or maintenance of aircraft or aero-engines as the case may require.

(2) As regards licences in Category X, a candidate will be required to have had such practical experience as, in the opinion of the Director of Air Services, will enable him to perform satisfactorily the duties for which the licence is required.

37. Where a candidate's experience or knowledge is limited to any particular type or types of aircraft or engine, a licence may be granted in respect of such type or types only.

38. Applications for licences should be made to the Director of Air Services by whom application forms will be supplied on demand. After forwarding to the Director of Air Services a completed application form, the applicant will be directed where and when to report for examination.

39.—(i) Aircraft and/or engines certified by licensed ground engineers or authorised persons may, from time to time, be re-inspected by a person or persons duly authorised by the Director of Air Services, to whom is reserved the right to cancel, suspend or endorse licences granted as above should such certified aircraft be deemed by him as a result of such examination to be unsafe.

(ii) The circumstances in which the licence of a ground engineer may be cancelled, suspended or endorsed include, in particular, cases where the ground engineer has signed a certificate in a category for which he is not licensed: Provided that a licence which is not issued in this Colony, will only be suspended or endorsed, pending reference to the Secretary of State for Air.

40. Subject to the proviso in paragraph 39 (ii) the right is reserved to the Director of Air Services to cancel, suspend or endorse the licence of a ground engineer who signs a certificate in a category for which he is not licensed.

41. Subject to the proviso in paragraph 39 (ii) the Director of Air Services may, on sufficient grounds being shown to his satisfaction, after due inquiry and with the approval of the Governor, cancel, suspend or endorse the licence of a ground engineer in circumstances other than those specified in paragraphs 39 (i) and 40.

42. Ground engineers' licences will be valid for a period of twelve months, and will then be subject to renewal. The right is reserved to the Director of Air Services to re-examine the candidate for renewal if considered necessary.

43. Applications for the issue or renewal of ground engineers' licences should be forwarded to the Director of Air Services, Harbour Office, Victoria, Hong Kong, by whom application forms will be supplied on demand.

SECTION VII.

INSPECTION AND CERTIFICATION BEFORE FLIGHT AND AFTER OVERHAUL, REPAIR, ETC.

Passenger or Goods Aircraft.

44. The following provisions shall apply to British aircraft registered in this Colony or flying in or over this Colony, and, in either case, carrying passengers or goods for hire or reward, except in the event of special provision being made for the administration in this Colony of any Rules or Regulations of the country of origin of such aircraft.

- (1) Any such aircraft flying on a regular scheduled air service and any aircraft of the Hong Kong Flying Club shall not fly unless it has within twenty-four hours of the commencement of any flight been inspected and certified as safe for flight in accordance with this paragraph, nor during such twenty-four hours if in the course thereof the aircraft has landed owing to a defect which is not such as would in accordance with ordinary aeronautical practice be remedied by the pilot or crew, unless it has, after such defect has been remedied, been again inspected and certified as aforesaid:

Provided that—

- (a) if, after leaving the place at which it was last so certified as aforesaid, it has been accidentally delayed through some cause other than such a defect as aforesaid, it may proceed to any destination which but for the delay it would have reached within twenty-four hours since it was certified under this paragraph;
- (b) nothing in this provision shall require the landing or re-inspection of any aircraft which is actually in flight.

- (2) Any such aircraft not flying on a regular scheduled air service shall not fly unless within the seven days next before it last left its ordinary station of operations it has been inspected and certified as safe for flight in accordance with this paragraph.
- (3) An inspection under sub-paragraph (1) of this paragraph shall be carried out by a ground engineer licensed for the purpose, and an inspection under sub-paragraph (2) of this paragraph shall be carried out by such a ground engineer, or by a person authorised by the Director of Air Services for the purpose, and shall in all instances be in accordance with the conditions set out in paragraph 47.

A person authorised by the Director of Air Services for the purpose of carrying out an inspection under sub-paragraph (2) of this paragraph shall possess qualifications not lower than those required for the issue of Ground Engineer's Licences (Categories A or C, or both see paragraph 33) that is to say, if he is authorised to carry out an inspection of all or certain aircraft (as the case may be) before flight, he must possess all or certain of the qualifications (as the circumstances of the case may require) required for a licence in Category A, and, if he is authorised to carry out an inspection of all or certain aero-engines (as the case may be) before flight, he must possess all or certain of the qualifications (as the circumstances of the case may require) required for a licence in Category C, and, if he is authorised to carry out both an inspection of all or certain aircraft before flight, and an inspection of all or certain aero-engines before flight, he must possess all or certain of the qualifications (as the circumstances of the case may require) required for both licence in Category A and a licence in Category C.

- (4) If the result of the inspection is satisfactory a certificate under this paragraph in the form set out in paragraph 48 stating that the aircraft is safe for flight shall be signed in duplicate by the person who has carried out the inspection.
- (5) A period of twenty-four hours or seven days (as the case may be) for the purposes of sub-paragraphs (1) and (2) of this paragraph shall be reckoned from the time stated in the certificate as the time when the inspection was completed.

45. Of the copies of any such certificate as is mentioned in paragraph 44 (4) one copy shall, if the certificate was issued by a person in the employment of the owner of the aircraft, be retained by the owner, and if not issued by such a person be sent by the pilot to the owner, and shall in either case be kept by the owner for six months from the date of the certificate and the duplicate copy shall be carried in the journey log-book of the aircraft until a fresh certificate under the said paragraph is issued and then sent by the pilot to the owner to be kept by him until the expiration of the said period of six months.

ALL AIRCRAFT.

46.—(1) The pilot of every British aircraft registered in the Colony shall satisfy himself before commencing any flight that—

- (a) the aircraft is equipped with the prescribed instruments;
- (b) the aircraft and its instruments and equipment are fit in every way for the proposed flight;
- (c) the aircraft is so loaded as to comply with the conditions laid down in the certificate of airworthiness;
- (d) the view of the pilot is not interfered with by any obstruction not forming part of the structure of the aircraft; and
- (e) sufficient fuel, oil, and water are carried for the proposed flight.

(2) In the case of an aircraft carrying passengers or goods for hire or reward, the pilot shall, before commencing any flight, sign in duplicate a certificate in the form set out in paragraph 49.

(3) The certificates mentioned in the foregoing sub-paragraph shall be dealt with in accordance with paragraph 45.

47.—(1) The inspection of an aircraft under paragraph 44 (1) shall be in accordance with the following provisions:—

- (a) Inspection of the aircraft (including its instruments and equipment, but exclusive of the engine or engines and engine installation, and of the instruments relating thereto), shall be carried out by a ground engineer licensed in Category A in respect of aircraft of the type in question. (See paragraph 33).
- (b) Inspection of the engine or engines and engine installation and of the instruments relating thereto shall be carried out by a ground engineer licensed in Category C in respect of engines of the type or types in question.
- (c) The whole of the inspection may be carried out by the same ground engineer provided that he is licensed both in Category A and in Category C in respect of aircraft and engines of the types in question.
- (d) No part of the inspection may be carried out by the pilot of the aircraft.

(2) The inspection of an aircraft under sub-paragraph (2) of paragraph 44 shall be either in accordance with the provisions of sub-paragraph 1 of this paragraph, or in accordance with the same provisions but with the substitution of a person authorised by the Director of Air Services under paragraph 44 (3) to inspect aircraft for a ground engineer licensed in Category A and a person authorised by the Director of Air Services under paragraph 44 (3) to inspect engines for a ground engineer licensed in Category C.

48. The certificate as to the safety of the aircraft for flight required by paragraph 44 (4) shall be in the following form:—

CERTIFICATE OF SAFETY FOR FLIGHT.

Aircraft type.....

Nationality and Registration Marks.....

(a) I hereby certify that I have this day inspected the above aircraft (including its instruments but exclusive of the engine(s) and engine installation and of the instruments relating thereto) and that I am satisfied that it is safe in every way for flight, provided that the conditions for loading specified in the certificate of airworthiness are complied with.

The time at which this inspection was completed was.....

Signed.....

Ground Engineer, Licence No.....

or

Authorised Inspector.

Date..... Time.....

(b) And I hereby certify that I have this day inspected the engine(s) and engine installation (including the instruments relating thereto) of the above aircraft, and that I am satisfied that they are in every way fit for flight.

The time at which this inspection was completed was.....
.....

Signed.....

Ground Engineer, Licence No.....

or

Authorised Inspector.

Date..... Time.....

49. The certificate to be signed by the pilot under paragraph 46 (2) before commencing any flight shall be in the following form and contain the following particulars :—

Aircraft type.....

Nationality and Registration Marks.....
.....

Preparatory to flight from.....
to.....

I hereby certify that I have satisfied myself that :—

- (a) The aircraft is equipped with the prescribed instruments and equipment.
- (b) The aircraft and its instruments and equipment are fit in every way for the proposed flight.
- (c) The aircraft is so loaded as to comply with the conditions laid down in the certificate of airworthiness.
- (d) The view of the pilot is not interfered with by any obstruction not forming part of the structure of the aircraft.
- (e) Sufficient fuel, oil and water are carried for the proposed flight.

Signed.....

Pilot.

Date..... Time.....

SECTION VIII.

OVERHAULS, REPAIRS, ETC.

50.—(1) When any aircraft with respect to which a certificate of airworthiness issued by the Secretary of State, the Director of Air Services or other competent authority, is or has been in force is overhauled, repaired or modified, or when any part thereof is replaced, all the conditions required for the inspection of subsequent aircraft during construction which are applicable to such overhaul, repair, modification or replacement must be complied with and a certificate of such compliance, in accordance with the terms of this paragraph, must be given before the aircraft again flies.

(2) Such certificate shall be appended to particulars of the overhaul, repair, modification or replacement to which it relates and shall be in the following form :—

I hereby certify that, in carrying out

the	{	overhaul
		repair
		modification
		replacement

specified above, all the conditions required for the inspection of subsequent aircraft during construction, which are applicable thereto, have been complied with.

Signed..... Date.....

