

NOTICES.

No. 134.

COLONIAL SECRETARY'S DEPARTMENT.

The following Order of His Majesty in Council is published for general information.

W. T. SOUTHORN,  
*Colonial Secretary.*

3rd March, 1933.

NOTE:—For the principal Order of 1927 and the amendments of 1929 and 1931 see Government Notifications No. 430 of 1928, No. 408 of 1929 and No. 10 of 1932.

STATUTORY RULES AND ORDERS, 1932,  
No. 1076.

**AIR NAVIGATION.**

THE AIR NAVIGATION (COLONIES, PROTECTORATES AND  
MANDATED TERRITORIES) (AMENDMENT) ORDER, 1932

AT THE COURT AT BUCKINGHAM PALACE,

THE 15TH DAY OF DECEMBER, 1932.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.  
LORD PRESIDENT. MAJOR TRYON.  
LORD COLEBROOKE. MR. BENNETT.

WHEREAS in pursuance of the powers conferred on Him by the Air Navigation Act, 1920, (a) His Majesty in Council was pleased by the Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927, (b) and the Air Navigation (Colonies, Protectorate and Mandated Territories) (Amendment) Order, 1929, (c) and the Air Navigation (Colonies, Protectorate and Mandated Territories) (Amendment) Order, 1931, (d) amending the first mentioned Order, (which, as so amended, is hereinafter referred to as "the Principal Order"), to make certain of the provisions of the Air Navigation (Consolidation) Order, 1923, (e) the Air Navigation (Amendment) Order, 1925, (f) the Air Navigation (Amendment) Order, 1927, (g) the Air Navigation (Amendment) Order, 1928, (h) the Air Navigation (Amendment) (No. 3) Order, 1928, (i) the Air Navigation (Amendment) (No. 4) Order, 1928, (j) the Air Navigation (Amendment) (No. 2) Order, 1929, (k) the Air Navigation (Amendment) (No. 3) Order, 1929, (l) the Air Navigation (Amendment) (No. 2) Order, 1930, (m) and the Air Navigation (Amendment) Order, 1931, (n) applicable to certain British Possessions

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| (a) 10-1 G. 5. c. 80.                | (b) S.R. & O. 1927 (No. 1245) p. 10. |
| (c) S.R. & O. 1929 (No. 90) p. 81.   | (d) S.R. & O. 1931 (No. 972) p. 24.  |
| (e) S.R. & O. 1923 (No. 1508) p. 13. | (f) S.R. & O. 1925 (No. 1260) p. 4.  |
| (g) S.R. & O. 1927 (No. 263) p. 4.   | (h) S.R. & O. 1928 (No. 36) p. 20.   |
| (i) S.R. & O. 1928 (No. 591) p. 28.  | (j) S.R. & O. 1928 (No. 900) p. 32.  |
| (k) S.R. & O. 1929 (No. 984) p. 59.  | (l) S.R. & O. 1929 (No. 1001) p. 60. |
| (m) S.R. & O. 1931 (No. 84) p. 19.   | (n) S.R. & O. 1931 (No. 419) p. 23.  |

and certain territories under His Majesty's protection and to registered aircraft being the property of British subjects resident or companies incorporated therein :

And whereas in pursuance of the powers conferred on Him by the said Act His Majesty has been pleased to make a further Order in Council, namely, the Air Navigation (Amendment) Order, 1932, (a) amending the said Air Navigation (Consolidation) Order, 1923, as previously amended :

And whereas it is expedient that the Principal Order should be further amended so as to make certain of the provisions of the said Air Navigation (Amendment) Order, 1932, applicable to the British possessions and territories mentioned in Schedules VIII and IX of the said Principal Order and to registered aircraft being the property of British subjects resident or companies incorporated therein, and otherwise in the manner hereinafter appearing :

Now, therefore, His Majesty, by virtue and in exercise of all the powers enabling Him in this behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

