

## PART II RULES OF THE AIR

### **58. Applicability, General provisions and Compliance:**

(1) This part shall be known as Rules of the Air and shall apply to aircraft other than military aircraft, engaged in flight operations in Bangladesh and to Aircraft registered in Bangladesh wherever they may be except where they conflict with the Rules of the Air published by the State having jurisdiction over the territory over flown.

(2) Co-coordinated Universal Time (UTC);

(a) UTC shall be used and shall be expressed in hours and minutes and, when required, seconds of the 24-hour day beginning at mid night.

(b) A time check shall be obtained prior to operating a controlled flight and at such other times during the flight as may be necessary.

(c) In the application of data link communications time shall be accurate to within 1 second of UTC.

(3) Each person operating an aircraft either in flight or on the movement area of an aerodrome shall be in compliance with the general rules and, in addition, when in flight, either with:

(a) the visual flight rules; or

(b) the instrument flight rules.

*Note.— A pilot may elect to fly in accordance with instrument flight rules in visual meteorological conditions or may be required to do so by as required by the Chairman.*

**59. Responsibility and authority of pilot-in-command:** (1) The pilot-in-command of an aircraft shall have final authority as to the disposition of the aircraft while in command.

(2) The pilot-in-command of an aircraft shall, whether manipulating the controls or not, be responsible for the operation of the aircraft in accordance with the rules of the air, except that the pilot-in-command may depart from these rules in circumstances that render such departure absolutely necessary in the interests of safety.

(3) Each pilot-in-command who deviates from complying with the rules of this part under sub- rule(2) shall notify the appropriate air traffic services unit as soon as practicable and subsequently send a written report of that deviation to the Chairman.

(4) The Pilot-in –Command of an aircraft, which is being subjected to unlawful interference will endeavour to notify the appropriate ATS unit of this fact, any significant

circumstances associated therewith and any deviation from the current flight plan necessitated by the circumstance, in order to enable the ATS unit to give priority to the aircraft and to minimize conflict with other aircraft.

**60. Pre-flight action.-** Before beginning a flight, the pilot-in-command of an aircraft shall become familiar with all available information appropriate to the intended operation. Pre-flight action for flights away from the vicinity of an aerodrome, and for all IFR flights, shall include a careful study of available current weather reports and forecasts, taking into consideration fuel requirements and an alternative course of action if the flight cannot be completed as planned.”

**61. Use of psychoactive substance.-** No person whose function is critical to the safety of aviation (safety-sensitive personnel) shall undertake that function while under the influence of any psychoactive substance, by reason of which human performance is impaired. No such person shall engage in any kind of problematic use of substances.

**62. Airspace restrictions.-** All civil aircraft operating within the territory of Bangladesh are restricted to operate within ATS routes, control zones and other controlled airspace except where otherwise approved by the appropriate ATS unit.

**63. Flight restrictions.-** (1) No person shall operate an aircraft over areas where there are flight restrictions, the particulars of which have been duly published, except in accordance with the conditions of the restriction or by permission of the appropriate authority imposing the restriction.

(2) No person shall operate an aircraft in a negligent or reckless manner so as to endanger life or property.

**64. Minimum safe heights.-** Except when necessary for take-off or landing, or except by permission from the Chairman, aircraft shall not be flown over the congested areas of cities, towns or settlements or over an open-air assembly of persons, unless at such a height as will permit, in the event of an emergency arising, a landing to be made without undue hazard to persons or property on the surface.

**65. Cruising levels.-** The cruising levels at which a flight or a portion of a flight is to be conducted shall be in terms of:

(a) flight levels, for flights at or above the lowest usable flight level or, where applicable, above the transition altitude;

(b) altitudes, for flights below the lowest usable flight level or, where applicable, at or below the transition altitude.

**66. Avoidance of collision.-** (1) Nothing in these rules shall prevent the pilot -in command to the reasonable use or keeping vigilance for detecting potential collisions of an aircraft either in flight or while operating on the manoeuvring area of an aerodrome.

(2) Right of way an operation:

(a) An aircraft that has the right of way shall maintain its heading and speed.

(b) Nothing in these rules shall relieve the pilot-in-command of an aircraft from the responsibility of taking such action, including collision avoidance man- oeuvres based on resolution advisories provided by ACAS or such other equipment as approved by ICAO, as will best avert collision.

(c) An aircraft that is obliged by the following rules to keep out of the way of another shall avoid passing over or under the other, or crossing ahead of it, unless passing well clear.

(d) Operate An aircraft in such proximity to other aircraft as to create a collision hazard.

(3) No person shall:

(a) Operate an aircraft in formation except by prearrangement among the pilots-in-command of the aircraft taking part in the flight and, for formation flight in controlled airspace, in accordance with the conditions prescribed by the Chairman. These conditions shall include the following:

(i) the formation operates as a single aircraft with regard to navigation and position reporting;

(ii) separation between aircraft in the flight shall be the responsibility of the flight leader and the pilots-in-command of the other aircraft in the flight and shall include periods of transition when aircraft are maneuvering to attain their own separation within the formation and during join-up and breakaway; and

(iii) a distance not exceeding 1 km (0.5 NM) laterally and longitudinally and 30 m (100 ft) vertically from the flight leader shall be maintained by each aircraft.