(3) Such certificate shall be signed by a ground engineer qualified under the terms and conditions of his licence to carry out the overhaul, repair, modification or replacement to which the certificate relates, or by the authorised representative of a firm or company approved for the purpose of giving such certificates. Provided that if the overhaul, repair or replacement has been carried out at a Royal Air Force aerodrome by Royal Air Force personnel the certificate may be signed by the officer in charge of workshops at that aerodrome.

(4) Such certificate shall, when relating to the aircraft exclusive of the engine or engines, be written in the aircraft log book, and, when relating to the engine or engines, be written in the engine log book. Provided, however, that if the appropriate log book is not at the place where the overhaul, repair, modification or replacement is carried out, the certificate may be given separately for the log book, in which case it shall be pasted in the log book as soon as reasonably practicable and meanwhile shall be kept with the journey log book. Provided further that, in the case of aircraft which are not passenger or goods aircraft and for which aircraft and engine log books are not kept, the certificate shall be entered in some other suitable book and that such book shall be produced on demand for the inspection of the Director of Air Services.

(5) When damage occurs to the main structure of an aircraft in respect of which a certificate of airworthiness issued by the Secretary of State or the Director of Air Services, or other competent authority, is in force, the aircraft shall not again fly until such damage has been repaired in accordance with the requirements of this paragraph and to the satisfaction of the person by whom the certificate required by this paragraph is signed.

51.—(1) A ground engineer who carries out an inspection under paragraph 50 shall be qualified in accordance with the following provisions:—

- (a) Inspection of the aircraft (including its instruments and equipment, but exclusive of the engine or engines and engine installation, and of the instruments relating thereto), shall be carried out by a ground engineer licensed in category B, in respect of aircraft of the type in question, (see paragraph 33).
- (b) Inspection of the engine or engines and engine installation and of the instruments relating thereto shall be carried out by a ground engineer, licensed in Category D, in respect of engines of the type or types in question.
- (c) The whole of the inspection may be carried out by the same ground engineer provided that he is licensed both in category B and in category D.

(2) A person authorised by the Director of Air Services under paragraph 44 (3) who carries out an inspection under paragraph 50 shall be authorised to carry out inspections in the appropriate class (aircraft or engines) as defined in sub-paragraphs (1) (a) and (1) (b) of this paragraph.

SECTION IX.

INSTRUMENTS AND EQUIPMENT.

52. With reference to Article 14 of the Order, the instruments and equipment to be carried and maintained in working order in British aircraft registered in the Colony when flying, are in the cases indicated, as follows:—

Flying machines.

(i) In all flying machines:—

(a) For all flights—

Air speed indicator;

- Altimeter ;
- Such gauges as are considered necessary by the Governor for the particular installation ;
- Revolution indicator ;
- Safety belt for each person (including the pilot or pilots) whether carried in an open cock-pit or not.
- (b) For flights which extend beyond a radius of three miles from the point of departure —
 - Equipment, as required by the circumstances of the case, for making the signals prescribed for aircraft in section II of Schedule IV, of the Order.
- (c) For flights by night—
 - Navigation lights ;
 - Illumination for instruments and equipment.
- (ii) In amphibian flying machines :—
 - Indicator of position of landing wheels.
- (iii) In flying machines carrying passengers or goods for hire or reward :—
 - (a) For flights which extend beyond a radius of 20 miles beyond the point of departure—
 - Compass ;
 - Watch ;
 - Turn indicator except for flying machines in which the number of seats (including those of the crew) as shown in the certificate of airworthiness is not more than five.
 - Map or maps to cover the whole route of the proposed flight.
 - (b) For flights on which, under Article 6 (2) of the Order a licensed navigator is required to be on board—
 - Drift indicator except for flying machines in which the number of seats (including those of the crew) as shown in the certificate of airworthiness is not more than five.
 - (c) For flights on which a licensed navigator other than the pilot is on board :—
 - Chart table ;
 - Navigation instruments.
 - Also when the pilot's instruments are not readily visible to the navigator : second air speed indicator ;
 - Second altimeter ;
 - Second compass.
 - (d) For flights, at any point of which the machine is more than ten miles from the nearest land :—
 - Life-belt for each person on board.
 - (e) For flights by night :—
 - Landing lights.

With regard to paragraph 52 :—

- (a) The instruments and equipment must be of types approved by the Governor or Secretary of State for Air.
- (b) The expression "flight by night" means a flight any part of which takes place between sunset and sunrise.

SECTION X.

WIRELESS APPARATUS.

53. With reference to Article 15 of the Order, every British aircraft registered in the Colony and capable of carrying ten or more persons including the crew shall, when carrying passengers or goods for hire or reward, carry apparatus for wireless telegraphy

capable of sending and receiving morse or spoken messages by wireless telegraphy, which is of a type approved by the Director of Air Services, and the installation of which (including bonding and screening) is in accordance with requirements laid down by him.

54. Such apparatus shall be operated under the conditions defined by the International Radio-telegraph Convention of Washington.

55. The installation and use by wireless telegraphy stations of spark waves (types B of the General Regulations annexed to the International Radio-telegraph Convention of Washington), is prohibited on board aircraft.

56. The application of the regulations in this section of these Directions may be suspended when, owing to the absence of land wireless telegraphy organisations available for air traffic, the employment of apparatus for wireless telegraphy on board aircraft would serve no useful purpose.

57. In this Section of these Directions:—

References to the number of persons which an aircraft is capable of carrying, relate to the number of persons for whom seating accommodation is normally provided in the aircraft as shown in its certificate of airworthiness.

The expression "wireless telegraphy" has the same meaning as in the Wireless Telegraphy Ordinance, 1926.

SECTION XI.

LOG-BOOKS.

58. With reference to Schedule III of the Order, applications for the issue of journey log-books should be made, accompanied by the prescribed fee, to the Director of Air Services, Harbour Office, Victoria, Hong Kong. Such books will be issued only in respect of individual aircraft, and the first page of each book will be completed by the Director of Air Services before issue.

59. Aircraft log-books, engine log-books and pilot's log books shall, respectively, be, in all essentials, in the form of the following authorised patterns, *viz*: the Aircraft Log Book (C.A. Form 27) the Engine Log Book (C.A. Form 28) and the Pilot's Log Book (C.A. Form 24), all published by His Majesty's Stationery Office, London.

60. Entries in journey log-books, except those on the first page and any visas by the aeronautical or Customs authorities, shall be made and signed by the pilot or navigator in the case of the left-hand pages, and by the pilot in the case of the right-hand pages.

61. Journey log-books shall be kept so as to furnish all the information and particulars for which they provide, and the instructions for use set out therein shall be complied with. Provided, however, that:—

(i) The use of the left-hand pages is optional.

(ii) When an aircraft is engaged in a number of flights upon the same day on all of which the aircraft returns to the point of departure after a flight of less than thirty minutes, entries in respect of the whole of such flights may be included on a single right-hand page of the log-book. In that event the actual number of flights so included and the total duration of these flights shall be shown.

62. Entries in aircraft and engine log-books other than the original entries:—

(a) In the case of a certificate under paragraph 50, shall be made and signed in accordance with that paragraph.

(b) In other cases shall be made and signed by a licensed ground engineer, except that, as regards matters which could not have come to the notice of a licensed ground engineer, the entries shall be made and signed by the pilot.

63.—(1) Aircraft log-books, engine log-books and pilot's log-books shall be kept so as to furnish all the information and particulars provided for in the authorised patterns referred to in paragraph 59, and the instructions for use set out in such authorised patterns shall be complied with, subject to these directions.

The term "repairs" in the authorised patterns shall be deemed to include all overhauls, replacements, repairs and work of a like nature.

(2) When repairs to an aircraft or engine have been required in consequence either of damage caused by a forced landing or of defects which have occasioned a forced landing, the entry of such repairs made in the aircraft or engine log-book shall state that they have been so required, and shall identify the forced landing in question by referring to the entry thereof contained in the journey log-book.

64. Entries in the journey log-books and the pilot's log-book shall be made at latest within 24 hours after the event to which they relate, and the relevant particulars in the journey log-book shall be entered in the aircraft or engine log-book at latest within 24 hours after the return of the aircraft to its station.

SECTION XII.

PERSONNEL TO BE CARRIED BY BRITISH AIRCRAFT.

65. The provisions contained in paragraphs 66 to 69 shall apply to British aircraft registered in this Colony.

NAVIGATORS.

66. A navigator who holds a first or second class licence shall be on board—

- (i) every flying machine used for the international carriage of passengers or goods for hire or reward and having to fly without landing—
 - (a) more than 100 miles over inhabited regions, or more than 100 miles but not more than 625 miles entirely over the high seas or uninhabited regions;
 - (b) by night, more than 16 miles but not more than 625 miles; and
- (ii) every airship of less than 700,000 cubic feet capacity, for every flight by day or by night.

67. A navigator who holds a first class licence shall be on board—

- (1) every flying machine used for the international carriage of passengers or goods for hire or reward and having to fly without landing—
 - (a) more than 625 miles entirely over the high seas or uninhabited regions; or
 - (b) by night, more than 625 miles; and
- (2) every airship of 700,000 cubic feet capacity, or more for every flight by day or by night.

68.—(1) A flying machine pilot who holds the necessary navigator's licence may, even if he is alone on board, fulfil the duties of navigator—

- (a) in the case of day flights over inhabited regions, or
- (b) in the case of day flights of not more than 625 miles over the high seas or uninhabited regions, or
- (c) in the case of night flights over routes suitably marked and recognised as such by the competent authorities.

(2) Unless a second pilot is on board, who can in case of need take charge of the flying machine, a flying machine pilot shall not perform the functions of navigator, either on a continuous flight of more than 625 miles over the high seas or uninhabited regions, or (except in the case provided for in sub-paragraph (1) (c) of this paragraph) on a flight by night.

(3) When, in addition to the pilot, an aircraft is required to have on board another member of the crew, the latter, if he holds the necessary navigator's certificate, may fulfil the duties of navigator in the cases provided for in paragraphs 66 and 67.

69. For the purpose of paragraphs 66 to 68:—

- (a) The expression an “uninhabited region” means a region where, in consequence of the sparsity of the population, and of the absence of natural landmarks or of the insufficiency of the maps, the difficulties of navigation are similar to those met with over the high seas.
- (b) The expression “night” means the period commencing one hour after sunset and terminating one hour before sunrise.
- (c) The expression a “flight over the high seas” means a flight in the course of which an aircraft finds itself over the sea at a distance of more than 65 miles from the nearest point of the coast.