- Amendments and address as to name of owner.**
- 1.** Sub-paragraph (i) of paragraph (1) of Article 4 of the Principal Order shall be amended by omitting the following words, that is to say, "and the name and residence of the owner affixed or".
- Amendment as to defence to proceedings under Order.**
- 2.** Paragraph (1) of Article 28 of the Principal Order shall be amended by inserting in proviso (a) thereto the word "accident", after the words "to have been due to".
- Power to cancel particulars entered in licences, etc.**
- 3.** Paragraph (3A) of Article 29 of the Principal Order shall be amended by inserting the words "or cancel" after the word "vary".
- Amendments of definitions.**
- 4.** The following amendments shall be made in paragraph (1) of Article 31 of the Principal Order, that is to say,—
- (a) In the definition of "aircraft" the word "gliders" shall be inserted after the word "kites".
- (b) At the end of the definition of "Airship" there shall be inserted the words "and means of directional control".
- (c) After the definition of "Flying machine" there shall be inserted the words—
- " 'Glider' means an aircraft heavier than air, not fixed to the ground and having no means of mechanical propulsion, but having means of directional control".
- (d) The definition of "Under way" shall be omitted.
- Amendment of rules as to registration.**
- 5.** Paragraphs 7 and 8 of Schedule I to the Principal Order shall be amended by omitting the words "or the Secretary of State for Air" wherever they occur.

6. The following amendments shall be made in Schedule II to the Principal Order,—

- Amendment  
of rules  
as to  
certificates  
of air-  
worthiness.
- (a) In paragraph 1, the words "or issued" shall be inserted after the word "validated".
  - (b) At the end of paragraph 2 there shall be inserted the words "or he may issue a fresh certificate of airworthiness in respect of the aircraft".

7. The following amendments shall be made in Schedule IV to the Principal Order,—

- Amendments  
of rules as  
to lights  
and rules  
for air  
traffic.
- (a) The provisions of the Schedule to this Order shall be substituted for the provisions of Section I.
  - (b) In paragraph 21, there shall be inserted after the words "give way", in both places where those words occur, the words "to gliders and".
  - (c) In paragraph 22 there shall be inserted after the word "shall" the words "for the purpose of the provisions of this Section of this Schedule".
  - (d) In paragraphs 25, 26 and 27 the word "mechanically-driven" shall be substituted for the word "motor-driven" wherever the last-mentioned word occurs.
  - (e) Paragraph 34 shall be omitted.
  - (f) The following paragraphs shall be substituted for paragraphs 36, 37 and 38 :—

"36. If a flying machine or glider starting from, or about to land at, an aerodrome makes a circuit or partial circuit, the turning must be made clear of the landing area and must be left-handed (anticlockwise) so that during the circuit the landing area shall always be on its left.

37. Subject to the provisions of any special regulations in force with respect to any particular aerodrome, a flying machine or glider shall not fly over the landing area of an aerodrome at a lower height than 6,000 feet, except when departing therefrom or landing thereat.

38. Every flying machine and glider flying outside the landing area of an aerodrome at a distance of less than 3 miles from the nearest point of that area shall, unless it is flying at a greater height than 6,000 feet, keep the landing area on its left."

- (g) In paragraph 39 the words "and gliders" shall be inserted after the words "flying machines", and the figure and word "3 miles" shall be substituted for the figures and word "4,000 yards".
- (h) In paragraph 41 the words "and glider" shall be inserted after the words "flying machine" in both places where those words occur.
- (i) In paragraph 42 the words "or two gliders" shall be inserted after the words "two flying machines", the words "or glider, as the case may be" shall be inserted after the words "flying machine" where those words first occur, and the words "or glider" shall be inserted after the words "flying machine" where those words secondly occur.

- (j) The following paragraph shall be substituted for paragraph 44:—

“44. At every land aerodrome the following requirements shall be complied with:—

- (1) Along the perimeter and at the approaches to the hangars a neutral zone shall be set apart for aircraft manoeuvring on the ground;
- (2) The landing area shall be as large as possible;
- (3) Every flying machine and glider when landing or taking off, shall do so in conformity with the provisions of paragraph 41 of this Schedule, and shall leave clear on its left any flying machine or glider which has already landed or which is at rest on the ground;
- (4) Every flying machine and glider moving on the ground in the landing area shall do so in the direction of landing;

Provided that on aerodromes approved by the Governor for the purpose, flying machines and gliders moving on the ground may be authorised to cross the landing area subject to regulations approved by the Governor”.

- (k) The following amendments shall be made in paragraph 45:—

- (i) The words “landing area” shall be substituted for the words “part reserved for departures and landings” in sub-paragraph (1), and for the words “part of the ground reserved for departures and landings” in sub-paragraph (2).
- (ii) In sub-paragraph (3) the words “or glider” shall be inserted after the words “flying machine” in every place where those words occur, and the words “or gliders” shall be inserted after the words “flying machines”.

- (l) In paragraph 46 the word “land” shall be inserted after the word “every”.

- (m) The following paragraph shall be inserted after paragraph 50:—

“50A. In conforming with the rules laid down in Section III and Section V of this Schedule—

- (a) due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from those rules necessary in order to avoid immediate danger; and
- (b) in particular it shall be borne in mind that steam vessels in narrow channels are not able to manoeuvre so as to avoid collision with aircraft.”

