### Serial Number 1950/217

## THE AIR NAVIGATION REGULATIONS 1933. AMENDMENT NO. 18

## B. C. FREYBERG, Governor-General

# ORDER IN COUNCIL

#### At the Government Buildings at Wellington, this 13th day of December, 1950

#### Present :

#### THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Civil Aviation Act, 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

#### REGULATIONS

1. (1) These regulations may be cited as the Air Navigation Regulations 1933, Amendment No. 18, and shall be read together with and deemed part of the Air Navigation Regulations 1933\* (hereinafter referred to as the principal regulations).

(2) Regulation 2, paragraphs (d), (f), and (g), of regulation 5, regulation 6, and regulation 8 of these regulations shall come into force on the day after the date of their notification in the Gazette.

(3) Except as otherwise provided by this regulation, these regulations shall come into force on the 1st day of January, 1951.

2. Regulation 2 of the principal regulations is hereby amended as follows :-

(a) By revoking the definition of the term "Convention", and substituting the following definition :-

"' Convention' means the Convention on International Civil Aviation signed on behalf of the Government of New Zealand in Chicago on the 7th day of December, 1944, and includes the international standards and recommended practices and procedures adopted by the International Civil Aviation Organization, in pursuance of Article 37 of the Convention."

\*Gazette, 1933, Vol. 11, page 1473.

zette, 1933, Vol. II, page 1473.
Amendment No. 1: Gazette, 1934, Vol. 111, page 5217.
Amendment No. 2: Gazette, 1935, Vol. II, page 1131.
Amendment No. 3: Gazette, 1935, Vol. III, page 3777.
Amendment No. 4: Gazette, 1936, Vol. II, page 1492.
Amendment No. 5: Statutory Regulations 1938-37, Serial number 1936/34, page 20.
Amendment No. 6: Statutory Regulations 1938, Serial number 1939/9, page 20.
Amendment No. 7: Statutory Regulations 1938, Serial number 1939/9, page 20.
Amendment No. 8: Statutory Regulations 1940, Serial number 1940/190, page 677.
Amendment No. 9: Statutory Regulations 1940, Serial number 1940/274, page 238.
Amendment No. 10: Statutory Regulations 1941, Serial number 1941/275, page 538.
Amendment No. 11: Statutory Regulations 1943, Serial number 1946/97, page 225.
Amendment No. 13: Statutory Regulations 1946, Serial number 1946/27, page 238.
Amendment No. 13: Statutory Regulations 1944, Serial number 1946/97, page 225.
Amendment No. 14: Statutory Regulations 1943, Serial number 1946/97, page 235.
Amendment No. 14: Statutory Regulations 1943, Serial number 1946/97, page 235.
Amendment No. 14: Statutory Regulations 1943, Serial number 1946/97, page 538.
Amendment No. 15: Statutory Regulations 1950, Serial number 1950/116, page 393.
Amendment No. 16: Statutory Regulations 1950, Serial number 1950/116, page 772.

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(b) By inserting the following definitions :----

"' Alternate aerodrome' means an aerodrome specified in the flight plan to which an aircraft may proceed when a landing at the intended destination becomes inadvisable, and may include the aerodrome of departure ":

"' Rating' means an authorization entered on a licence or certificate and forming part thereof, stating special conditions, privileges, or limitations pertaining to the licence or certificate."

3. Regulation 5 of the principal regulations is hereby amended as follows :---

- (a) By omitting from paragraph (iii) of subclause (1) the words "provided with the prescribed certificates of competency and licences ", and substituting the words " in possession of the prescribed licences and ratings ".
- (b) By omitting from subparagraph (b) of paragraph (iv) of subclause (1) the words "certificates of competency and "; by inserting in the same subparagraph, after the word "licences", the words "and ratings", and by inserting after the word "licence" wherever it occurs in that subparagraph, the words " or rating ".
- (c) By omitting from subclause (3) the word "seventeen" wherever that word occurs, and substituting in each case the word "sixteen".

4. Regulation 6 of the principal regulations is hereby amended as follows :-

- (a) By omitting from paragraph (iii) of subclause (1) the words "certificate of competency and", and by inserting, after the word "licences", the words " and ratings ":
- (b) By inserting in subparagraph (c) of paragraph (v) of subclause (1), after the word "licence" wherever that word occurs, the words "or rating".