SECTION XIII.

LICENSING OF PERSONNEL.

General.

70. With reference to Article 4 (1) (iii) of the Order and Schedule V thereto, applications for the grant or validation of licences under that Schedule should be made to the Director of Air Services by whom particulars of the requirements for obtaining a licence and application forms will be supplied on demand.

71. Licences remain valid for the following periods:—

- (a) Pilot's licence to fly aircraft carrying passengers or goods for hire or reward or being flown for any industrial purpose: not more than six months where the holder is of the male sex, and not more than three months where the holder is of the female sex.
- (b) Any other pilot's licence: not more than twelve months.
- (c) Licence to navigate aircraft: not more than six months where the holder is of the male sex, and not more than three months where the holder is of the female sex.

MEDICAL REQUIREMENTS.

Private Pilot's Licence.

72. A person applying for the grant of a pilot's licence to fly aircraft other than aircraft carrying passengers or goods for hire or reward or being flown for any industrial purpose (*i.e.*, a Private Pilot's Licence, as referred to in paragraph 86) will be required to undergo a medical examination by a Government medical officer, at the Government Civil Hospital, or at the Victoria Hospital, or at the Kowloon Hospital, or by a Medical Practitioner approved by the Governor for the purpose, or if such person is a member of the Hong Kong Volunteer Defence Corps, by a duly appointed medical officer of the corps.

73. This medical examination will be based upon the following requirements of mental and physical fitness:—

- (a) Good family and personal history, with particular reference to nervous stability, as to which information shall be given in a statement made and signed by the applicant and satisfactory to the medical examiner.
- (b) The applicant must not be under seventeen years of age.
- (c) *General Surgical Examination.*—The applicant must neither suffer from any wound or injury, nor have undergone any operation, nor possess any abnormality, congenital or acquired, which might interfere with the safe handling of aircraft under ordinary conditions.

Palpation of the abdomen and abdominal viscera, particularly the pyloric, vesicular, duodenal and appendicular regions, whenever it reveals any swelling or distinct pain, must be completed by a radiosopic and radiographic examination.

Any surgical intervention in the biliary passages or the digestive tube, except appendicitis, involving a total or partial excision or a diversion of one of these organs, any anatomical lesion in the walls of any part whatever of the digestive tube, any stricture of its calibre, any calculus or foreign body, any peritoneal lesion, established by clinical or laboratory examinations, will entail rejection. Exception may be made for spasmodic strictures not accompanied by other troubles, and for ptoses compensated by a good abdominal musculature.

Diseases of the liver (including those of the biliary passages) and of the pancreas will in cases where it is deemed necessary be verified by laboratory examination, particularly by radiography as well as by an examination of the blood and of the urine, and will entail rejection only if they afford indication of the existence of a calculus, tumour or lesion involving a persistent impairment of function of these organs.

- (d) *General Medical Examination.*—The applicant must not suffer from any disease or disability which renders him liable suddenly to become incompetent in the management of aircraft. He must possess heart, lungs and nervous system in a state to withstand the effects of altitude. He must be free from kidney disease, and must not present any clinical sign of syphilis, or have any cardiac lesion.
- (e) *Eye Examination.*—The applicant must possess, with correction by glasses if necessary, a visual acuity equal to at least 80 per cent. of the normal visual acuity for each eye taken separately, or 90 per cent. for one eye and 70 per cent. for the other, the visual acuity being measured by means of standard test types powerfully illuminated in such a manner that the light does not shine directly into the eyes of the examinee. Binocular vision, ocular poise, the field of vision of each eye and colour perception must be normal.
- (f) *Ear Examination.*—The middle ear must be healthy. The applicant must possess an auditory acuity not less than that corresponding with the perception of the whispered voice at one metre. The vestibular mechanism must be intact and not hypersensitive. It must be equal on both sides.
- (g) *Nose, Throat and Mouth Examination.*—The applicant must possess free tubal air entry on both sides.

Provided, however, that a person who does not satisfy the above requirements may, at the discretion of the Governor, be accepted as eligible for the issue of a licence, so far as medical requirements are concerned, if he has previously been found medically fit for flying.

Provided also that a person to whom a Private Pilot's Licence has been granted shall undergo medical re-examination if and when so required by the Director of Air Services.

*Pilot's Licence for Passenger or Goods Heavier-than-air Aircraft
and Navigator's Licence.*

74. In the following paragraphs 75 to 82, unless the context otherwise requires, the word "licence" means a pilot's licence to fly aircraft heavier-than-air carrying passengers or goods for hire or reward or being flown for any industrial purpose or a licence to navigate heavier-than-air aircraft.

75. A person applying for the grant of a licence will be required to undergo medical examination as follows:—

- (a) A preliminary examination conducted either by a duly qualified medical practitioner, who may be the applicant's usual medical attendant, or by specially qualified medical officers in conjunction with the special examination referred to in (b) below.
- (b) A special examination conducted by specially qualified medical officers appointed by or acting under the authority of the Governor.

76. *Preliminary Examination.*—This examination will be based on the following requirements:—

The applicant must have the complete use of his four limbs, must not be completely deprived of the use of either eye and must be free from any

active or latent, acute or chronic, medical or surgical, disability, or infection. He must be free from any injury or wound which would entail any degree of functional incapacity which might interfere with the safe handling of aircraft at any altitude even in the case of prolonged or difficult flight. He must be completely free from hernia, must not suffer from any detectable sensory lesion, and must be free from a history of morbid mental or nervous trouble.

77. Special Examination.—This examination will be based on the following requirements of mental and physical fitness:—

- (a) The applicant will be questioned concerning his family and personal history.
- (b) *Examination of the nervous system.*—The examination of the nervous system of the applicant shall comprise a full inquiry into family and personal history. The information obtained shall be given in a statement and signed by the applicant and accompanied, if possible, by a certificate in regard especially to losses of consciousness, fits and convulsions of all kinds, from the applicant's ordinary medical advisor or a responsible person who has known him for a long time. This statement and this certificate must be deemed satisfactory by the examining medical officer.

The applicant must not present any mental or trophic impairment, pathological tremor, or presumptive evidence of latent epilepsy. Motility, sensibility, tendinous, cutaneous and pupillary reflexes, co-ordination of movements and cerebellar functions, must be normal. An exception may be made for local peripheral trouble due to accidental section of a nerve branch.

Fractures of the cranium involving the internal table of the cranial box, even without apparent impairment, will entail temporary unfitness during a period of two years from the date of the fracture.

Any presumed nervous syphilis will entail rejection, unless the non-existence of such an impairment is proved by an examination of the blood and an examination of the cerebro-spinal fluid, made with the consent of the applicant.

- (c) Pilots of aircraft carrying passengers or goods for hire or reward and navigators may not enter upon their duties before 19 or after 45 years of age.
- (d) *General Surgical Examination.*—The applicant must neither suffer from any wound or injury, nor have undergone any operation, nor possess any abnormality, congenital or acquired, which might interfere with the safe handling of aircraft at any altitude, even in the case of prolonged or difficult flight.

Palpation of the abdomen and abdominal viscera, particularly the pyloric, vesicular, duodenal and appendicular regions, whenever it reveals any swelling or distinct pain, must be completed by a radioscopic and radiographic examination.

Any surgical intervention of the biliary passages of the digestive tube, except appendicitis, involving a total or partial excision or a diversion of one of these organs, any anatomical lesion in the walls of any part whatever of the digestive tube, any stricture of its calibre, any calculus or foreign body, any peritoneal lesion, established by clinical or laboratory examinations, will entail rejection. Exception may be made for spasmodic strictures not accompanied by other trouble and for ptoses compensated by a good abdominal musculature.

Diseases of the liver (including those of the biliary passages) and of the pancreas will in cases where it is deemed necessary be verified by laboratory examination, particularly by radiography as well as by an examination of the blood and of the urine, and will entail rejection only if they afford indication of the existence of a calculus, tumour or lesion involving a persistent impairment of function of these organs.

- (e) *General Medical Examination.*—The applicant must not suffer from any disease or disability which renders him liable suddenly to become incompetent in the management of aircraft. His muscular power must be adequate for the handling of the types of aircraft he will have to pilot or the apparatus he is to use.

He must not have any signs of aneurism of the large arterial trunks, nor have any cardiac lesion, even if well compensated; the heart must be normal, with normal function, and only respiratory arrhythmia, increase of pulse rate from excitement or exercise and a general slow pulse not associated with auriculo-ventricular dissociation will be allowed.

The applicant must not suffer from any acute disability of the lungs, nor possess any cicatricial lesion of the lungs, and must be free from tuberculosis capable of being diagnosed by the usual clinical methods, from tracheobronchial disease of the glands, and from pulmonary emphysema, even if slight. In addition, each examination shall include a radioscopy record in doubtful clinical cases.

The applicant must not present any signs of organic disease of the kidneys; these latter must be insensitive to palpation and of normal size. Renal ptosis will entail rejection. The urine must not contain any pathological element. Affections of the urinary passages and of the genital organs, even bleorrhoea, may entail temporary or definite unfitness.

Applicants of the female sex must present a normal uterus and appendages. Cases in which surgical intervention has taken place will be considered individually. Any presumed pregnancy will entail rejection.

The applicant must not present any clinical signs of syphilis.

- (f) *Eye Examination.*—The applicant must possess a degree of visual acuity compatible with the efficient performance of his duties. Binocular vision, ocular poise, the field of vision of each eye and colour perception must be normal.

Pilots must possess, without correction by glasses, visual acuity equal to at least 80 per cent. of the normal visual acuity for each eye taken separately, or 90 per cent. for one eye and 70 per cent. for the other, the visual acuity being measured by means of standard test types powerfully illuminated in such a manner that the light does not shine directly into the eyes of the examinee.

Navigators must possess the same visual acuity, but with correction by glasses if necessary.