(4) When two aircraft are converging at approximately the same level, the aircraft that has the other on its right shall give way, except as follows:

(a) power-driven heavier-than-air aircraft shall give way to airships, gliders and balloons;

(b) airships shall give way to gliders and balloons;

(c) gliders shall give way to balloons;

(d) power-driven aircraft shall give way to aircraft which are seen to be towing other aircraft or objects.

(e) An aircraft in distress/emergency has the right of way over all other air traffic.

(5) An overtaking aircraft is an aircraft that approaches another from the rear on a line forming an angle of less than 70 degrees with the plane of symmetry of the latter, i.e. is in such a position with reference to the other aircraft that at night it should be unable to see either of the aircraft's left (port) or right (starboard) navigation lights.

(6) An aircraft that is being overtaken has the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering its heading to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the overtaking aircraft from this obligation until it is entirely past and clear.

(7) When two aircraft are approaching head-on or approximately so and there is danger of collision, each shall alter its heading to the right.

**(8) Landing priority:**

(a) An aircraft in flight, or operating on the ground or water, shall give way to aircraft landing or in the final stages of an approach to land.

(b) When two or more heavier-than-air aircraft are approaching an aerodrome for the purpose of landing, aircraft at the higher level shall give way to aircraft at the lower level, but the latter shall not take advantage of this rule to cut in front of another which is in the final stages of an approach to land, or to overtake that aircraft. Nevertheless, power-driven heavier-than-air aircraft shall give way to gliders.

(9) Emergency landing: An aircraft that is aware that another is compelled to land shall give way to that aircraft.

(10) Taking Off: An aircraft taxiing on the maneuvering area of an aerodrome shall give way to aircraft taking-off or about to take-off

(11) A pilot-in-command about to take -off shall not attempt to do so until there is no apparent risk of collision with other aircraft.

(12) An unmanned free balloon shall be operated in such a manner as to minimize hazards to persons, property or other aircraft and in accordance with the instructions as specified.

(13) An aircraft operated on a controlled aerodrome shall not taxi on the maneuvering area without clearance from the aerodrome control tower and shall comply with any instructions given by that unit.

(14) An aircraft taxiing on the maneuvering area shall stop and hold at all runway-

holding positions unless otherwise authorized by the aerodrome control tower

(15) An aircraft taxiing on the maneuvering area shall stop and hold at all lighted stop bars and may proceed further when the lights are switched off.

(16) **Surface movement:**

(a) In case of danger of collision between two aircraft taxiing on the movement area of an aerodrome the following shall apply.

(b) when two aircraft are approaching head on ,or approximately so ,each shall stop or where practicable alter its course to the right so as to keep well clear.

(c) when two aircraft are on a converging course, the one which has the other on its right shall give way.

Note: An aircraft which is being over taken by another aircraft shall have the right-of-way and the overtaking aircraft shall keep well clear of the other aircraft.

**66A. Water operations: (1) General provisions:** When two aircraft or an aircraft and a vessel are approaching one another and there is a risk of collision, the aircraft shall proceed with careful regard to existing circumstances and conditions including the limitations of the respective craft.

(2) *Converging:* An aircraft which has another aircraft or a vessel on its right shall give way so as to keep well clear.

(3) *Approaching head-on:* An aircraft approaching another aircraft or a vessel head-on or approximately so, shall alter its heading to the right to keep well clear.

(4) *Overtaking:* The aircraft or vessel which is being overtaken has the right of way, and the one overtaking shall alter its heading to keep well clear.

(5) *Landing and taking off:* Aircraft landing on or taking off from the water shall, in so far as practicable, keep well clear of all vessels and avoid impeding their navigation.

(6) *Lights to be displayed by aircraft on the water:* Between sunset and sunrise or such other period between sunset and sunrise as may be prescribed by the Chairman, all aircraft on the water shall display lights as required by the International Regulations for Preventing Collisions at Sea (revised 1972) unless it is impractical for them to do so, in which case they shall display lights as closely similar as possible in characteristics and position to those required by the International Regulations.

**67. Acrobatic flight.-** No aircraft shall be flown acrobatically except under conditions as may be prescribed by the Chairman and as indicated in relevant information, advice and/or clearance from the appropriate air traffic services unit.

**68. Parachute descent and Dropping / spraying.-** (1) Parachute descent, other than emergency descent, shall not be made except under the conditions prescribed by the Chairman and as indicated by relevant information, advice and/or clearance from the appropriate ATS unit.

(2) Nothing shall be dropped or sprayed from an aircraft in flight except under conditions prescribed by the Chairman and as indicated by relevant information, advice and/or clearance from the appropriate air traffic services unit.

**69. Towing.-** No aircraft or other object shall be towed by an aircraft, except in accordance with requirements prescribed by the Chairman and as indicated by relevant information, advice and/or clearance from the appropriate air traffic services unit.