5. The principal regulations are hereby amended as follows :----

(a) By revoking subclauses (2), (3), and (4) of regulation 7, and substituting the following subclauses :----

"(2) A flight engineer licensed in pursuance of these regulations shall be carried in an aircraft-

- "(a) When the design of the aircraft provides for the carriage of a flight engineer; or
- "(b) When, in the opinion of the Director of Civil Aviation, the carriage of a flight engineer is necessary for the safe conduct of operations.

"(3) A flight engineer, when required to be carried in accordance with this regulation, shall not carry out any other duties while the flight is in progress.

"(4) A flight navigator licensed in pursuance of these regulations shall be carried in an aircraft-

"(a) When the aircraft is engaged in international air transport operations; or

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- "(b) When the Director of Civil Aviation considers that astronomical navigation is necessary for operations over any area or route; or
- "(c) When the Director of Civil Aviation considers that other specialized means of navigation necessary for the safe conduct of operations over any area or route cannot be carried out adequately from the pilot's position.

"(5) If a flight navigator is required to be carried under this regulation, he shall not be assigned by the operator for any other duty on board the aircraft:

"Provided that, if more than one member of the crew is licensed as a flight navigator, alternation of duty between any such flight navigators is permissible without prejudice to the responsibility of the flight navigator assigned to that duty.

"(6) A flight radio operator licensed in pursuance of these regulations shall be carried in every aircraft in which radio telegraphy equipment for communication purposes is required to be carried in accordance with such conditions as may be prescribed.

"(7) On international flights the flight radio operator shall be assigned by the operator for duty solely as a flight radio operator and shall not carry out any other duties":

(b) By omitting from regulation 9 the words "Licensing of Personnel", and substituting the words "Flight Crew Licences and Ratings":

(c) By omitting all words in subclause (2) of regulation 12 after paragraph (c) thereof:

(d) By revoking regulation 19, as set out in regulation 5 of the Air Navigation Regulations 1933, Amendment No. 11, and as amended by regulation 4 of the Air Navigation Regulations 1933, Amendment No. 13, and substituting the following regulation :---

### " Radio

"19. (1) The following New Zealand aircraft shall have installed therein such radio equipment as may be prescribed :—

- "(a) All aircraft engaged in international air navigation :
- "(b) All aircraft engaged in scheduled air services when carrying passengers for hire or reward :
- "(c) All aircraft being operated under instrument flight rules :
- "(d) Such other aircraft as the Director of Civil Aviation may determine, having regard to the class and nature of the operations involved.

"(2) Radio equipment installed in a New Zealand aircraft shall be installed, maintained, and operated in accordance with such requirements and procedures as may be prescribed.

"(3) The radio equipment installed in any foreign aircraft flying over New Zealand territory shall be operated by an operator licensed for such duties by the competent authority of the State in which the aircraft is registered."

(e) By omitting from paragraph (c) of subclause (1) of regulation 20 the words "certificates of competency and ":

(f) By revoking paragraph (d) of subclause (1) of regulation 20, and substituting the following paragraph :---

"(d) The radio station licence issued under the authority of the Minister of Telegraphs.":

(g) By inserting, after regulation 23, the following regulation :---

### "PROHIBITED AREAS

"23A. For reasons of military necessity or public safety, the Minister may, by notice in the Gazette, declare any area of New Zealand territory to be a prohibited area for the purposes of air navigation.":

(h) By revoking the second proviso to regulation 26 (1), and substituting the following proviso :-

"Provided also that nothing in this paragraph shall affect the special rules as to signals prescribed in directions issued pursuant to regulation 33 hereof."

(i) By inserting, after the words "Schedule II or " in subclause (1) of regulation 32, the words "any licence or rating granted under Schedule".

6. Schedule I of the principal regulations, as set out in regulation 6 of the Air Navigation Regulations 1933, Amendment No. 15, is hereby amended by omitting from paragraph 9 (1) (b) (i) the words "lower wing structure", and substituting the words "wing structure".

