

PART XI
AIR TRAFFIC SERVICES

226. (1) Establishment of authority for Air Traffic Services.- (a) CAA, Bangladesh is the statutory authority responsible for providing Air Traffic Services in Bangladesh. No other agency shall provide an air traffic service unless approved by the Chairman.

(b) The Chairman may delegate to another State the responsibility for establishing and providing air traffic services in flight information regions, control areas or control zones extending over the territories.

Note: The delegation of such a responsibility of providing air traffic services would be without derogation of the national sovereignty. The providing State's responsibility would be limited to technical and operational considerations only and would not extend beyond those pertaining to the safety and expedition of aircraft using the concerned airspace. Such an agreement may be terminated at any time by the both the delegating and the providing States.

(c) Chairman shall establish, maintain and operate a service, which shall be known as "Air Traffic Services" and will give effect to the Convention in this regard.

(d) Details of each ATS that is provided in particular airspace or for a particular aerodrome, including the hours during which the service is available shall be published in AIP Bangladesh.

(e) Air Traffic Services shall be provided:

(i) Over entire airspace over Bangladesh Territory including territorial water except the special use airspace,

(ii) The airspace over high seas for which ICAO as per Regional Air Navigation Agreement has delegated the responsibility. Such Air Traffic Services shall be established and provided in accordance with the provisions of this part.

(2) **Language proficiency:** An air traffic services provider shall ensure that air traffic controllers speak and understand the English Language(s) used for radiotelephony communications as acceptable to the Chairman.

(3) **Interception of civil aircraft:**

(a) (i) Interception of civil aircraft shall be governed by appropriate regulations and administrative directives issued by the Chairman in compliance with the Convention on International Civil Aviation.

(ii) The pilot-in-command of a civil aircraft, when intercepted, shall comply with the instructions as published by the Chairman.

(iii) If a Bangladesh registered aircraft or an aircraft operated by a Bangladeshi

operator, while over flying the territory of another contracting state, is intercepted by the authority of that State shall follow the applicable rules of that authority.

(b) As soon as an air traffic services unit learns that an aircraft is being intercepted in its area of responsibility, it shall take such steps as are appropriate in the circumstances.

(4) **Safety management:** (a) Chairman shall establish a State Safety Programme, in order to achieve an acceptable level of safety in the provision of ATS.

(b) The acceptable level of safety to be achieved shall be established by the Chairman.

(c) As part of State Safety Programme, the air traffic services provider implements a safety management system acceptable to the Chairman, as a minimum:

(i) identifies safety hazards;

(ii) ensures that remedial action necessary to maintain an acceptable level of safety is implemented;

(iii) provides for continuous monitoring and regular assessment of the safety level achieved; and

(iv) aims to make continuous improvement to the overall level of safety.

(d) A safety management system shall clearly define lines of safety accountability throughout the air traffic services provider, including a direct accountability for safety on the part of senior management.

(5) **Safety Oversight Functions:** The Chairman or any other officer especially empowered by the Chairman shall perform the Safety Oversight Functions in respect of matters specified by the Chairman.

227. Objective of Air Traffic Services.-The objectives of air traffic services shall be -

(a) to prevent collisions between aircraft and on the manoeuvring area, between aircraft and obstructions;

(b) to expedite and maintain an orderly flow of air traffic;

(c) to provide such advice and information as may be useful for the safe and efficient conduct of flights; and

(d) to notify and alert appropriate organisations regarding aircraft known to be, or believed to be, in need of search and rescue aid and assisting those organisations as

required.

228. Designation of airspace.- (1) The Chairman may designate:-

(a) an aerodrome as a controlled aerodrome at which aerodrome control service is provided;

(b) any portion of the airspace within the defined horizontal and vertical limits as control area, control zone, aerodrome traffic zone, flight information region or air traffic advisory route.

(2) Where the Chairman designates an aerodrome or an airspace under sub-rule (1), he shall cause a notification of the boundaries of the airspace to be published in the Aeronautical Information Publication, or where the designation is of a temporary nature, in NOTAM.

229. Compliance with air traffic control clearance

(1) An aircraft shall comply with air traffic control instructions.

(2) Subject to the provision of sub-rule (3) and unless otherwise authorised by the appropriate air traffic control unit or by a notification in the Aeronautical Information Publication or in NOTAM, an aircraft shall not-

(a) enter, operate in, or leave controlled airspace;

(b) operate outside controlled airspace as a result of diversion; or

(c) operate at a controlled aerodrome.

(3) If an emergency arises that necessitates a deviation from requirements of an air traffic control clearance in the interests of safety, the pilot-in-command may make such deviation as is necessary but shall forthwith inform the appropriate air traffic control unit of the deviation.

(4) The pilot-in-command of an aircraft is responsible for compliance with the air traffic control clearances and air traffic control instructions.

230. Exemption from the provisions of rule 229(2)(c) under certain condition.- An aircraft operating in a control zone or at a controlled aerodrome shall not be required to comply with the provisions of clause (c) of sub-rule (2) of rule 229 during any period in which air traffic control is not in operation in respect of that control zone or controlled aerodrome.

231. Prohibition to act in air traffic control unit: - A person shall not act in any capacity for controlling air traffic unless he is authorised in writing by the Chairman.