**70. Displaying of lights.-** (1) Except as provided in sub-rule (4) from sunset to sunrise or during any other period which may be prescribed by the Chairman all aircraft in flight shall display:

(a) anti-collision lights intended to attract attention to the aircraft; and

(b) navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights.

(c) all aircraft moving on the movement area of an aerodrome shall display navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights;

(d) unless stationary and otherwise adequately illuminated, all aircraft on the movement area of an aerodrome shall display lights intended to indicate the extremities of their structure;

(e) all aircraft operating on the movement area of an aerodrome shall display lights intended to attract attention to the aircraft; and

(f) all aircraft on the movement area of an aerodrome whose engines are running shall display lights which indicate that fact.

(2) Except as provided in sub-rule(4),all aircraft in flight and fitted with anti-collision lights to meet the requirement of sub-rule(1) (a) shall display such lights also out side the period specified in sub-rule (1)

(3) Except as provided in sub-rule(4),all air craft : (a) Operating on the movement area of an aerodrome and fitted with anti-collision lights to meet the requirement of sub-rule (1)(e): or

(b) on the movement area of an aerodrome and fitted with lights to meet the requirement of sub-rule(1)(f) shall display such lights outside the period specified in sub-rule(1)

(4) A pilot is permitted to switch off or reduce the intensity of any flashing lights fitted to meet the requirements of sub-rule (1),(2),(3) if they do or likely to;

(a) adversely affect the satisfactory performance of duties; or

(b) subject an outside observer to harmful dazzle.

## **71. Signal for the control of aerodrome traffic**

(1) The signals specified hereinafter shall be used only for the purposes respectively specified in this rule, and other signals likely to be confused with them shall not be used.

(2) The pilot-in-command while operating on or in the vicinity of an aerodrome shall comply with signals and instructions given in accordance with the rules.

(3) Where aerodromes are equipped with two-way radiotelephony apparatus, air traffic control shall give control instructions by this means to all aircraft equipped to receive radiotelephony messages.

(4) All such communications between aircraft and an air traffic control unit shall be in the English language.

(5) Where control by the means referred to in this rule is not available, the appropriate visual signals may be used.

(6) Nothing in this rule shall prevent any combination of radiotelephony and visual signals being used at any aerodrome, but a visual signal shall not be used in any case where it is possible to use radiotelephony.

(7) Where radio communication is being used, the pilot-in-command shall not be relieved of the responsibility of keeping a look-out for any instructions which may be issued by visual means.

(8) No aircraft shall operate or enter in any controlled airspace without having any suitable two-way radio apparatus on board the aircraft, except with prior permission from appropriate ATS unit.

**72. Signals:** (1) A light signal directed at a particular aircraft from an air traffic control unit at an aerodrome has the meaning specified by ICAO in relation to the signal.

(2) Upon observing or receiving any of the signals given in schedule I (Signals), each pilot-in-command shall take such action as may be required by interpretation of the signal.

(3) The signals of Schedule I shall be used only for the purpose indicated there-in and no other signals likely to be confused with them shall be used.

(4) A signalman/ marshaller shall be responsible for providing standard marshalling signals to aircraft in a clear and precise manner using the signal as indicated in schedule I.

(5) No person shall guide an aircraft unless trained, qualified and approved by the Chairman to carry out the functions of a signalman.

(6) The signalman shall wear a distinctive fluorescent identification vest to allow the flight crew to identify that he or she is the person responsible for the marshalling operation

(7) Day light fluorescent wands, table tennis bats or gloves shall be used for all signalling during day light. Illuminated wands shall be used at night or in low visibility.

**73. Simulated instrument flights:** An aircraft shall not be flown under simulated instrument flight conditions unless:

(a) fully functioning dual controls are installed in the aircraft; and

(b) a qualified pilot occupies a control seat to act as safety pilot for the person who is flying under simulated instrument conditions. The safety pilot shall have adequate vision forward and to each side of the aircraft, or a competent observer in communication with the safety pilot shall occupy a position in the aircraft from which the observer's field of vision adequately supplements that of the safety pilot.

**74. Operation on and in the vicinity of an aerodrome:** An aircraft operated on or in the vicinity of an aerodrome shall, whether or not within an aerodrome traffic zone:

(a) observe other aerodrome traffic for the purpose of avoiding collision;

(b) conform with or avoid the pattern of traffic formed by other aircraft in operation;

(c) make all turns to the left, when approaching for a landing and after taking off, unless otherwise instructed;

(d) land and take off into the wind unless safety, the runway configuration, or air traffic considerations determine that a different direction is preferable.

**75. Altimeter setting procedures.-** (1) The procedures herein described the method intended for use in providing adequate vertical separation between aircraft and adequate terrain clearance during all phases of the flight.

(2) This method is based on the following principles:-

(a) during en- route flight an aircraft is flown along surface of a constant atmospheric pressure called “ flight levels” which are related to an altimeter setting of Hg.1013.2mb (29.92 inches ) and,throughout this phase of a flight, the vertical position of an aircraft is expressed in terms of flight levels;

(b) during flight at or below the “transition altitude”, an aircraft is flown at “altimeter set to mean sea level pressure (QNH) and its vertical position is expressed in terms of altitudes;

(c) the change is reference from “flight levels” used while en – route, to “altitudes” and vice versa is made, when climbing, at the transition altitude and, when descending at transition level.