7. Schedule V of the principal regulations (as amended by the Air Navigation Regulations 1933, Amendments Nos. 3, 5, 7, 9, 11, and 14) is hereby revoked, and the following Schedule substituted :---

### "SCHEDULE V-FLIGHT CREW LICENCES AND RATINGS

# " Issue and Renewal of Licences

"1. (1) The Minister may grant the licences and ratings referred to in this Schedule, and may renew any such licences and ratings from time to time.

"(2) In order to qualify for a licence or rating under this Schedule every applicant shall-

- "(a) Be not less than the age prescribed for the particular licence :
- "(b) Demonstrate that he has sufficient knowledge of the English language to enable him to perform adequately the duties appropriate to the licence or rating sought; and
- "(c) Possess such technical qualifications and practical experience, pass such examinations and tests, and comply with such medical requirements as are prescribed.

"(3) An applicant for the renewal of a licence or rating granted under this Schedule shall produce such proof of recent experience and shall comply with such medical requirements as may be prescribed.

"(4) Where a licence or rating has been granted by the competent authority in any contracting State and is for the time being in force, the Director of Civil Aviation may recognize any such licence or rating for the purpose of flying in New Zealand and may endorse the licence accordingly.

"2. No person shall act in any capacity as a member of the flight crew of an aircraft unless he is the holder of the appropriate licence and rating valid for the type of aircraft and for the class of operation concerned.

# "GLIDER PILOT LICENCES

"3. (1) A commercial glider pilot licence authorizes the holder to act as pilot of gliders in any operations for hire or reward, and, if so endorsed, to give flight instruction in gliders.

"(2) A commercial glider pilot licence shall be valid only for the types or classes of gliders endorsed thereon.

## "STUDENT PILOT LICENCES

"4. (1) A student pilot licence authorizes the holder to act as pilot of a power driven heavier than air aircraft within New Zealand for the purpose of—

"(a) Receiving flight instruction :

- "(b) Increasing his skill to the standards required for the granting of a licence of a higher classification :
- "(c) Engaging in flying practice to enable him to qualify for the renewal of any licence which is no longer valid.

"(2) A student pilot licence shall not entitle the holder to act as pilot of a power driven heavier than air aircraft for the purpose of—

- "(a) Receiving practical flight instruction and increasing his skill for the initial issue of a licence of a higher classification, unless he is accompanied by, or is under the supervision of, a licensed pilot who holds a flight instructor rating :
- "(b) Qualifying for the renewal of a licence of higher classification which is no longer valid unless he is accompanied by, or is under the supervision of, a licensed pilot who holds a flight instructor rating, or a valid commercial, senior commercial, or airline transport pilot licence ; or
- "(c) Carrying any person other than the licensed pilot referred to in clauses (a) and (b) of this paragraph, and such crew members as may be required for the operation of the aircraft.

## "PRIVATE PILOT LICENCES

 $^{\rm (65)}$  (1) A private pilot licence authorizes the holder to exercise the privileges of a student pilot and to act, but not for remuneration, as—

" (a) Pilot of a power driven heavier than air aircraft not operated for hire or reward, if he is the sole occupant thereof;

- "(b) Pilot in command of a power driven heavier than air aircraft not operated for hire or reward, and to carry passengers therein; or
- "(c) Co-pilot in a power driven heavier than air aircraft not operated for hire or reward.

"(2) A private pilot shall not act as pilot of any aircraft for hire, or in connection with any business or employment unless the flight is merely incidental thereto and does not involve the carriage of persons or property for hire or reward.

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"(3) The Director of Civil Aviation may limit, by endorsement on the licence, privileges of a private pilot licence to daylight flying only, if the applicant for, or the holder thereof, is unable to comply with such night flying and instrument flight time experience requirements as may be prescribed.

# "Commercial Pilot Licences

"6. (1) A commercial pilot licence authorizes the holder to act as—

- "(a) Pilot of a power driven heavier than air aircraft in private operation:
- "(b) Pilot in command of a power driven heavier than air aircraft engaged in aerial work operations :
- "(c) Pilot in command in non-scheduled air services in a power driven heavier than air aircraft having a maximum authorized weight not exceeding 12,500 lb.
- "(d) Co-pilot of a power driven heavier than air aircraft required to be operated with a co-pilot, provided that if instrument flight is authorized he holds an instrument rating".

"(2) A commercial pilot licence shall not entitle the holder to act as pilot in command of any power driven heavier than air aircraft on a scheduled air service.