- (g) *Ear Examination.*—The middle ear must be healthy. The applicant must possess an auditory acuity not less than that corresponding with the normal perception of the tuning forks C (1) 64 vibrations per second, C (3) 256 vibrations per second and C (7) 4,096 vibrations per second, the forks being held perpendicularly to the ground one centimetre from the auditory tube. The vestibular mechanism must be intact and not hypersensitive; it must be equal on both sides.
- (h) *Nose, Throat and Mouth Examination.*—The applicant must possess free nasal and tubal air entry on both sides and must not suffer from serious, acute or chronic affections of the buccal cavity or upper respiratory tract.

78. In the case of persons who have previously been found medically fit for flying, certain relaxations of the requirements set out in paragraph 77 may be made at the discretion of the Governor.

79. A person applying for the renewal of a licence will be required to undergo a medical examination conducted by medical officers or practitioners referred to in paragraph 75. This examination will be based on the requirements set out in paragraph 77, but certain relaxations thereof may be made at the discretion of the Governor.

80. An applicant who satisfies the medical requirements will receive a medical certificate of acceptance, which must be produced before the licence can be granted.

81. In order to ensure the maintenance of efficiency, every holder of a licence shall be re-examined and pronounced fit before resuming air duties:—

- (a) Whenever he has performed a total of 125 hours flying in the capacity of pilot of a flying machine within any period of 30 consecutive days since his last medical examination under these directions.

- (b) After illness or accident (including, in the case of licence holders of the female sex, confinement or miscarriage).

82. The date and result of each re-examination, whether for the purpose of renewal of the licence or in consequence of illness or accident, will be recorded on the licence.

GROUND ENGINEERS AND OPERATING CREW.

83. A ground engineer, and an engineer who is a member of the operating crew of aircraft will be required to undergo a medical examination and to obtain a medical certificate to the effect that he is fit to carry out his duties as ground engineer or to serve in the operating crew of aircraft, as the case may be. Such medical examination shall be made and the certificates of acceptance shall be produced when required by the Director of Air Services.

84. Applications for medical examination by a Government medical officer should be made at the above mentioned Hospitals, or at Headquarters of the Hong Kong Volunteer Defence Corps in the case of volunteer personnel.

PROOF OF COMPETENCY.

85. With reference to paragraphs 1 and 2 of Schedule V to the Order, the proofs of competency required in the case of a person applying for a licence as pilot shall (subject as hereinafter provided) consist of his having passed to the satisfaction of the Director of Air Services the respective tests and examinations specified in paragraphs 86 to 88 below.*

PILOTS OF FLYING MACHINES.

Pilot's Licence for private flying machines ("A Licence").

86. The tests and examination for a pilot's licence to fly flying machines other than flying machines carrying passengers or goods for hire or reward or being flown for any industrial purpose shall be as follows:—

- (1) *Practical Tests.*—In each practical test the candidate must be alone in the flying machine.
 - (a) Test for altitude and gliding flight: A flight which shall finish with a glide, the engines being cut off at not less than 2,000 feet above the landing or alighting area. The landing shall be made without re-starting the engine and within 150 yards or less of a point fixed beforehand by the official examiners of the test.
 - (b) Tests of skill: A flight without landing around two posts (or buoys) situated 500 yards apart, making a series of five figure-of-eight turns, each turn reaching one of the two posts (or buoys). This flight shall be made at an altitude of not more than 600 feet above the ground (or water) without touching the ground (or water). The landing shall be effected by:—
 - (i) Finally shutting off the engine at latest when the aircraft touches the ground (or water).
 - (ii) Finally stopping the flying machine within a distance of 50 yards from a point fixed by the candidate before starting.
- (2) *Technical Examination.*—(a) Knowledge of rules as to lights and signals, general rules for air traffic, and special rules for air traffic on and in the vicinity of aerodromes open to public use.
- (b) A practical knowledge of international air legislation. Provided that, for the purpose of the grant of such licences:—
 - (a) Persons who are qualified as Royal Air Force Pilots may be exempted from the above practical tests.

* As regards flying experience, see paragraphs 87 (3).

- (b) A Royal Aero Club Certificate, if issued on or after the 1st February, 1920, may be accepted in lieu of the passing of the above practical tests, and if issued on or after the 1st November, 1922, may be accepted in lieu of the passing both of the above practical tests and of the above technical examination.

Pilot's Licence for Passenger or Goods Flying Machines ("B Licence").

87. The tests and examination for a pilot's licence to fly flying machines carrying passengers or goods for hire or reward or being flown for any industrial purpose shall be as follows:—

- (1) *Practical Tests.*—In each practical test, except as otherwise specified, the candidate must be alone in the flying machine.

- (a) The same tests as are required under (1) (a) and (b) of paragraph 86 for a private pilot's licence. Candidates already in possession of the latter licence, or of a Royal Aero Club Certificate issued on or after the 1st February, 1920, are not, however, required to pass these tests again.
- (b) A left hand and right hand spin.
- (c) Two cross country or oversea flights of at least 200 miles each.

As regards one of these, the flight shall be made in the same aircraft within eight hours, shall include two obligatory landings (when the machine must come to rest at points, other than the point of departure, fixed beforehand by the examiners) and shall terminate with a landing at the point of departure. During this flight a height of at least 6,500 feet shall be maintained for one hour.

As regards both flights the candidate will at the time of departure be informed of his course and furnished with the appropriate map. The examiners will decide whether the course has been correctly followed.

- (d) A cross country or oversea flight of at least 200 miles with an examiner on board and including three forced landings at points selected by the examiner.
- (e) General flying for about half an hour with an examiner on board and including five landings.
- (f) A night flight of at least thirty minutes made between two hours after sunset and two hours before sunrise at a height of at least 1,500 feet.
- (g) A candidate who desires a licence permitting him to fly a type of flying machine equipped with two or more engines will be required to undergo a practical test of his ability to fly and manœuvre such a machine with each engine in turn completely throttled down.

- (2) *Technical Examination.*—Candidates will submit themselves when summoned to examination on:—

- (a) Flying machines: Theoretical knowledge of the laws of the resistance of the air especially as concerns its effects on wings and tail planes, rudders, elevators and airscrews; functions of the different parts of the machine and of their controls.

Assembling of flying machines, propellers, undercarriages, rudders, elevators and their controls.

Practical tests on rigging.

- (b) Engines: General knowledge of internal combustion engines, and their various functions; valve gear, carburation, ignition, exhaust.

Characteristics of aero engines and a general knowledge of their construction, adjustment and assembling.

Causes of the faulty running of engines. Fuel and oils. Description of the details of the aero engines used. Adjustments, lubrication, upkeep, disassembling and assembling of the principal parts; causes of breakdown. Use of throttle and other controls.

Practical tests in running repairs.

- (c) Knowledge of instruments prescribed for flying machines.

- (d) Map reading, use of compass, location of position, and elementary meteorology.

Knowledge of rules as to lights and signals, general rules for air traffic, and special rules for air traffic on and in the vicinity of aerodromes open to public use.

Practical knowledge of the special conditions of air traffic and of international air legislation.

Provided that, for the purpose of the grant of such licences, persons who are qualified as Royal Air Force Pilots may be exempted from the above tests and examination, except as regards the subjects of the examination, specified in (d). Such exemption may be made conditional upon the satisfactory completion of a special flying test.

(3) *Flying experience.*

- (a) An applicant for the issue of a licence will be required to produce satisfactory evidence that he has carried out, during the twelve months preceding the date of application, at least 35 hours flying as a pilot in sole charge of a flying machine. The evidence normally required for this purpose will consist of the production of a pilot's log-book recording such flying, or of a certificate issued by a responsible authority or person approved for the purpose by the Director of Air Services.
- (b) An applicant for the renewal of a licence will be required to produce in respect of the preceding twelve months the same evidence as is mentioned in sub-paragraph (a) that he has recent reasonable flying experience on the class of flying machines for which the renewal is required, or, failing such proof to undergo practical tests. The maximum period for which an applicant for the issue or renewal of a licence may not have flown but yet may be considered to have recent reasonable flying experience is six months.

General.

88. The practical tests specified in paragraphs 86 and 87 respectively shall be carried out within a maximum period of one month.

They may be carried out in any order. They shall be witnessed by at least two properly accredited examiners who will hand over the official reports to the proper authorities.

The practical tests specified in paragraph 86 may be attempted twice during the course of an official flying test. A candidate who fails in any of the practical tests specified in paragraph 87 (1) will be required to carry out a further official flying test, but will be exempted from any part of such a test passed at the first attempt, subject to the provision in the first sentence of this paragraph.

The official reports will give full details of the flights, especially of the landings. The candidates shall furnish, before each test, proof of identity, which the examiners have the right to demand.

A barograph shall be carried on all practical tests, and the graph signed by the two examiners shall be attached to their report.

89. Official Observers and Examiners.—Official observers and properly accredited examiners shall be persons approved for the purpose by the Director of Air Services.

Navigators' licences (second class) will normally be validated, issued or renewed only in the case of those persons who have previously held a licence (second class) issued by the authorities of some other part of His Majesty's Dominions or of a foreign country; the validation issue or renewal will be subject to the fulfilment of the conditions as to medical fitness set out below and production of such satisfactory evidence of competency as may be required.

With the approval of the Secretary of State for Air, and subsequent to a report by the Director of Air Services, in each case, as to the competence of the applicant, accompanied by a medical certificate of fitness after medical examination in accordance with the provisions of this Section, and a recommendation by the Director of Air Services that the licence be issued to the applicant, the Governor may issue a navigators' licence (second class) to any person who has not previously held a navigators' licence (second class) issued elsewhere, and subject as above mentioned, may renew licences so issued.

90. Other Licences.—(1) The conditions on which licences are granted by the Secretary of State for Air to (a) navigators; (b) airship pilots; (c) balloon pilots; are set out in the current Air Navigation Directions published by His Majesty's Stationery Office, London.

(2) Any tests required by the Director of Air Services to be carried out, in addition to the medical tests, in pursuance of paragraph 87 (3) (b) of this section, will be in accordance with the conditions set out in the Air Navigation Directions issued by the Secretary of State for Air, for the time being and from time to time in force in Great Britain.