**76. System of flight levels.-** The flight level zero shall be located at the atmospheric pressure level of Hg. 101.2 m b ( 29.92 ) and consecutive flight levels shall be separated by a pressure interval corresponding to at least 152.4 meters (500 feet) in the standard atmosphere.

**78. Transition level. -** The transition level for all aerodromes in Bangladesh shall be notified by the Chairman.

**79. Transition from flight levels to altitudes and *vice versa*.-**

(1) The vertical position of aircraft when at or below the transition altitude shall be expressed in terms of altitude, whereas such position at or above the transition level shall be expressed in terms of flight levels. while passing through the transition layer, vertical position shall be expressed in terms of flight levels when ascending and in terms of altitude when descending.

(2) A QNH altimeter setting shall be made available to aircraft in taxi clearances prior to take-off.

(3) All aircraft operating en-route shall maintain a cruising level by clearances to an altimeter when operating –

(a) at and below 1,200 meters (4,000 feet) above the surface to the current QNH of the nearest available reporting along the route being flown;

(b) above 1,200 meters (4,000 feet) above the surface to Hg. 1013.2 m b (29.92 inches) unless otherwise specified.

(4) When complying with the rules of this part, all aircrafts shall be flown at flight levels in Schedule 2.

**80. Terrain clearance**

(1) QNH altimeter setting shall be provided from as many locations as practicable to

permit determination of terrain clearance.

(2) The air traffic service units shall at all times make available for flight planning purposes and for transmission to aircraft in flight, on request, the information required to determine the lowest flight level which will ensure adequate terrain clearance for routes on which such information is required.

(3) The lowest usable flight level is determined by the atmospheric pressure in the area of operation as shown in the following table:-

Altimeter setting (current reported) Hg 1013.2 mb (29.92") or higher	Lowest usable flight level Minimum en- route
1012.9 mb to 996.3 mb (29.91" to 29.42")	Add 150 meters (500 feet)
995.9 mb to 979.3 mb (29.41" to 28.92")	Add 300 meters (1,000 feet)
979.0 mb to 962.4 mb (28.91" to 28.42")	Add 450 meters (1,500 feet)
962.1 mb to 945.5 mb (28.41" to 27.92")	Add 600 meters (2,000 feet)
945.1 mb to 928.5 mb (27.91" to 27.42")	Add 750 meters (2,500 feet)

(4) A QNH altimeter setting shall be made available in approach and landing clearances.

(5) A QFE altimeter setting shall be made available in approach and landing clearances on request.

(6) The vertical positioning of aircraft during approach shall be controlled by reference to flight levels until reaching the transition level below which vertical positioning shall be by reference to altitudes.

*Note:- This does not preclude a pilot from using a QFE setting for terrain clearance purposes during the final approach to the runway.*

(7) After approach clearance has been issued and the descent to land is commenced, the vertical positioning of an aircraft above the transition level may be by reference to altitudes (QNH) provide that level flight above the transition altitude is not anticipated.

*Note:- This applies primarily to turbine engine aircraft for which an uninterrupted descent from a high altitude is desirable.*

(8) The relevant provisions regarding take –of and climb, and approach and landing of this part shall also apply in the event of a missed approach.

**81. Flight planning:** (1) Information relative to an intended flight or portion of a flight, to be provided to ATS units, shall be in the form of a flight plan.

(2) Each pilot-in-command or his designated representative, while planning a flight, shall take into consideration the following factors when filling a flight plan and select levels:-

(a) In terms of flight levels, if the flight is to be conducted at or above the transition levels;

(b) In terms of altitudes, if the flight is to be conducted in the vicinity of an aerodrome or between adjacent aerodromes at or below the transition altitude or altitudes concerned.

(3) The level or levels selected for a flight: -

(a) Shall ensure adequate terrain clearance at all points along the route to be flown;

(b) Shall satisfy air traffic control requirements; and

(c) Shall be compatible with the application of the table of cruising levels.

(4) Contents of flight plan: Contents of flight plan should be as per Civil Aviation Form CA 200C. (Available at PFIU/ ATC unit.)

(5) Adherence to flight plan: Except as provided for in 89(8) and 88(6), an aircraft shall adhere to the current flight plan or the applicable portion of a current flight plan submitted for a controlled flight unless a request for a change has been made and clearance obtained from the appropriate air traffic control unit, or unless an emergency situation arises which necessitates immediate action by the aircraft, in which event as soon as circumstances permit, after such emergency authority is exercised, the appropriate air traffic services unit shall be notified of the action taken and that this action has been taken under emergency authority.

(6) Completion of flight plan;

(a) A flight plan shall contain information, as applicable, on relevant items up to and including "Alternate aerodrome(s)" regarding the whole route or the portion thereof for which the flight plan is submitted.

(b) A flight plan shall contain information on all other items as published through an ATSI or when otherwise deemed necessary by the person submitting the flight plan.