### "SENIOR COMMERCIAL PILOT LICENCES

"7. A senior commercial pilot licence authorizes the holder to exercise the privileges of the holder of a commercial pilot licence and to act as—

- "(a) Pilot in command in air transport operations in a power driven heavier than air aircraft having a maximum authorized weight not exceeding 15,000 lb.
- "(b) Pilot in command of a power driven heavier than air aircraft in international air transport operations but not carrying passengers for hire or reward in aircraft having a maximum authorized weight not exceeding 30,000 lb: Provided that for any such operations within the main-

land of New Zealand, no limitation of weight shall apply :

" (c) Co-pilot in a power driven heavier than air aircraft required to be operated with a co-pilot.

# "AIRLINE TRANSPORT PILOT LICENCES

"8. An airline transport pilot licence authorizes the holder to act as pilot of a power driven heavier than air aircraft in any capacity.

### "PILOT LICENCE TYPE RATINGS

"9. (1) A pilot licence shall be valid only for such types of aircraft as may be specified in the licence.

"(2) A pilot licence may be extended to include such additional types of aircraft as the holder has demonstrated his ability to operate and shall be subject to such requirements as may be prescribed.

### "Pilot Ratings

"10. (1) Pilot ratings may be granted in the following classifications :—

- "(a) Flight instructor rating, being a rating endorsed on a pilot licence, other than a student pilot licence, authorizing the holder to give practical flight instruction:
- "(b) Instrument rating, being a rating endorsed on a pilot licence authorizing the holder to pilot aeroplanes under instrument flight rules.

"(2) Subject to these regulations, a rating issued pursuant to subparagraph (1) of this paragraph shall remain in force during the period for which the licence remains in force and may be renewed at the same time as that licence.

## "FLIGHT NAVIGATOR LICENCES

"11. Flight navigator licences may be granted in the following classifications :---

- "(a) Cadet flight navigator licence, which authorizes the holder to perform navigational duties in aircraft under the supervision of a licensed flight navigator for the purpose of obtaining practical experience in any such duties or for the purpose of qualifying for the renewal of a flight navigator licence which is no longer valid:
- "(b) Flight navigator licence, which authorizes the holder to perform the duties of a navigator in aircraft and to act as supervisor of the holder of a cadet flight navigator licence.

#### "RADIO OPERATOR LICENCES

" 12. (1) Radio operator licences may be granted in the following classifications :—

- " (a) Flight radio telephone operator licence—which authorizes the holder to operate in aircraft such types or classes of radio telephone equipment as are endorsed in his licence :
- "(b) Flight radio operator licence—of which there shall be two categories, as follows :—

"(i) Cadet flight radio operator licence, being a licence which authorizes the holder to operate, under the supervision of a licensed flight radio operator, radio equipment in aircraft for the purpose of obtaining the requisite flight experience for the licence prescribed in subclause (ii) hereof:

"(ii) Flight radio operator licence, being a licence which authorizes the holder to operate in aircraft engaged in any class of operations such types or classes of radio equipment as are endorsed in his licence.

"(2) A radio operator licence shall be valid only for the operation of such types or classes of radio equipment as are endorsed thereon.

"(3) A radio operator licence may be extended to include additional types or classes of radio equipment, subject to the holder passing the prescribed examinations and practical tests pertaining to the particular types or classes or equipment.

"(4) Any person licensed pursuant to this paragraph, if engaged in the handling of correspondence, shall sign a declaration to the effect that he will not divulge to any person the contents or purport of any such correspondence, except as required in the execution of his duty.

# "FLIGHT ENGINEER LICENCES

 $^{\prime\prime}$  13. (1) Flight engineer licences may be granted in the following classifications :—

- "(a) Cadet flight engineer licence, which authorizes the holder to perform flight engineer duties in aircraft under the supervision of a licensed flight engineer for the purpose of obtaining practical experience in such duties, or for the purpose of qualifying for the renewal of a flight engineer licence which is no longer valid:
- "(b) Flight engineer licence, being a licence which authorizes the holder to perform the duties of a flight engineer in aircraft and to act as supervisor of the holder of a cadet flight engineer licence.