Amendment  
as to  
licences.

8. The following amendments shall be made in Schedule V to the Principal Order—

- (a) In sub-paragraph (1) of paragraph 2 the words “in any other part of His Majesty’s dominions” shall be substituted for the words “in any part of His Majesty’s dominions outside Great Britain and Northern Ireland”.

(b) The following paragraph shall be inserted immediately before paragraph 4:—

“3. No licence shall be granted if the Governor is not satisfied that the applicant is a fit and proper person to hold the licence.”

9.—(1) This Order may be cited as the Air Navigation (Colonies, Protectorates and Mandated Territories) (Amendment) Order, 1932. Citation and commencement.

(2) This Order shall come into operation on the 1st day of January, 1933.

M. P. A. HANKEY.

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**SCHEDULE.**

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PROVISIONS TO BE SUBSTITUTED FOR SECTION I OF SCHEDULE IV OF THE PRINCIPAL ORDER.

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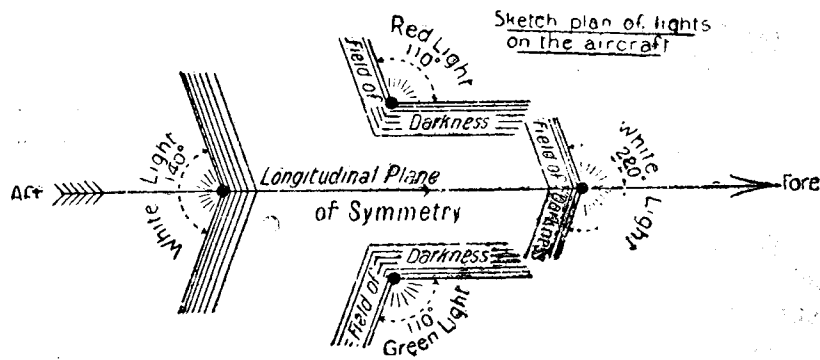
SECTION I.

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*Interpretation.*

1. For the purpose of this Schedule—

- (a) An aircraft shall be deemed to be on the surface of the water when any part of the aircraft is in contact with the water;
- (b) An aircraft, being in the air or on the surface of the water, shall be deemed to be under way when it is not moored to the ground or to any fixed object on the land or in the water;
- (c) An aircraft under way in the air or on the surface of the water shall be deemed to be making way when it has a velocity relative to the air or water respectively;
- (d) An aircraft shall be deemed not to be under control when it is unable to execute a manoeuvre required in respect of it by the rules laid down in this Schedule or by the Regulations for Preventing Collisions at Sea;
- (e) The expression “landing area” means that part of an aerodrome which is reserved for departures and landing of aircraft;
- (f) The expression “visible”, when used in relation to lights, means visible on a dark night with a clear atmosphere;
- (g) The expression “plane of symmetry”, in relation to an aircraft, means the plane of symmetry passing through the longitudinal axis of the aircraft;
- (h) The angular limits for lights laid down in the rules in Section IA of this Schedule shall be determined when the aircraft is in its normal attitude for flying on a rectilinear horizontal course, as illustrated in the following sketch plan:—



## SECTION IA.

## RULES AS TO LIGHTS AND DAY MARKINGS.

*General.*

2.—(1) The rules as to lights in this Section of this Schedule shall be complied with by aircraft in all weathers during the period from sunset to sunrise or, in the case of aircraft being on or over the territory of a State by the law of which any other period is substituted for the period aforesaid, during the period so substituted.

(2) Throughout the period during which the rules aforesaid are to be complied with, no other lights shall be displayed which may be mistaken for the lights required to be displayed by those rules.

(3) The lights required to be displayed by the said rules shall not be dazzling.

3.—(1) In the event of the failure of any light which is required by this Section of this Schedule to be displayed by aircraft in flight, the aircraft concerned shall, if the light cannot be repaired or replaced in flight, land as soon as it can do so without danger.

(2) Where, owing to the difficulty of producing lamps to meet the requirements of this Section of this Schedule as regards sector lights, an overlap of those lights is unavoidable, the overlap shall be as slight as possible; there shall be no sector in which no light is visible.

4. Nothing in this Section of this Schedule shall interfere—

- (a) with the operation of any special rules made by any State with respect to the additional station or signal lights for military aircraft or for aircraft in group formation; or
- (b) with the exhibition of recognition signals adopted by owners of aircraft which have been authorised by their respective Governments and published.