**82. Radio communications.-** While operating on ATS routes, control zones and other controlled air spaces, the pilot-in-command shall maintain continuous listening watch on the appropriate radio frequency of, and establish two-way communication with, the appropriate ATS unit.

**83. Position reporting. -** (1) On routes defined by designated reporting points, position reports shall be made when over or, as soon as possible, after passing each designated

compulsory reporting points. Additional reports may be requested by the appropriate air traffic services unit when so required for air traffic service purposes.

(2) On routes not defined by designated reporting points, position reports shall be made when over or, as soon as possible, after the first half-hour of flight and at hourly intervals thereafter. Additional reports may be requested by the appropriate air traffic services unit when so required for air traffic service purposes.

(3) Controlled flights providing position information to the appropriate ATS unit via CPDLC or such other means as approved by ICAO shall only provide voice position reports when requested.

(4) An IFR flight operating outside controlled airspace and required by the Chairman to:

- submit a flight plan,
- maintain an air-ground voice communication watch on the appropriate communication channel and establish two-way communication, as necessary, with the air traffic services unit providing flight information service, shall report position as specified in sub-rule (5) for controlled flights.

(5) The position reports shall contain the following elements of information:

(a) Aircraft identification;

(b) Position;

(c) time;

(d) Flight level or altitude;

(e) Next position and estimated time over;

Any significant weather conditions encountered; and any other information relating to the safety of flight.

**84. Air traffic control clearance and Termination of control: (1) Air traffic control clearance:** (a) An air traffic control clearance shall be obtained prior to operating a controlled flight, or a portion of a flight as a controlled flight. Such clearance shall be requested through the submission of a flight plan to an air traffic control unit.

(b) Whenever an aircraft has requested a clearance involving priority, a report explaining the necessity for such priority shall be submitted, if requested by the appropriate air traffic control unit.

(c) If prior to departure it is anticipated that depending on fuel endurance and subject to re-clearance in flight, a decision may be taken to proceed to a revised destination

aerodrome, the appropriate air traffic control units shall be so notified by the insertion in the flight plan of information concerning the revised route (where known) and the revised destination.

(d) Except in an emergency, no person shall, while under the jurisdiction of an air traffic control, operate an aircraft contrary to air traffic control clearance and instructions.

(e) Each pilot-in-command who deviates in an emergency from an air traffic control clearance or instructions shall notify the appropriate air traffic control unit of the deviation as soon as possible stating the reasons for such deviation.

(2) **Termination of control:** A controlled flight shall, except when landing at a controlled aerodrome, advise the appropriate ATC unit as soon as it ceases to be subject to air traffic control service.

**85. Requirement to submit a flight plan:** (1) A flight plan shall be submitted before departure to an air traffic services reporting office or, during flight, transmitted to the appropriate ATS unit or air-ground control radio station, unless arrangements have been made for submission of repetitive flight plans.

(2) A flight plan shall be submitted prior to operating;

(a) Any flight or portion thereof to be provided with Air Traffic Control Service.

(b) Any IFR flight within advisory air space.

(c) Any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to facilitate the provision of flight information, alerting and search and rescue services.

(d) Any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to facilitate co-ordination with appropriate military units or with ATS units in adjacent States in order to avoid the possible need for interception for the purpose of identification.

(e) Any flight across international borders.

(3) Written flight plan shall be filed with the appropriate ATS units for all flights prior to departure and in case of -

(a) Local flights at uncontrolled aerodrome in control zones and at all controlled aerodromes, the pilot-in-command or his representative shall file a flight plan prior to departure by any available means with the appropriate ATS Unit;

(b) Local flights at uncontrolled aerodromes outside control zone may be undertaken

without a flight plan provided they are operated during day and in visual meteorological conditions (VMC) below 300 meters (1000 feet).

(4) Unless otherwise required by the Chairman, a flight plan for a flight to be provided with air traffic control service or advisory service shall be submitted at least sixty minutes before departure, or, if submitted during flight, at a time which will ensure its receipt by the appropriate air traffic services unit at least ten minutes before the aircraft is estimated to reach-

(a) The intended point of entry into a controlled area or advisory area or FIR or

(b) The point of crossing an Airway or advisory route.

(5) The pilot-in- command intending to operate an aircraft into or over Bangladesh as an international flight shall submit a flight plan to the appropriate air traffic services unit in sufficient time to permit the air traffic services unit to receive the flight plan not less than twenty minutes prior to entering the Bangladesh territory.

(6) In the event of a delay of one hour in excess of the estimated departure time, for which a flight plan has been submitted, the flight plan shall be requested to be amended or a new flight plan shall be submitted.

**86. Changes to flight plan.-** (1) All changes to a flight plan submitted for an IFR flight or a controlled VFR flight, and significant changes to a flight plan submitted for an uncontrolled VFR flight shall be reported as soon as practicable to the appropriate air traffic services unit.

(2) **Intended changes:** Requests for flight plan changes shall include information as indicated hereunder:

(a) Change of cruising level: aircraft identification; requested new cruising level and cruising speed at this level, revised time estimates (when applicable) at subsequent flight information region boundaries.