 $\sp{``}$  (2) A flight engineer licence shall be valid only for such types of aircraft as are endorsed therein.

"(3) A flight engineer licence may be extended to include additional types of aircraft, subject to the holder passing the prescribed examination and practical tests pertaining to the particular aircraft and obtaining the prescribed practical experience.

# "Age of Applicants for Licences

"14. (1) An applicant for a commercial glider pilot licence shall be not less than nineteen years of age.

"(2) An applicant for a student pilot licence shall be not less than sixteen years of age.

"(3) An applicant for a private pilot licence shall be not less than seventeen years of age.

"(4) An applicant for a commercial pilot licence shall be not less than nineteen years of age.

"(5) An applicant for a senior commercial pilot licence shall be not less than twenty-one years of age.

"(6) An applicant for an airline transport pilot licence shall be not less than twenty-one years of age. "(7) An applicant for a flight radio telephone operator licence

"(7) An applicant for a flight radio telephone operator licence shall be not less than seventeen years of age.

"(8) An applicant for a flight radio operator licence shall be not less than eighteen years of age.

"(9) An applicant for a cadet flight navigator licence or a cadet flight engineer licence, or a cadet flight radio operator licence shall be not less than eighteen years of age.

"(11) An applicant for a flight navigator licence shall be not less than twenty-one years of age. "(12) An applicant for a flight engineer licence shall be not less than twenty-one years of age.

## "PERIOD OF VALIDITY OF LICENCES

"15. (1) Subject to these regulations, a licence issued under this Schedule shall remain in force for such period after the date of issue as is specified in the licence, but not exceeding in the case of—

- "(a) A commercial glider pilot licence—one year:
- "(b) A student pilot licence—one year:
- "(c) A private pilot licence—one year for pilots who are less than fifty years of age and six months for pilots who are fifty years of age or over:
- "(d) A commercial pilot licence—one year for pilots who are less than fifty years of age and six months for pilots who are fifty years of age or over :
- "(e) A senior commercial pilot licence—six months:
- "(f) An airline transport pilot licence—six months:
- "(g) A cadet flight navigator licence—one year:
- "(h) A flight navigator licence—one year:
- "(i) A flight radio telephone operator licence—one year:
- "(j) A cadet flight radio operator licence—one year:
- "(k) A flight radio operator licence—one year:
- "(l) A cadet flight engineer licence—one year:

"(m) A flight engineer licence—one year.

"(2) A licence may be renewed for any period not exceeding that mentioned in the last preceding subparagraph.

#### "RECENT EXPERIENCE OF FLIGHT CREW

"16. No holder of a licence or rating issued pursuant to this Schedule shall exercise the privileges of that licence or rating unless he complies with the prescribed requirements relating to recent experience appropriate to his licence or rating.

## " LIMITATION OF FLYING HOURS

"17. The holder of any licence under this Schedule shall not exceed the following hours of flying as a member of a flight crew of an aircraft engaged in air transport operations :—

- "(a) 1,000 hours in any period of 12 consecutive months:
- "(b) 100 hours in any period of 30 consecutive days:
- "(c) 35 hours in any period of 7 consecutive days :
- "(d) 8 hours in any period of 24 consecutive hours :

" Provided that—

"(i) Where proper rest facilities are available in the aircraft and the composition of the aircraft crew will allow relief from duty during flight, the Director of Civil Aviation may authorize additional hours in respect of those specified in subparagraphs (b), (c), and (d) of this paragraph; or

"(ii) Where special circumstances exist, the Director of Civil Aviation may authorize the holder of a licence to fly in excess of 8 hours in any 24 consecutive hours.

## "MEDICAL EXAMINATIONS

"18. (1) Except as provided in the next succeeding subparagraph, an applicant, in order to become eligible for the initial issue or the renewal of a licence under this Schedule, will be required to pass the prescribed medical examination, which shall be conducted by an approved medical practitioner.

"(2) When the applicant for renewal of a licence is a member of the flight crew of an aircraft on duty in a region which is remote from an approved medical practitioner, the medical examination may, with the approval of the Director of Civil Aviation, be deferred—

- "(a) In the case of a pilot engaged in private operations, for a period not exceeding six months; or
- "(b) In the case of a pilot engaged in aerial work or air transport operations, for two consecutive periods not exceeding three months each, on condition that the applicant submits to the Director of Civil Aviation on each occasion a satisfactory medical certificate from a duly qualified medical practitioner.