*Flying Machines.*

5.—(1) Every flying machine in the air or on a land aerodrome shall display the following lights, that is to say:—

- (a) on the right side, a green light, fixed so as to show an unbroken light visible at a distance of at least 5

miles in a dihedral angle of  $110^\circ$  formed by two vertical planes, of which one is parallel to the plane of symmetry and directed dead ahead, and the other is directed to the right;

(b) on the left side, a red light, fixed so as to show an unbroken light visible at a distance of at least 5 miles in a dihedral angle of  $110^\circ$  formed by two vertical planes, of which one is parallel to the plane of symmetry and directed dead ahead, and the other is directed to the left;

(c) at the rear, a white light, fixed so as to show astern an unbroken light, visible at a distance of at least 3 miles in a dihedral angle of  $140^\circ$  formed by two vertical planes bisected by the plane of symmetry.

(2) In a case where, in order to comply with the foregoing provisions of this paragraph, a single light has to be replaced by several lights, the field of visibility of each of those lights shall be so limited that only one can be seen at a time.

(3) In the case of a flying machine with a maximum span of less than 65 feet, the lights required by this paragraph may be combined in one or more lamps, placed centrally, provided that the requirements of this paragraph as to colour and visibility are complied with.

6. Every flying machine under way on the surface of the water shall display lights in accordance with the following provisions of this paragraph:—

(a) if it is under control and is not being towed, it shall display the lights required by paragraph 5 of this Schedule, and in addition, forward, a white light fixed so as to show forward an unbroken light visible at a distance of at least 3 miles in a dihedral angle of  $220^\circ$  formed by two vertical planes and bisected by the plane of symmetry:

(b) if it is being towed, it shall display the lights required by paragraph 5 of this Schedule:

(c) if it is not under control, it shall display two red lights placed where they can best be seen, one vertically over the other, not less than 3 feet apart, and both being visible, so far as practicable, all round the horizon at a distance of at least 2 miles, and it shall also display—

(i) if making way, the lights required by paragraph 5 of this Schedule; or

(ii) if not making way, the light required by subparagraph (1) (c) of paragraph 5 of this Schedule.

7. Every flying machine at anchor or moored on the surface of the water shall display lights in accordance with the following provisions of this paragraph:—

(a) in every case, it shall display forward centrally where it can best be seen, a red light 3 feet vertically above a white light, both being visible all round the horizon at a distance of at least 1 mile:

- (b) in a case where the length of the flying machine is 150 feet or upwards, it shall display, in addition to any other light required by this paragraph, a white light at or near its stern at a lower height than the lights mentioned in sub-paragraph (a) of this paragraph, and visible all round the horizon at a distance of at least 1 mile;
- (c) in a case where the maximum span of the flying machine is 150 feet or upwards, it shall display, in addition to any other light required by this paragraph, a white light on each side placed in such a manner as to demarcate the maximum lateral dimension of the flying machine and visible, so far as practicable, all round the horizon at a distance of at least 1 mile.

*Gliders, balloons and kites.*

8. In all cases in which flying machines are required by this Section of this Schedule to display lights, a glider shall display a white light visible, so far as practicable, in all directions.

9. A free balloon shall display a white light placed not less than 15 or more than 30 feet below the basket and visible, so far as practicable, in all directions at a distance of at least 2 miles.

10.—(1) In the case of a captive balloon or kite, lights shall be displayed in accordance with the following provisions of this sub-paragraph:—

- (a) the balloon or kite shall display two white lights placed 12 feet apart, one vertically below the other and both being visible so far as practicable in all directions at a distance of at least 2 miles, the upper light being placed not less than 15 or more than 30 feet below the basket, or, if there is no basket, below the lowest part of the balloon or kite;
- (b) in addition, from the mooring cable of the balloon or kite there shall be displayed at intervals of 1,000 feet measured from the said group of two white lights, similar groups of two white lights, and if the lowest group of lights is obscured by clouds, an additional group shall be displayed below the cloud base;
- (c) in addition, the position of the object to which the balloon or kite is moored on the ground shall be marked by a similar group of two white lights.

(2) By day, the mooring cable of a captive balloon shall have attached to it at intervals of not more than 300 feet measured from the basket (or, if there is no basket, from the lowest part of the balloon) tubular streamers, not less than 8 inches in diameter and 6 feet in length, and marked with alternate bands of white and red 18 inches in width.

(3) By day, the mooring cable of a kite shall be marked, either

- (a) in the manner required by the last preceding sub-paragraph in the case of a captive balloon; or
- (b) by streamers of stout paper attached to the cable at intervals of 150 feet measured from the lowest part of the kite, being streamers not less than 30 inches in length or one foot in width in their widest part and marked with alternate bands of white and red 4 inches wide.