(b) Change of route: (i) Destination unchanged: aircraft identification; flight rules; description of new route of flight including related flight plan data beginning with the position from which requested change of route is to commence; revised time estimates; any other pertinent information.

(ii) Destination changed: aircraft identification; flight rules; description of revised route of flight to revised destination aerodrome including related flight plan data, beginning with the position from which requested change of route is to commence; revised time estimates; alternate aerodrome(s); any other pertinent information.

**87. Closing a flight plan.-** (1) (a) Unless otherwise prescribed by the Chairman, a

report of arrival shall be made in person, by radiotelephony or via data link at the earliest possible moment after landing, to the appropriate air traffic services unit at the arrival aerodrome, by any flight for which a flight plan has been submitted covering the entire flight or the remaining portion of a flight to the destination aerodrome.

(b) When a flight plan has been submitted only in respect of a portion of a flight, other than the remaining portion of a flight to destination, it shall, when required, be closed by an appropriate report to the relevant ATS unit.

(2) When no air traffic services unit exists at the arrival aerodrome, the arrival report, when required, shall be made as soon as practicable after landing and by the quickest means available to the nearest air traffic services unit.

(3) Arrival reports made by aircraft shall contain the following elements of information:

(a) aircraft identification;

(b) departure aerodrome;

(c) destination aerodrome (only in the case of a diversionary landing);

(d) arrival aerodrome;

(e) time of arrival

(4) when communication facilities at the arrival aerodrome are known to be inadequate and alternate arrangements for the handling of arrival reports on the ground are not available, the following action shall be taken:

(a) Immediately prior to landing the aircraft shall, if practicable, transmit to the appropriate ATS unit, a message comparable to an arrival report.

(b) This transmission shall be made to the aeronautical station serving the ATS unit in charge of the flight information region in which the aircraft is operated.

**88. Visual flight rules : (1) Weather minima** - Except when otherwise authorized by appropriate ATS unit, a VFR flight shall be conducted so that the aircraft is flown in conditions of visibility and distance from cloud equal to or greater than the minima as specified by ICAO and issued by Chairman.

(2) **Operation within a control zone.**- Except when a clearance is obtained from the appropriate air traffic control unit, VFR flights shall not take-off or land at an aerodrome within a control zone or enter the aerodrome traffic zone-

(a) When the ceiling and ground visibility are less than the minima set by ICAO or

higher minima which ever is set by Chairman.

(3) **Operation in accordance with VFR:** A flight under VFR shall not be operated -

(a) Between sunset and sunrise;

(b) At transonic or supersonic speed.

(c) At/above a flight level as specified by Chairman by promulgating an **ANO**.

(4) **VFR flight shall not be flown:** (a) over the congested areas of cities, towns or settlements or over an open-air assembly of persons at a height less than 300 m (1 000 ft) above the highest obstacle within a radius of 600 m from the aircraft;

(b) elsewhere than as specified in (a), at a height less than 150 m (500 ft) above the ground or water.

(5) **VFR operation of helicopter:** A VFR flight by helicopters may be flown at less than the minimum height laid down in sub-rule (2) if the operation is conducted without hazard to persons or property.

(6) **Weather deterioration below the VMC:** When it becomes evident that flight in VMC in accordance with its current flight plan will not be practicable, a VFR flight operated as a controlled flight shall:

(a) request an amended clearance enabling the aircraft to continue in VMC to destination or to an alternative aerodrome, or to leave the airspace within which an ATC clearance is required; or

(b) if no clearance in accordance with (a) can be obtained, continue to operate in VMC and notify the appropriate ATC unit of the action being taken either to leave the airspace concerned or to land at the nearest suitable aerodrome; or

(c) if operated within a control zone, request authorization to operate as a special VFR flight; or

(d) request clearance to operate in accordance with the instrument flight rules.

(7) **Authorization of special VFR flight** - When the ground visibility or flight visibility is not less than 3 kilometers (2 miles) and ceiling not less than 300m (1,000 feet) appropriate ATC unit may authorize a special VFR flight to enter or leave control zone or operate locally within a control zone subject to the following conditions;-

(a) only one special VFR flight shall be allowed to operate in any given time within control zone;

(b) No conflict between a special VFR flight and a IFR flight; and

(c) the aircraft shall be equipped with functioning radio equipment on board capable of maintaining two-way communications with the appropriate ATS unit.

(8) **VFR flights in RVSM Airspace:** VFR Flights shall not be authorized to operate within RVSM Airspace

(9) Except where otherwise indicated in the air traffic control clearance or specified by the appropriate ATS authority, VFR flight in level cruising flight when operated above 900m (3000Ft) from the ground or water, shall be conducted at a flight level appropriate to the track.

(10) VFR flights shall comply with the provisions of Air Traffic Control:

(a) when operated within Classes B, C and D airspace;

(b) when forming part of aerodrome traffic at controlled aerodromes; or

(c) when operated as special VFR flights.