### " RE-EXAMINATION IN CASE OF INCAPACITY

"19. (1) Any holder of a licence under this Schedule who suffers any personal injury or illness which affects or may affect the performance of his normal duties and which involves or may involve any incapacity for work shall, as soon as possible after the occurrence of the injury or illness, submit in writing to the Director of Civil Aviation the particulars of the injury or illness and of any incapacity resulting therefrom, and shall forward with that notification a report upon the matter by a medical practitioner.

"(2) Any holder of a licence who submits a notice in accordance with subparagraph (1) of this paragraph may be required to undergo such medical examination as may be specified by the Director of Civil Aviation.

"(3) Any holder of a licence who is incapacitated for work in the circumstances specified in subparagraph (1) of this paragraph shall not resume the duties for which he is licensed until the medical practitioner whose services he has obtained, or, where he is required to undergo examination in pursuance of the last preceding subparagraph, the medical practitioner approved by the Director of Civil Aviation, has certified that the incapacity no longer exists.

"(4) The holder of a licence under this Schedule who becomes pregnant shall cease all flying duties and shall not resume flying until the pregnancy has been terminated and she has been medically examined and pronounced fit for flying by an approved medical practitioner."

8. Any pilot licence, navigator licence, radio telephone operator licence, or radio operator licence in force on the coming into force of these regulations shall continue in force subject to the original conditions governing its validity, provided that no such licence shall remain in force after the 31st day of December, 1951. 9. Schedule VI of the principal regulations (as amended by the Air Navigation Regulations 1933, Amendments Nos. 9, 11, 14, and 15) is hereby further amended as follows:—

(a) By revoking paragraphs 4 and 5, and substituting the following paragraph :---

# "D. Personnel

### "Fees in Respect of Licences and Ratings

"4. (1) The fees chargeable in respect of the grant, renewal, and extension of the licences set out in Section IV of Schedule II of the principal regulations shall be as prescribed.

"(2) The fees chargeable in respect of the grant, renewal, and extension of the licences and ratings set out in Schedule V of the principal regulations shall be as prescribed":

(b) By omitting from the heading and the text of paragraph 7 the words "certificate or licence" wherever those words occur, and substituting in each case the words "certificate, licence, or rating".

10. Schedule VII of the principal regulations is hereby revoked.

11. The regulations specified in the Schedule hereto are hereby consequentially revoked.

#### SCHEDULE

#### REGULATIONS REVOKED

Title.	Serial Number.
The Air Navigation Regulations 1933, Amendment No. 5 The Air Navigation Regulations 1933, Amendment No. 7	$1936/34\ 1939/53$
The Air Navigation Regulations 1933, Amendment No. 9: So much of Regulation 4 of those regulations as relates to Schedule V or VI of the principal regulations	1940/274
The Air Navigation Regulations 1933, Amendment No. 11: Regulations 5, 6, 10, 11, 12, 13	1943/185
The Air Navigation Regulations 1933, Amendment No. 13	1946/97
The Air Navigation Regulations 1933, Amendment No. 14: Regulations 7, 8	1949/127
The Air Navigation Regulations 1933, Amendment No. 15: Regulation 8	1950/27

T. J. SHERRARD, Clerk of the Executive Council.

#### EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

Regulation 2 provides for additional definitions of terms not previously defined and the replacement of an obsolete definition contained in the principal regulations.

Regulations 3 and 4 contain amendments of a consequential nature.

Regulation 5 contains new provisions prescribing conditions relating to the carrying of flight engineers, flight navigators, flight radio operators, and radio equipment in aircraft, and also contains other minor amendments.

Regulation 6 clarifies an existing regulation.

Regulation 7 contains new provisions which replace the present regulations relating to the licensing of personnel.

Regulation 8 continues certain existing licences in force subject to their original conditions.

Regulation 9 contains new provisions concerning the fees payable for licences for aircraft engineers and flight crew.

Regulations 10 and 11 contain consequential amendments.

Issued under the authority of the Regulations Act, 1936. Date of notification in *Gazette*: 14th day of December, 1950. These regulations are administered in the Air Department.