91. With reference to proviso (b) to Article 4 (1) of the Order, and proviso (c) to Article 5 (1) thereof, a flying machine may be flown by a person not holding a pilot's licence for the purpose of becoming eligible for the issue of such a licence, provided that the following conditions are complied with:—

- (i) The flight must start from, take place within three miles of, and finish at a licensed aerodrome, a Royal Air Force Aerodrome, or an aerodrome under the control of the Governor or Secretary of State for Air.
- (ii) Before the flight is commenced notice that it is being undertaken for the purpose stated above must be given to the person in charge of the aerodrome from which the flight starts.
- (iii) No passengers may be carried.

SECTION XIV.

FEEES.

A. Registration.

92.—(a) The fee chargeable on the issue of a certificate of registration of an aircraft shall be \$10.

(b) The fee chargeable for the inspection of the register of aircraft shall be \$1.

B. Airworthiness.

93. The fee chargeable for the renewal or issue of any certificate of airworthiness shall be

For single engine aircraft of classes AA., A. and B. mentioned in paragraph 95 \$	50.00
For other aircraft	100.00

94. The fee chargeable for the validation of a certificate of airworthiness issued elsewhere than in this Colony shall be such a fee, not exceeding \$100, as is in the opinion of the Director of Air Services reasonable.

C. *Aerodromes.*

95—(a) The minimum fee chargeable for the issue or renewal of a licence for an aerodrome shall be \$10, the travelling expenses of the nearest qualified officer who inspects the aerodrome and the fee if any of the inspecting officer.

(b) *Landing Fees.*—These will be charged in accordance with the following scale in respect of the cost of maintenance and administration of the aerodromes and landing grounds.

	<i>For single landing.</i>
Class AA. Small type, less than 500 square feet	\$ 1.00
Class A. Small type, over 500 square feet but not exceeding 900 square feet	2.50
Class B. Medium type, over 900 square feet but not exceeding 1,800 square feet	5.00
Class C. Large type, over 1,800 square feet	10.00
Class D. Aircraft of large type, fitted with more than two engines	15.00

The area of an aircraft, governing its classification for this purpose, is the product of the span by the length. In the case of aircraft with folding wings, the span is measured with the machine in flying condition.

(c) *Housing Fees.*—Such fees and charges as may be laid down from time by the Director of Air Services and published in the Gazette.

D. *Medical Examinations.*

96. A charge will be made in respect of every medical examination made by a Government medical officer, and be payable as are other Government medical charges. The charge for an examination for a Private Pilot's Licence ("A" licence) shall be \$15, and for the examinations for a Pilot's Licence for Passenger or Goods Aircraft ("B" licence) shall be \$30. The charge for examination for a Navigator's Licence (second class), a Ground Engineer's Licence, or of a member of an operating crew of aircraft shall be \$15. The charge for a further medical examination or re-examination shall be \$10. Such charges will include in the case of acceptance, the medical certificate of acceptance.

E. *Personnel.*

97. In addition to the charges for medical examinations mentioned in paragraph 96 and any charges made by medical practitioners duly authorised to make such examinations, the following fees shall be chargeable in respect of the issue and renewal of licences to personnel:—

- (a) For the issue of a pilot's licence—
 - Technical examination\$ 5.00
 - Flying test ("A" licence)..... 10.00
 - " " ("B" licence)..... 50.00
 - Licence 5.00
- (b) For the issue of a second class navigator's licence—
 - Technical examination\$40.00
 - Licence 5.00
- (c) For the issue of a ground engineer's licence 10.00

(d) For the renewal or validation of licences—

Nature of Licence.	For Technical Examination. (If required).	For Flying Test. (if required).	For Licence.
Pilot ("A" licence)	\$5.00	\$10.00	\$5.00
„ ("B" licence)	5.00	50.00	5.00
Navigator (second class) ...	40.00	—	5.00
Ground Engineer	5.00	—	5.00

LOG-BOOKS.

98. The following fees shall be chargeable in respect of the issue of log-books:—

Pilot's log-book	\$1.50
Engine log-book	2.50
Signal log-book	2.50
Journey log-book	2.50
Aircraft log-book	2.50

Continuation log-books will not be issued until the former log-book (if any) has been produced to the Director of Air Services, or to a person authorised by him for the purpose, and passed by the Director of Air Services, or by such person, as having been completed and in order, or until the failure to produce the former log-book has been duly accounted for to the satisfaction of the Director of Air Services.

The loss of any log-book shall forthwith be reported to the Director of Air Services, in writing.

The finding or recovery of any log-book shall forthwith be reported by the person finding or recovering the same to the Director of Air Services, in writing, and if the finder is not the owner, the log-book shall be delivered to the Director of Air Services, or be forwarded to him by post, as soon as possible.

GENERAL.

99. A fee of \$5 shall be charged for the issue of a duplicate certificate or licence of any kind when the original is lost or destroyed.

100. An application for any certificate or licence or for the renewal of any certificate or licence shall be accompanied by a remittance to cover all the fees payable for the issue or renewal as the case may be, but when in any case the certificate or licence is not issued or renewed, the Governor may refund to the applicant such proportion of the sum paid as represents any investigation, calculation, inspection, test or examination which has not been carried out as a result of the application.

101. All fees are payable at the office of the Registrar of Aircraft, Harbour Office, Victoria, Hong Kong. Cheques should be made payable to "The Hong Kong Government."

102. The Governor may pay all or any portion of the fees collected in accordance with this section to any private person, association or company, in consideration of their having carried out any portion of the work involved in the granting of the licence or certificate.

SECTION XV.

MASTER PILOT'S CERTIFICATES (FLYING MACHINES).

103. With reference to paragraph 5A of Schedule V to the Air Navigation (Consolidation) Order, 1923, applications for the issue of master pilot's certificates for flying machines should be made to the Secretary (D.C.A.), Air Ministry, London, W.C.2, by whom application forms will be supplied on demand.

104. Master pilot's certificates will be issued either for land flying machines or for marine flying machines.

105. The qualifications required in order to obtain a master pilot's certificate are as follows:—

- (1) The applicant (*a*) must be the holder of a current pilot's licence to fly flying machines carrying passengers or goods for hire or reward or being flown for any industrial purpose ("B" licence,) issued under the Order, (*b*) must have held such a licence for at least five years, and (*c*) during those five years must have flown for at least 1,000 hours as pilot.
- (2) His flying experience as pilot must have included:
 - (i) 200 flying hours on either (*a*) single-engined flying machines of at least 300 horse power, or (*b*) multi-engined flying machines, but so that at least 100 hours shall have been on multi-engined machines, and also so that the 200 hours shall have been wholly on land flying machines or wholly on marine flying machines according as to whether the application is for a certificate for land or for marine flying machines; and
 - (ii) Twenty cross country or oversea flights, each of a minimum duration of one hour and both commenced and completed at night.
- (3) He must be the holder of a current second class or first class licence to navigate aircraft issued under the said Order of 1923.

106. In place of any of the above qualifications the Secretary of State may accept other qualifications which appear to him to be substantially equivalent.

107. A master pilot's certificate will not require to be renewed.

SECTION XVI.

LICENSED AERODROMES.

108. With reference to Article 8 of the Order, applications for aerodrome licences should be made to the Director of Air Services by whom application forms will be supplied on request.

109. Licensed aerodromes are divided into two main categories:—

- (*a*) Aerodromes licensed for use only by the licensee and by individuals specifically authorised by him.
- (*b*) Aerodromes licensed for public use.

110. Aerodromes are licensed either for all types of aircraft or for certain specified types.

111. An aerodrome licence may be granted for any period up to a maximum of twelve months, and on each occasion of renewal, may be renewed for a period not exceeding twelve months.

112. The licensee shall obtain before any work is commenced, the approval of the Director of Air Services to any proposed alterations and additions to a site for which an aerodrome licence has been granted, where such alterations or additions may affect the safety of aircraft using the aerodrome.

In particular, where it is proposed to erect buildings or structures, or alter the area of ground occupied by and/or the height above ground of existing buildings or structures, a plan on a scale of 1/2500 shall be rendered to the Director of Air Services, clearly indicating the new area occupied, or the alteration of area, if any, together with full particulars of the height above ground of each such new or altered building or structure. Failure to obtain such approval will render the licence liable to be withdrawn.

113. Adequate first-aid appliances must be kept at all licensed aerodromes.

SECTION XVII.

DROPPING OF ARTICLES FROM AIRCRAFT.

114. With reference to Article 13 of the Order:—

The dropping of the following articles is permitted:

- (1) Smoke-producing or other apparatus or material dropped for the purpose of navigating an aircraft, where the approval of the Director of Air Services to the type of apparatus and method of use has previously been notified.
- (2) Message bags and apparatus for dropping articles to the ground, and articles so dropped, where the approval of the Director of Air Services to the type of apparatus, method of use, and place where the dropping is to take place, has been notified, and subject to any other conditions which may be laid down.

SECTION XVIII.

PROHIBITED AREAS.

115. No photograph may be taken from an aircraft of any portion of the Colony except with the special permission in writing of the Governor and subject to any conditions which may be attached to such permission.

SECTION XIX.

CUSTOMS.

(Article 23 (4) of the Order.)

116. In this section,—

“Importer” shall include any owner or other person for the time being possessed of or beneficially interested in any goods imported within the jurisdiction of the Colony from the time of the importation thereof until they shall, on payment of the duties thereon or otherwise, be delivered or discharged from the custody or control of the Superintendent.

“Superintendent” means the Superintendent of Imports and Exports, and includes any officer for the time being or at any time performing the duties of the office of Superintendent of Imports and Exports; and includes any person deputed or authorised by the Superintendent to execute any power or perform any duty vested in or imposed upon him by these Directions.

“Examination Station” means a space at a Customs aerodrome allotted by the Director of Air Services as an examination station;

“Pilot” includes person in charge.

“Customs Officer” shall include Revenue Officer.

Other expressions have the same meaning as in the general provisions of the Order.

Customs Aerodromes.

117. The Government Aerodrome is approved as a Customs aerodrome.

Arrival at and Departure from Customs Aerodromes.

118. An aircraft entering the Colony from a place outside the Colony shall not land in the Colony for the first time in any journey except at a Customs aerodrome.

Provided that this paragraph shall not apply where an aircraft is compelled to land before arriving at a Customs aerodrome, owing to accident, stress of weather, or unavoidable cause, in which event the procedure laid down in paragraph 134 of this section shall be followed.