(11) A VFR flight operating within or into areas, or along routes, designated by the Chairman in accordance with sub-rule 85(e) and 85(f) shall maintain continuous air-ground voice communication watch on the appropriate communication channel of, and report its position as necessary to, the air traffic services unit providing flight information service.

**89. Instrument flight rules.** - (1) Instruments and equipments. - An aircraft shall not be flown under instrument flight rules unless it is equipped with -

(a) Suitable flight instruments;

(b) Suitable radio navigation equipment appropriate to the route to be flown;

(c) Suitable radio equipment capable of maintaining two -way radio communication with the appropriate air traffic services unit; and

(d) the pilot-in-command holds an instrument rating of the required class issued or rendered valid by the Chairman.

(2) **Minimum IFR levels.** - Except when necessary for take-off or landing or except when specifically authorized by the Chairman, an IFR flight shall be flown at a level which is not below the Minimum flight altitude established by the State whose territory is over flown or where no such minimum flight altitude has been established -

(a) Over high terrain or in mountainous areas, at a level which is at least 600 meters (2000 feet) above the highest obstacle located within 8 kilometers (5 miles) of the estimated position of the aircraft.

(b) Elsewhere than as specified in clause (a), at a level which is at least 300 meters (1000 feet) above the highest obstacle located within 8 kilometers (5 miles) of the estimated position of the aircraft.

Note: the estimated position of the aircraft will take account of the navigational accuracy, which can be achieved, on the relevant route segment, having regard to the navigational facilities available on the ground and in the aircraft.

(3) **Change from IFR to VFR flight and Vice versa** – (a) an aircraft elect to change the conduct of flight from compliance with the instrument flight rules to compliance with the visual flight rules shall notify the appropriate air traffic services unit with a message initiated by the pilot-in-command containing the specific expression "CANCELLING MY IFR FLIGHT" together with the changes, if any, to be made to his current flight plan.

(b) When an aircraft operation under the instrument flight rules is flown in or encounters visual meteorological conditions it shall not cancel its IFR flight unless it is anticipated, and intended, that the flight will be continued for a reasonable period of time in uninterrupted visual meteorological conditions.

(c) An aircraft elect to change the conduct of flights from compliance with the visual flight rules to compliance with the instrument flight rules shall communicate to the appropriate air traffic services unit the necessary changes to be effected to its current flight plan and obtain clearance prior to proceeding IFR when in control airspace.

(4) **IFR flight within controlled airspace.** IFR flights shall comply with the provisions of sub-rules (1) and (2) when operation within controlled airspace.

(5) **Cruising levels.** -the cruising levels to be used by IFR and VFR flights shall be selected from the table of cruising levels as mentioned in Schedule II.

(6) **Course to be flown.** Unless otherwise authorized by an air traffic control unit, no person shall operate an aircraft within any ATS route or controlled airspace under IFR, except as follows:-

(a) On an ATS route, along the centreline of that route;

(b) On any other route, along the direct course between the navigational aids or points defining that route.

*Note: Any deviation from 6(a) and 6(b) shall be notified to the appropriate ATS unit.*

(7) An aircraft operating along an ATS route segment defined by reference to VOR shall change over for its primary navigation guidance from the facility behind the aircraft to that ahead of it at, or as close as operationally feasible to, the change-over point, where established. Any deviation from this requirement shall be notified to the appropriate ATS unit.

(8) **Inadvertent changes:** In the event that a controlled flight inadvertently deviates from its current flight plan, the following action shall be taken;

(a) Deviation from track: if the aircraft is off track, action shall be taken forthwith to adjust the heading of the aircraft to regain track as soon as practicable.

(b) Variation in true airspeed: if the average true airspeed at cruising level between reporting points varies or is expected to vary by plus/minus 5% of the true airspeed, from that given in the flight plan, the appropriate ATS unit shall be so informed.

(c) Change in time estimate: if the time estimate for the next applicable reporting point is found to be in error in excess of three minutes from that notified to ATS unit, shall be notified to the appropriate ATS unit.

(d) When an ADS agreement is in place, the air traffic services unit (ATSU) shall be informed automatically via data link whenever changes occur beyond the threshold values stipulated by the ADS event contract.

(9) **IFR Flights outside controlled Airspace:** An IFR flight operating in level cruising flight outside of controlled airspace shall be flown at a cruising level appropriate to its track.

**90. Communication failure:** If a communication failure precludes compliance with Rule 82, the aircraft shall comply with the following procedures as are appropriate:

(1) The aircraft shall attempt to establish communications with the appropriate air traffic control unit using all other available means. In addition, the aircraft, when forming part of the aerodrome traffic at a controlled aerodrome, shall keep a watch for such instructions as may be issued by visual signals.

(2) If in visual meteorological conditions, the aircraft shall:

(a) continue to fly in visual meteorological conditions; land at the nearest suitable aerodrome; and report its arrival by the most expeditious means to the appropriate air traffic control unit;

(b) if considered advisable, complete an IFR flight in accordance with sub rule (3).