*Airships.*

11.—(1) Except as provided in the next following paragraph an airship when under way shall display the following lights:—

- (a) forward, a white light fixed so as to show forward an unbroken light visible at a distance of at least 5 miles in a dihedral angle of  $220^{\circ}$  formed by two vertical planes and bisected by the plane of symmetry;
- (b) on the right side, a green light fixed so as to show an unbroken light visible at a distance of at least 5 miles in a dihedral angle of  $110^{\circ}$  formed by two vertical planes, of which one is parallel to the plane of symmetry and directed dead ahead, and the other is directed to the right;
- (c) on the left side, a red light fixed so as to show an unbroken light visible at a distance of at least 5 miles in a dihedral angle of  $110^{\circ}$  formed by two vertical planes, of which one is parallel to the plane of symmetry and directed dead ahead, and the other is directed to the left;
- (d) at the rear, a white light fixed so as to show astern an unbroken light visible at a distance of at least 3 miles in a dihedral angle of  $140^{\circ}$  formed by two vertical planes and bisected by the plane of symmetry.

(2) In a case where, in order to comply with the foregoing provisions of this paragraph, a single light has to be replaced by several lights, the field of visibility of each of those lights shall be so limited that only one can be seen at a time.

12.—(1) An airship which is under way and which is not under control, or which has voluntarily stopped its engines, or which is being towed, shall display the following lights:—

- (a) the forward and rear lights required by sub-paragraphs (1) (a) and (1) (d) of the last foregoing paragraph;
- (b) in addition, below the airship, two red lights, one placed vertically below the other 12 feet apart, the upper light being 25 feet below the control car, and both being visible so far as practicable in all directions at a distance of not less than two miles;
- (c) in addition, if making way but not otherwise, the side lights required by sub-paragraphs (1) (b) and (1) (c) of the last foregoing paragraph.

(2) By day, an airship in the circumstances mentioned in sub-paragraph (1) of this paragraph shall display two black balls or shapes, each at least 2 feet in diameter, one placed vertically below the other 12 feet apart, and both being visible so far as practicable in all directions.

Where necessary in order to comply with the foregoing provisions of this sub-paragraph, the said group of two black balls or shapes may be duplicated.

13.—(1) An airship when moored to a mooring mast shall display at or near the rear a white light visible, so far as practicable, in all directions at a distance of at least 3 miles.

(2) An airship, when moored to the ground or the surface of the water by a cable, shall display, forward, the white light required by sub-paragraph (1) (a) of paragraph 11 of this Schedule, and at the rear, the white light required by sub-paragraph (1) (d) of that paragraph, and in addition the airship and its mooring cable shall be lighted or marked in accordance with such of the provisions of paragraph 10 of this Schedule as are applicable in the case of a captive balloon.

(3) An airship while picking up its moorings shall be considered as being under way and not being under control until it is finally made fast.

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COLONIAL SECRETARY'S DEPARTMENT.

No. 135.—It is hereby notified for general information that the following Chinese newspapers circulating in the Colony have been approved by the Secretary for Chinese Affairs pursuant to and for the purposes of sub-section (3) of section 3 of the Fraudulent Transfers of Businesses Ordinance, 1923, Ordinance No. 25 of 1923 :—

Wah Kiu Yat Po.  
Tsun Wan Yat Po.  
Wa Tsz Yat Po.

W. T. SOUTHORN,  
*Colonial Secretary.*

*3rd March, 1933.*

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COLONIAL SECRETARY'S DEPARTMENT.

No. 136.—It is notified for general information that the Recreation Grounds Committee consists of the following :—

**Recreation Grounds Committee.**

The Chairman, The Director of Public Works,  
The Colonial Secretary,  
The Director of Education,  
Representative of the Royal Naval Recreation Club,  
" " Hong Kong Area Sports Board (Army),  
" " Hong Kong Football Association,  
" " Hong Kong Jockey Club,  
" " Hong Kong Football Club,  
" " Hong Kong Cricket Club.  
" " Kowloon Cricket Club,  
" " Hong Kong Hockey Club,  
" " Royal Hong Kong Golf Club,  
" " Hong Kong Polo Club,  
" " Club de Recreio,  
" " Hong Kong Chinese Recreation Club,  
" " Indian Recreation Club,  
" " Y.M.C.A.

W. T. SOUTHORN,  
*Colonial Secretary.*

*3rd March 1933.*