119. No aircraft shall fly to a place outside the Colony unless its place of final departure is a Customs aerodrome.

Provided that this paragraph shall not apply where an aircraft is compelled to land after leaving a Customs aerodrome owing to accident, stress of weather, or unavoidable cause; in this event the provisions of paragraph 132 of this section shall be complied with.

120. (1) No person in any aircraft entering the Colony shall carry or allow to be carried in the aircraft any goods the importation of which is prohibited by any law for the time being in force in the Colony.

(2) No person in any aircraft leaving the Colony shall carry or allow to be carried in the aircraft any goods the exportation of which is prohibited by any law for the time being in force in the Colony.

(3) No person in any aircraft entering the Colony shall break or alter any seal placed upon any part of the aircraft or upon any goods therein by a customs officer at the aerodrome from which he departed for the Colony.

121. An aircraft shall not enter or leave the Colony having any secret or disguised place adapted for concealing goods.

Arrival at Customs Aerodrome.

122. The pilot of an aircraft arriving at a Customs aerodrome from a place outside the Colony shall, on landing, forthwith take his aircraft to the examination station at that aerodrome.

Provided that a pilot shall not be deemed to have contravened or failed to comply with this direction if he proves that circumstances over which he had no control prevented him from taking his aircraft to the examination station, and that, after the report required by paragraph 123 of this section has been duly made by him, all goods carried in the said aircraft were removed to the examination station in the presence of an officer of the Customs.

123. Within twenty-four hours after the landing at any Customs aerodrome of an aircraft from a place outside the Colony the pilot shall—

- (a) make a report to the proper officer of Customs in the form prescribed by the Superintendent; and
- (b) truly furnish the several particulars required by such form; and
- (c) deliver to such officer with such report his journey log-book, manifest and declaration of the goods on board his aircraft signed by the proper customs officer at the aerodrome from which he departed for the Colony; and
- (d) land at such aerodrome for examination of baggage all passengers carried in such aircraft, and, after making such reports, shall produce, and, if required to do so, shall land, all goods in such aircraft for examination.

Departure for foreign destination from Customs Aerodromes.

124. The pilot of every aircraft in which goods are to be exported shall, before any goods are taken on board, deliver to the proper officer of Customs a notice of departure for a foreign destination in the form prescribed by the Superintendent, in which shall be truly stated the particulars required by such form.

125. (1) The pilot of every aircraft about to proceed direct to any place outside the Colony shall deliver in duplicate, to the proper officer of Customs at a Customs aerodrome, together with the journey log-book belonging to the aircraft, an application for clearance from that aerodrome in the form prescribed by the Superintendent, and also, if the aircraft carries any goods, a manifest and declaration in the form prescribed by the Superintendent, declaring the goods and stores on such aircraft, and shall truly state therein the particulars required by such forms respectively; and such forms, when signed by such officer, shall be the customs clearance.

(2) A pilot shall not depart in any such aircraft from the Colony until he has produced the customs clearance to the Director of Air Services, or to some person, authorised by him in that behalf, and has obtained authority for departure issued by the Director of Air Services or by a duly authorised person, and, after obtaining such authority, shall not call at any other place in the Colony before proceeding to his foreign destination. Any pilot intending to land at one or more Customs aerodromes before proceeding to his foreign destination shall apply for his clearance and authority at the last Customs aerodrome at which he lands.

Importation, Entry and Unloading of Goods.

126. A person importing goods in an aircraft shall not bring the goods into any place in the Colony other than a Customs aerodrome, or unload the goods from any aircraft except at an examination station (unless such goods are unloaded in the presence of an officer of Customs under the provisions of paragraph 122 of this section) and shall not unload the goods except between such hours as the Superintendent prescribes, or remove the goods from an examination station unless the goods have first been duly entered in the manner provided by this section and produced to the proper officer of Customs and duly cleared by him.

127. A person shall not remove from any aircraft any goods imported therein until the report required by paragraph 123 of this section has been made, and the authority of the proper officer of Customs has been obtained.

128. The importer of any goods imported in aircraft shall deliver to the Superintendent or to the proper officer of Customs an entry of such goods in accordance with the provisions of the enactments relating to dutiable goods or to importation, and shall truly furnish thereon the several particulars required by the form of entry, and shall pay to the proper officer of Customs all duties chargeable thereon at the times and in the manner prescribed by the said enactments.

Provided that no entry shall be required in respect of the baggage of passengers.

129. All goods imported into a Customs aerodrome in any aircraft shall be duly entered and unladen within seven days from the time of the arrival of such aircraft at the aerodrome or within such further period as the Superintendent may allow.

130. All goods imported in aircraft which have not been examined and cleared by the proper officer of Customs shall be stored in a transit shed at the Customs aerodrome, and no person shall remove such goods from the transit shed before examination and clearance by such officer.

Exportation of Goods.

131.—(1) The exporter of any goods intended for exportation in aircraft shall deliver to the proper officer of Customs at the Customs aerodrome from which such aircraft is cleared to its foreign destination, an entry in the form prescribed by the

Superintendent and shall truly state in such form the particulars thereby required; and such form when signed by the proper officer of Customs shall be the clearance and authority for the exportation of such goods.

(2) A person shall not export goods in such aircraft until such authority has been given by the proper officer of Customs.

132. A person shall not without the consent of the proper officer of Customs unload from any aircraft any goods loaded therein for exportation which have been cleared under paragraph 131 of this section, or open, alter or break any lock, mark or seal placed by any officer of Customs on any goods in any aircraft about to depart from the Colony.

General Provisions.

133. If any officer of Customs in the execution of his duties boards any aircraft in any place, the pilot thereof shall not convey him in the aircraft away from such place without his consent.

134. If any aircraft arriving from a place outside the Colony shall land in any place other than a Customs aerodrome, the pilot shall forthwith report to an officer of Customs or police officer, and shall on demand produce to such officer or police officer the journey log-book belonging to the aircraft, and shall not allow any goods to be unloaded therefrom without the consent of an officer of Customs, and no passenger thereof shall leave the immediate vicinity without the consent of an officer of Customs or police officer. If such place of landing shall be an aerodrome, the pilot shall forthwith report the arrival of the aircraft and the place whence it came to the proprietor of the aerodrome, who shall forthwith report the arrival of the aircraft to an officer of Customs, and shall not allow any goods to be unloaded therefrom or any passenger thereof to leave the aerodrome without the consent of such officer.

135.—(1) The proprietor of any aerodrome shall at all times permit any officer of Customs to enter and inspect his aerodrome and all buildings and goods thereon.

(2) The pilot of any aircraft shall permit any officer of Customs at any time to board and inspect his aircraft, and any goods laden therein, and every such officer shall have the right of access at any time to any place to which access is necessary for the purpose of such inspection.

(3) The importer or exporter of any goods imported or exported in an aircraft shall produce such goods to the proper officer of Customs at the Customs aerodrome of importation or exportation, as the case may be, and permit him to inspect such goods.

136.—(1) The provisions of the enactments relating to dutiable goods or to importation, shall so far as they are applicable, apply to aircraft and to goods, mails and persons carried in or landed from them as they apply to ships and to goods, mails and persons carried in or landed from ships.

(2) The Superintendent may modify the form of any document prescribed by the enactments relating to dutiable goods or to importation, so as to make such form applicable to aircraft or to goods carried therein.

SECTION XX.

ACCIDENTS.

137. Except as mentioned in paragraph 141, the directions contained in paragraphs 138 to 140 only apply where,—

(i) the accident has involved death or personal injury to any person, whether carried in the aircraft or not, or

(ii) the accident has caused serious structural damage, that is to say, the telescoping or breaking apart of the fuselage, or breaking of a main spar, or the breaking of any part of the controls, or damage by fire to any part of the aircraft; or

- (iii) the accident is believed on reasonable grounds to have been caused or contributed to by the failure in the air of any part of the aircraft.

138. In the case of every accident as aforesaid the pilot, or if the pilot is incapacitated, then the owner or hirer of the aircraft shall forthwith notify the Director of Air Services and the Officer in charge of the nearest police station.

139. Such notice to the Director of Air Services shall be in writing, and shall state the nationality and the registration marks of the aircraft; the name of the owner or hirer (if any); the name of the pilot; the date, time, place and nature of the accident; and whether death or personal injury was caused by the accident, and if so to whom.

140. The removal of the damaged aircraft is prohibited, and the aircraft shall not be in any way moved or interfered with until the permission of the Director of Air Services in that behalf has been obtained. This direction, however shall not prevent the removal or interference with the aircraft for the purpose of extricating persons or animals, or removing mails, or preventing destruction by fire, or preventing any damage or obstruction to the public. Furthermore, baggage may be removed from the aircraft under police supervision, but if the aircraft has come from outside this Colony clearance by or with the consent of the proper officer of Customs will in any case be necessary. Furthermore, if the aircraft is wrecked on water, the craft, or any parts or contents thereof may be removed to such extent as necessary for the purpose of salving the same.

141. On the occurrence of any accident of the kind referred to in paragraph 137 of this Section, and on the occurrence of any accident whatsoever if the Director of Air Services so requires, an investigation shall be held by Director of Air Services or by a person nominated by him for the purpose. At any such investigation any person concerned in the accident and in respect of whom any responsibility, liability or claim attaches or is likely to attach or charge is or is likely to be made will be entitled to be present and to make any statement and produce any witnesses as he thinks fit. The person by whom any such investigation is made shall draw up and sign his report to the Governor, and he may in such report make a recommendation for the cancellation or suspension or endorsement of any licence or certificate.

142. Nothing contained in this Section shall be deemed to supersede or override any other step, course or action authorised by law in this Colony.

SECTION XXI.

GENERAL.

143.—(1) The Governor may, from time to time, authorise such modifications and relaxations of these Directions, or any of them as may appear to him to be necessary.

(2) With reference to Article 31 (2) of the Order, an "aeroplane club" is a club formed for the purpose of furthering the interests of private flying in this Colony, whose membership is open to the public for the purpose of giving tuition in aviation, and which is approved by the Governor for these purposes, after submission of evidence as to the objects of the club and its conditions of membership. The granting of such approval shall be entirely in the discretion of the Governor.