(3) If in instrument meteorological conditions or when the pilot of an IFR flight considers it inadvisable to complete the flight in accordance with sub rule(2)(a), the aircraft shall:

(a) unless otherwise prescribed on the basis of regional air navigation agreement, in airspace where radar is not used in the provision of air traffic control, maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of 20

minutes following the aircraft's failure to report its position over a compulsory reporting point and thereafter adjust level and speed in accordance with the filed flight plan;

(b) in airspace where radar is used in the provision of air traffic control, maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of 7 minutes following:

(i) the time the last assigned level or minimum flight altitude is reached; or

(ii) the time the transponder is set to Code 7600; or

(iii) the aircraft's failure to report its position over a compulsory reporting point; whichever is later, and thereafter adjust level and speed in accordance with the filed flight plan;

(c) when being radar vectored or having been directed by ATC to proceed offset using RNAV without a specified limit, rejoin the current flight plan route no later than the next significant point, taking into consideration the applicable minimum flight altitude;

(d) proceed according to the current flight plan route to the appropriate designated navigation aid or fix serving the destination aerodrome and, when required to ensure compliance with e) below, hold over this aid or fix until commencement of descent;

(e) commence descent from the navigation aid or fix specified in (d) at, or as close as possible to, the expected approach time last received and acknowledged; or, if no expected approach time has been received and acknowledged, at, or as close as possible to, the estimated time of arrival resulting from the current flight plan;

(f) complete a normal instrument approach procedure as specified for the designated navigation aid or fix; and

(g) land, if possible, within 30 minutes after the estimated time of arrival specified in e) or the last acknowledged expected approach time, whichever is later.

## **91. Signals**

(1) The pilot-in-command shall transmit or display the signals specified in this rule according to the degree of emergency being experienced.

(2) The signals specified in relation to each successive degree of emergency may be sent either separately or together for anyone degree of emergency.

(3) Nothing in these rules shall prevent the use by an aircraft in distress of any means at its disposal to attract attention or make know its position for the purpose of obtaining help.

## **92. Distress signal**

- (1) The distress signal shall be transmitted only when the aircraft is threatened with grave and imminent danger and requires immediate assistance.
- (2) In radiotelephony the distress signal takes from the word “MAYDAY” pronounced three times followed by the words “THIS IS”, followed by the call sign of aircraft three times.
- (3) by other means the distress signal shall take one or more of the following forms:-
  - (a) the signal of the SOS group (••• — — — •••) with visual apparatus or with sound apparatus;
  - (b) a succession of shells fired at short intervals each showing a red light;
  - (c) a parachute flare showing a red light.

## **93. Urgency signal**

- (1) The following signals, used either together or separately, shall be used by an aircraft for the purpose of giving notice of difficulties which compel it to land without requiring immediate assistance –
  - (a) the repeated switching on and off the navigation lights;
  - (b) the repeated switching on and off of the landing lights.
- (2) The following signals, used either together or separately, shall be used by an aircraft for the purpose of giving notice that the aircraft has a very urgent message to transmit concerning the safety of a ship, aircraft or vehicle, or of some person on board or within sight –
  - (a) in radiotelephony, three repetitions of the word PAN sent before the transmission of the message;
  - (b) a signal made by radiotelegraphy or by any other signalling method consisting of the group XXX.

## **94. Air miss reporting**

- (1) An air miss report shall be filed by a pilot-in-command when he considers that his aircraft may have been endangered by the proximity of another aircraft, during a flight to the extent that a definite risk of collision existed.
- (2) Whenever an air miss report is made by radio or telephone, a confirmatory report in

writing shall be submitted to the chairman within seven days of the date of incident in such form and manner as may be published in the AIP of Bangladesh.

(3) Whenever a pilot has genuine cause to complain about a certain deficiency in the provision of air control service, he shall file his complaint within 24 hours after the landing.

## **95. Diversions**

(1) Diversions may be initiated by the pilot-in-command or as a result of advice or request from the operator or air traffic services unit.

(2) Diversions may be made for the following reasons:-

(a) when the weather conditions at the planned aerodrome of destination is reported to be below the minima specified by an operating company for their aircraft;

(b) when obstructions on the landing area constitute a hazard to landing of aircraft and cannot be cleared within a reasonable period;

(c) the failure of aircraft equipment;

(d) the failure of essential ground aids to landing in circumstances which would require their use;

(e) unacceptable congestion of air traffic;

(f) the closure of the aerodrome of destination.

(3) On receipt of the diversion message, the pilot-in-command shall acknowledge and comply with advice given, or give his reason for noncompliance and an alternative decision. should he decide not to divert but to attempt a landing at his planned destination permission to do so shall not be refused for reasons of adverse weather only, or in the case of emergency.

## **96. Fuel jettisoning**

(1) The jettisoning of fuel by airborne aircraft is permitted provided the appropriate air traffic service unit is notified.

(2) The decision that emergency conditions require the jettisoning of fuel rests solely with the pilot-in-command.

(3) The procedure recommended is that the following conditions shall be observed:-

Height – Minimum 1,500 meters (5,000 feet) above terrain.

Vertical separation – Minimum 600 meters (2,000 feet) between aircraft.

(4) The jettisoning of fuel shall be carried out away from the populated areas or at such places as instructed by ATS Unit concerned.