SECTION XXII.

CARRIAGE BY AIR.

144. The International Rules relating to International Carriage by Air under the Convention signed at Warsaw on the 12th October, 1929, and set out in the Appendix to these Directions, and the law for the time being and from time to time in force in this Colony relating to carriage by air, shall be complied with.

APPENDIX.

**CONVENTION FOR THE UNIFICATION OF CERTAIN RULES
RELATING TO INTERNATIONAL CARRIAGE BY AIR.**

Chapter I.

OBJECT.—DEFINITIONS.
Article 1.

(1) This Convention applies to all international carriage by aircraft of persons luggage or goods for valuable consideration. It applies equally to gratuitous carriage by aircraft performed by any person engaged in the business of an air carrier.

(2) For the purposes of this Convention the expression "international carriage" means any carriage in which, according to the contract made by the parties, the place of departure and the place of destination, whether or not there be a break in the carriage or a trans-shipment, are situated either within the territories of two High Contracting Parties, or within the territory of a single High Contracting Party, if there is an agreed stopping place within a territory subject to the sovereignty, suzerainty, mandate or authority of another Power, even though that Power is not a party to this Convention. A carriage without such an agreed stopping place between territories subject to the sovereignty, suzerainty, mandate or authority of the same High Contracting Party is not deemed to be international for the purposes of this Convention.

(3) A carriage to be performed by several successive air carriers is deemed, for the purposes of this Convention, to be one undivided carriage, if it has been regarded by the parties as a single operation, whether it takes the form of a single contract or a series of contracts; such carriage does not lose its international character merely because one contract or a series of contracts is to be performed entirely within a territory subject to the sovereignty, suzerainty, mandate or authority of the same High Contracting Party.

Article 2.

(1) This Convention applies to carriage performed by the State or by legally constituted public bodies provided it falls within the conditions laid down in Article 1.

(2) This Convention does not apply to carriage performed under the terms of any international postal Convention.

Chapter II.

CARRIAGE DOCUMENTS.

SECTION 1.—PASSENGER TICKET.
Article 3.

(1) For the carriage of passengers the carrier must deliver a passenger ticket which shall contain the following particulars:—

- (a) the place and date of issue;
- (b) the place of departure and of destination;
- (c) the agreed stopping places, provided that the carrier shall be entitled to reserve the right to alter the stopping places in case of necessity, but so that such alteration shall not have the effect of depriving the carriage of its international character;

- (d) the name and address of the carrier or carriers ;
- (e) a statement that the carriage is subject to the rules relating to liability established by this Convention.

(2) Absence, irregularity or loss of the ticket does not affect the existence or the validity of the contract of carriage, which shall none the less be subject to the rules of this Convention. Nevertheless, if the carrier accepts a passenger without having delivered a ticket to him, he shall not have the right to avail himself of those provisions of this Convention which exclude or limit his liability.

SECTION 2.—LUGGAGE TICKET.

Article 4.

(1) For the carriage of luggage, other than small personal objects of which the passenger takes charge himself, the carrier must deliver a luggage ticket.

(2) The luggage ticket shall be made out in duplicate, one part for the passenger and the other part for the carrier.

(3) The luggage ticket shall contain the following particulars :—

- (a) the place and date of issue ;
- (b) the place of departure and of destination ;
- (c) the name and address of the carrier or carriers ;
- (d) the number of the passenger ticket ;
- (e) a statement that good delivery of the luggage can be made to the bearer of the luggage ticket ;
- (f) the number and weight of the packages ;
- (g) the amount of the declared value in accordance with Article 22 (2) ;
- (h) a statement that the carriage is subject to the rules relating to liability established by this Convention.

(4) Absence, irregularity or loss of the luggage ticket does not affect the existence or the validity of the contract of carriage, which shall none the less be subject to the rules of this Convention. Nevertheless, if the carrier accepts luggage without having delivered a luggage ticket to the passenger, or if the luggage ticket does not contain the particulars set out at (d), (f) and (h) above, the carrier shall not have the right to avail himself of those provisions of the Convention which exclude or limit his liability.

SECTION 3.—AIR CONSIGNMENT NOTE.

Article 5.

(1) Every carrier of goods has the right to require the consignor to make out and hand over to him a document call an "air consignment note" ; every consignor has the right to require the carrier to accept this document.

(2) Absence, irregularity or loss of this document does not affect the existence or the validity of the contract of carriage which shall, subject to the provisions of Article 9, be none the less governed by the rules of this Convention.

Article 6.

(1) The air consignment note shall be made out in three original parts and be handed over with the goods.

(2) The first part shall be marked "for the carrier", and shall be signed by the consignor. The second part shall be marked "for the consignee" ; it shall be signed by the consignor and by the carrier and shall accompany the goods. The third part shall be signed by the carrier and handed by him to the consignor after the goods have been accepted.

(3) The carrier shall sign on acceptance of the goods.

(4) The signature of the carrier may be replaced by a stamp; that of the consignor may be printed or replaced by a stamp.

(5) If, at the request of the consignor, the carrier completes the air consignment note, he shall be deemed, subject to proof to the contrary, to have acted on behalf of the consignor.

Article 7.

The carrier of goods has the right to require the consignor to make out separate consignment notes when there is more than one package.

Article 8.

The air consignment note shall contain the following particulars:—

- (a) the place and date of its execution;
- (b) the place of departure and of destination;
- (c) the agreed stopping places, provided that the carrier shall be entitled to reserve the right to alter the stopping places in case of necessity, but so that such alteration shall not have the effect of depriving the carriage of its international character;
- (d) the name and address of the consignor;
- (e) the name and address of the first carrier;
- (f) the name and address of the consignee, if required;
- (g) the nature of the goods;
- (h) the number of the packages, the method of packing and the particular marks or numbers upon them;
- (i) the weight, the quantity and the volume or dimensions of the goods;
- (j) the apparent condition of the goods and of the packing;
- (k) the freight, if it has been agreed upon, the date and place of payment, and the name of the person who is liable to pay it.
- (l) if the goods are sent for payment on delivery, the price of the goods, and, if the case so requires, the amount of the expenses incurred;
- (m) the amount of the declared value in accordance with Article 22 (2);
- (n) the number of parts of the air consignment note;
- (o) the documents handed to the carrier to accompany the air consignment note;
- (p) the time fixed for the completion of the carriage and a brief note of the route to be followed, if these matters have been agreed upon.
- (q) a statement that the carriage is subject to the rules relating to liability established by this Convention.

Article 9.

If the carrier accepts goods without an air consignment note having been completed, or if the consignment note does not contain all the particulars set out in Article 8 (a) to (i) inclusive and (q), the carrier shall not have the right to avail himself of the provisions of this Convention which exclude or limit his liability.

Article 10.

(1) The consignor is responsible for the correctness of the particulars and statements relating to the goods which he inserts in the air consignment note.

(2) The consignor will be liable for all damage suffered by the carrier or any other person by reason of the irregularity, incorrectness or incompleteness of the said particulars and statements.

Article 11.

(1) The air consignment note is *prima facie* evidence of the conclusion of the contract, of the receipt of the goods and of the conditions of carriage.

(2) The statements in the air consignment note relating to weight, dimensions and packing of the goods, as well as those relating to the number of packages, are *prima facie* evidence of the facts stated; those relating to the quantity, volume and condition of the goods do not constitute evidence against the carrier except so far as these particulars have been checked by him in the presence of the consignor, and the fact of the checking has been noted on the air consignment note, or unless the statements relate to the apparent condition of the goods.

Article 12.

(1) Subject to his liability to carry out all his obligations under the contract of carriage, the consignor has the right to dispose of the goods by withdrawing them at the aerodrome of departure or destination, or by stopping them in the course of the journey at a landing place, or by calling for them to be delivered at the place of destination or in the course of the journey to a person other than the consignee named in the air consignment note, or by requiring them to be returned to the aerodrome of departure. He must not exercise this right of disposition in such a way as to prejudice the carrier or other consignors and he must repay any expenses occasioned by the exercise of this right.

(2) If it is impossible to carry out the orders of the consignor the carrier must so inform him forthwith.

(3) If the carrier obeys the orders of the consignor for the disposition of the goods without requiring the production of the part of the air consignment note delivered to the latter, he will be liable, without prejudice to his right of recovery from the consignor, for any damage which may be caused by this omission to any person who is lawfully in possession of that part of the air consignment note.

(4) The right conferred on the consignor ceases at the moment when that of the consignee begins in accordance with Article 13. Nevertheless, if the consignee declines to accept the consignment note or the goods, or if he cannot be communicated with, the consignor resumes his right of disposition.

Article 13.

(1) Except in the circumstances set out in the preceding Article, the consignee is entitled, on arrival of the goods at the place of destination, to require the carrier to hand over to him the air consignment note and to deliver the goods to him, on payment of such sums as may be due under the contract and on complying with the conditions of carriage set out in the air consignment note.

(2) Unless it is otherwise agreed, it is the duty of the carrier to give notice to the consignee as soon as the goods arrive.

(3) If the carrier admits the loss of the goods, or if the goods have not arrived at the expiration of seven days after the date on which they ought to have arrived, the consignee is entitled to put into force against the carrier the rights which are given to him by the contract of carriage.

Article 14.

The consignor and the consignee can respectively enforce all the rights given them by Articles 12 and 13, each in his own name, whether he is acting in his own interest or in the interest of a third party, provided that he carries out the obligations imposed by the contract.

Article 15.

(1) Articles 12, 13 and 14 do not affect either the relations of the consignor or the consignee with each other or the mutual relations of third parties whose rights are derived either from the carrier or from the consignee.

(2) The provisions of Articles 12, 13 and 14 can only be varied by express provision in the air consignment note.

Article 16.

(1) The consignor must furnish such information and attach to the air consignment note such documents as are necessary to meet the formalities of customs, octroi or police before the goods can be delivered to the consignee. The consignor is liable to the carrier for any damage occasioned by the absence, insufficiency or irregularity of such information or of such documents, unless such damage is due to the fault of the carrier his servants or agents.

(2) The carrier is under no obligation to examine the correctness or sufficiency of such information or documents.

Chapter III.

LIABILITY OF THE CARRIER.

Article 17.

The carrier is liable for damage arising in case of death, maiming or other bodily injury suffered by a passenger, if the accident which caused the damage took place on board the aircraft or in the course of any of the operations of embarking or disembarking.

Article 18.

(1) The carrier is liable for damage arising in the case of the destruction, loss or impairment of registered luggage or goods, if the event which caused the damage took place during the carriage by air.

(2) The carriage by air within the meaning of the preceding paragraph comprises the period during which the luggage or goods are in charge of the carrier, whether in an aerodrome, or on board an aircraft, or, in the case of a landing outside an aerodrome, in any place whatsoever.

(3) The period of the carriage by air does not extend to any carriage by land, by sea or by river performed outside an aerodrome. Provided that if such a carriage takes place in the performance of a contract for carriage by air, for the purpose of loading, delivery or trans-shipment, any damage is presumed, subject to proof to the contrary, to have been the result of an event which took place during the carriage by air.

Article 19.

The carrier is liable for damage occasioned by delay in the carriage by air of passengers, luggage or goods.

Article 20.

(1) The carrier is not liable if he proves that he and his servants or agents have taken all necessary measures to avoid the damage or that it was impossible for him or them to take such measures.

(2) In the carriage of goods and luggage the carrier is not liable if he proves that the damage was occasioned by negligent pilotage or negligence in the handling of the aircraft or in navigation and that in other respects, he and his servants or agents have taken all necessary measures to avoid the damage.

Article 21.

If the carrier proves that the damage was caused by or contributed to by the negligence of the injured person the Court may, in accordance with the provisions of its own law, exonerate the carrier wholly or partly from his liability.

Article 22.

(1) In the carriage of passengers the liability of the carrier for each passenger is limited to the sum of 125,000 francs. Where, in accordance with the law of the Court seised of the case, damages may be awarded in the form of periodical payments, the equivalent capital value of the said payments shall not exceed 125,000 francs. Nevertheless, by special contract, the carrier and the passenger may agree to a higher limit of liability.

(2) In the carriage of registered luggage and of goods, the liability of the carrier is limited to a sum of 250 francs per kilogram, unless the consignor has made, at the time when the package was handed over to the carrier, a special declaration of the value at delivery and has paid a supplementary sum if the case so requires. In that case the carrier will be liable to pay a sum not exceeding the declared sum, unless he proves that that sum is greater than the actual value to the consignor at delivery.

(3) As regards objects of which the passenger takes charge himself the liability of the carrier is limited to 5,000 francs per passenger.

(4) The sums mentioned above shall be deemed to refer to the French franc consisting of $65\frac{1}{2}$ milligrams gold on the basis of $\frac{900}{1,000}$ fine. These sums may be converted into any national currency in round figures.

Article 23.

Any provision tending to relieve the carrier of liability or to fix a lower limit than that which is laid down in this Convention shall be null and void, but the nullity of any such provision does not involve the nullity of the whole contract, which shall remain subject to the provisions of this Convention.

Article 24.

(1) In the cases covered by Articles 18 and 19 any action for damages under whatever head can only be brought subject to the conditions and limits set out in this Convention.

(2) In the cases covered by Article 17 the provisions of the preceding paragraph also apply, without prejudice to the questions as to who are the persons who have the right to bring suit and what are their respective rights.

Article 25.

(1) The carrier shall not be entitled to avail himself of the provisions of this Convention which exclude or limit his liability, if the damage is occasioned by his own wilful misconduct or by such default on his part as, in accordance with the law of the Court seised of the case, is considered to be equivalent to wilful misconduct.

(2) The preceding paragraph shall also apply if the damage has been occasioned by the wilful misconduct, as above defined, of any servant or agent of the carrier acting within the scope of his employment.

Article 26.

(1) Receipt by the consignee of luggage and of goods without protest is *prima facie* evidence that the same have been delivered in good condition and in accordance with the document of carriage.

(2) In the case of damage, the consignee must protest to the carrier forthwith after the discovery of the damage, and, at the latest, within three days from the date of receipt in the case of luggage and seven days from the date of receipt in the case of goods. In the case of delay the protest must be made at the latest within fourteen days from the date on which the luggage or goods have been placed at his disposal.

(3) Every protest must be made in writing upon the document of carriage or by separate notice in writing despatched within the times aforesaid.

(4) Failing protest within the times aforesaid, no action shall lie against the carrier, save in the case of fraud on his part.

Article 27.

In the case of the death of the person liable, the action for damages lies in accordance with the terms of this Convention against those legally representing his estate.

Article 28.

(1) The action for damages must be brought, at the option of the plaintiff, in the territory of one of the High Contracting Parties, either before the Court having jurisdiction where the carrier is ordinarily resident, or where he has his principal place of business, or where he has an establishment by which the contract has been made, or before the Court having jurisdiction at the place of destination.

(2) Questions of procedure shall be governed by the law of the Court seised of the case.

Article 29.

(1) The right to damages shall be extinguished if an action is not brought within two years, reckoned from the date of arrival at the destination, or from the date on which the aircraft ought to have arrived, or from the date on which the carriage stopped.

(2) The method of calculating the period of limitation shall be determined by the law of the Court seised of the case.

Article 30.

(1) In the case of carriage to be performed by various successive carriers, falling within the definition set out in the third paragraph of Article 1, each carrier who accepts passengers, luggage or goods is subjected to the rules set out in this Convention, and is deemed to be one of the contracting parties to the contract of carriage in so far as the contract deals with that part of the carriage which is performed under his supervision.

(2) In the case of carriage of this nature, the passenger or his representative can take action only against the carrier who performed the carriage during which the accident or the delay occurred, save in the case where, by express agreement, the first carrier has assumed liability for the whole journey.

(3) In the case of luggage or goods, the consignor will have a right of action against the first carrier, and the consignee who is entitled to delivery will have a right of action against the last carrier, and further, each may take action against the carrier who performed the carriage during which the destruction, loss, damage or delay took place. These carriers will be jointly and severally liable to the consignor and the consignee respectively.

Chapter IV.

PROVISIONS RELATING TO COMBINED CARRIAGE.

Article 31.

(1) In the case of combined carriage performed partly by air and partly by any other mode of carriage, the provisions of this Convention apply only to the carriage by air, provided that the carriage by air falls within the terms of Article 1.

(2) Nothing contained in this Convention shall prevent the parties in the case of combined carriage from inserting in the document of air carriage conditions relating to other modes of carriage, provided that the provisions of this Convention are observed as regards the carriage by air.

Chapter V.

GENERAL AND FINAL PROVISIONS.

Article 32.

Any clause contained in the contract and all special agreements entered into before the damage occurred by which the parties purport to infringe the rules laid down by this Convention, whether by deciding the law to be applied, or by altering the rules as to jurisdiction, shall be null and void. Nevertheless for the carriage of goods arbitration clauses are allowed, subject to this Convention, provided that the arbitration must take place within one of the jurisdictions referred to in the first paragraph of Article 28.

Article 33.

Nothing contained in this Convention shall prevent the carrier either from refusing to enter into any contract of carriage, or from making regulations which do not conflict with the provisions of this Convention.

Article 34.

This Convention does not apply to international carriage by air performed by way of experimental trial by persons carrying on the business of air navigation with the view to the establishment of a regular line of air navigation, nor does it apply to carriage performed in extraordinary circumstances outside the normal scope of an air carrier's business.

Article 35.

The expression "days" when used in this Convention means current days not working days.

Article 36.

This Convention is drawn up in French in a single copy which shall remain deposited in the archives of the Ministry for Foreign Affairs of Poland and of which duly certified copies shall be sent by the Polish Government to the Government of each of the High Contracting Parties.

Article 37.

(1) This Convention shall be ratified. The instruments of ratification shall be deposited in the archives of the Ministry for Foreign Affairs of Poland, which will notify the deposit to the Government of each of the High Contracting Parties.

(2) As soon as this Convention shall have been ratified by five of the High Contracting Parties it shall come into force as between them on the ninetieth day after the deposit of the fifth ratification. Thereafter it will come into force between the High Contracting Parties who shall have ratified and the High Contracting Party who deposits his instrument of ratification on the ninetieth day after the deposit.

(3) It shall be the duty of the Government of the Republic of Poland to notify to the Government of each of the High Contracting Parties the date on which this Convention comes into force as well as the date of the deposit of each ratification.

Article 38.

(1) This Convention shall, after it has come into force, remain open for adhesion by any State.

(2) The adhesion shall be effected by a notification addressed to the Government of the Republic of Poland, which will inform thereof the Government of each of the High Contracting Parties.

(3) The adhesion shall take effect as from the ninetieth day after the notification made to the Government of the Republic of Poland.

Article 39.

(1) Any one of the High Contracting Parties may denounce this Convention by a notification addressed to the Government of the Republic of Poland, which will at once inform the Government of each of the High Contracting Parties.

(2) Denunciation shall take effect six months after the notification of denunciation, and shall operate only as regard the Party who shall have proceeded to denunciation.

Article 40.

(1) Any High Contracting Party may, at the time of signature or of deposit of ratification or of adhesion, declare that the acceptance which he gives to this Convention does not apply to all or any of his colonies, protectorates, territories under mandate, or any other territory subject to his sovereignty or his authority, or to any territory under his suzerainty.

(2) Accordingly any High Contracting Party may subsequently adhere separately in the name of all or any of his colonies, protectorates, territories under mandate or any other territory subject to his sovereignty or to his authority or to any territory under his suzerainty which has been thus excluded by his original declaration.

(3) Any High Contracting Party may denounce this Convention, in accordance with its provisions, separately or for all or any of his colonies, protectorates, territories under mandate or any other territory subject to his sovereignty or to his authority, or any other territory under his suzerainty.

Article 41.

Any High Contracting Party shall be entitled not earlier than two years after the coming into force of this Convention to call for the assembling of a new international Conference in order to consider any improvements which may be made in this Convention. To this end he will communicate with the Government of the French Republic which will take the necessary measures to make preparations for such Conference.

NOTE.—The word "carrier" in the last line of Article 15 (1) should really be "consignor", there being an error in the original French text of the Convention.