



THE UNION OF MYANMAR

# AIRCRAFT MANUAL

A Compilation of the Legislation and  
Rules Governing Civil Aviation in the  
Union of Myanmar

(REVISED EDITION)

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- (1) State Law and Order Restoration Council Amendment Rule No 1/94 of July 14<sup>th</sup>, 1994 in corporation Part IV of Air Operator Certificate.
- (2) State Peace and Development Council Amendment Law to Myanmar Aircraft Act 1934 Law No 6/2004 of August 25<sup>th</sup>, 2004 incorporation the amendment to the Myanmar Aircraft Act 1934.
- (3) Ministry of Transport Notification No 79/2010 amending the Myanmar Aircraft Rule 1920 (Part X).
- (4) Ministry of Transport Notification No 80/2010 amending the Myanmar Aircraft Rule 1937.

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**CHAPTER I.**

**THE UNION OF MYANMAR AIRCRAFT ACT**

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# AIRCRAFT MANUAL

## CHAPTER I

### ACT No. XXII of 1934

#### **AN ACT TO MAKE BETTER PROVISION FOR THE CONTROL OF THE MANUFACTURE, POSSESSION, USE, OPERATION, SALE, IMPORT AND EXPORT OF AIRCRAFT.**

*WHEREAS* it is expedient to make better provision for the control of the manufacture, possession, use, operation, sale, import and export of aircraft; It is hereby enacted as follows:—

<sup>1</sup>1. This act extends to the whole of the Union of Myanmar and applies also—

- (a) to citizens of the Union wherever they may be, and
- (b) to, and person on, aircraft registered in the Union, wherever they may be.

**2. Definitions.**— In this Act, unless there is anything repugnant in the subject or context—

- (1) "**aircraft**" means any machine which can derive support in the atmosphere from reactions of the air, and includes balloons whether fixed or free, airships, kites, gliders and flying machines;
- (2) "**aerodrome**" means any definite or limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft, and includes all buildings, sheds, vessels, piers, and other structures thereon or appertaining thereto ;
- (3) "**import**" means bringing into the Union of Myanmar; and
- (4) "**export**" means taking out of the Union of Myanmar.

**3. Power of the President of the Union to exempt certain aircraft.**— The President of the Union may, by notification in the Gazette exempt from [all or any of the provisions of this Act,]<sup>2</sup> and of the rules made thereunder or from any of such provisions, any aircraft or class of aircraft and any person, or class of persons, or may direct that such provisions shall apply to such aircraft or persons subject to such modifications as may be specified in the notification.

<sup>3</sup>4. **Power of the President of the Union to make rules to implement the Convention of 1944.**— The President of the Union may, by notification in the Gazette, make such rules as appear to him to be necessary for carrying out the provisions of the Convention on International Civil Aviation, signed at Chicago, on 7 December, 1944, and any amendment which may be made thereto under the provisions of Article 94, thereof.

**5. Power of the President of the Union to make rules.**—

- (1) The President may, by notification in the Gazette, make rules regulating the manufacture, possession, use, operation, sale, import or export of any aircraft or class of aircraft [and the safety and the security of Civil Aviation.]<sup>3</sup>
- (2) Without prejudice to the generality of the foregoing power, such rules may provide for—
  - (a) the authorities by which any of the powers conferred by or under this Act are to be exercised;

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1. Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.

2. Substituted by Act XXI, 1947.

3. Amendment Act No. 6/2004 25<sup>th</sup> August 2004.

- <sup>1</sup>(aa) The regulation of the air transport services, and the prohibition of the use of aircraft in such services except under the authority of and in accordance with a licence authorizing the establishment of the services;
- <sup>1</sup>(ab) The information to be furnished, to such authorities as may be specified in the rule, by an applicant for, or the holder of, a licence authorizing the establishment of an air transport service;
- <sup>2</sup>(ac) The economic regulation of civil aviation and air transport services, including the approval, disapproval or revision of tariff of operators of air transport services, the officers or authorities who may exercise powers in this behalf, the procedure to be followed, and the factors to be taken into account by such officers or authorities, appeals to the Government against orders of such officers or authorities and all other matters connected with such tariff.
- (b) the licensing, inspection and regulation of aerodomes, the conditions under which aerodomes may be maintained and the fees which may be charged thereat, and the prohibition or regulation of the use of unlicensed aerodomes;
- (c) the inspection and control of the manufacture, repair and maintenance of aircraft and of places where aircraft the being manufactured, repaired or kept;
- (d) the registration and marking of aircraft ;
- (e) the conditions under which aircraft may be flown or may carry passengers, mails or goods or may be used for industrial purposes and certificates, licences or documents to be carried by aircraft ;
- (f) the inspection of aircraft for the purpose of enforcing the provisions of this Act and the rules thereunder and the facilities to be provided for such inspection;
- (g) the licensing of person employed in the operation, manufacture, repair or maintenance of aircraft;
- (h) the air- route by which and the conditions under which aircraft may enter or leave Myanmar or may fly over the Union of Myanmar and the places at which aircraft shall land;
- (i) the prohibition of flight by aircraft over any specified area, either absolutely or at specified times, or subject to specified conditions and exceptions;
- (j) the supply, supervision and control of air-route beacons, aerodome lights and lights at or in the neighbourhood of aerodomes or on or in the neighbourhood of air-routes;
- <sup>3</sup>(jj) the installation and the maintenance of lights on private property in the neighbourhood of aerodomes or on or in the neighbourhood of air routes by the owners or occupiers of such property, the payment by the President of the Union for such installation and maintenance, and the supervision and control of such installation and maintenance, including the right of access to the property for such purposes.
- (k) the signals to be used for purposes of communication by or to aircraft and the apparatus to be employed in signalling;
- (l) the prohibition and regulation of the carriage in aircraft of any specified article or substance;

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1. inserted *ibid.*

2. Amendment Act No.6/2004 25<sup>th</sup> August 2004.

3. Inserted by Act XXI, 1947.

- (m) the measures to be taken and the equipment to be carried for the purpose of ensuring the safety of life;
- (n) the issue and maintenance of log-books;
- (o) the manner and conditions of the issue or renewal of any licence or certificate under the Act or the rules, the examinations and test to be undergone in connection therewith, the form, custody, production, endorsement, cancellation, suspension or surrender of such licence or certificate or of any log-book;
- (p) the fees to be charged in connection with any inspection, examination, test, certificate or licence, made, issued or renewed under this Act;
- (q) the recognition for the purposes of this Act of licences and certificates issued elsewhere than in the Union of Myanmar relating to aircraft or to the qualifications of persons employed in the operation, manufacture, repair or maintenance of aircraft; and
- (r) any matter subsidiary or incidental to the matters referred to in this sub-section ;

<sup>1</sup>**5A. (a)** The Chairman of the State Peace and Development Council may confer on the Ministry of Transport the power to make rules prescribed in section 5.

Conferring power to make rules.

<sup>1</sup>**(b)** Under the power conferred by sub-section (a), the Ministry of Transport may, with the approval of the Government, make such rules as may be necessary.

Power of Ministry of Transport to make rules.

<sup>1</sup>**(c)** For the implementation of the provision of this Act, the Ministry of Transport may issue necessary notifications, orders, notices on requirements and directives and the Department of Civil Aviation may issue necessary orders, notices on requirements and directives.

Power to issue notifications, orders, notices and directives.

#### **6. Power of the President of the Union to make orders in emergency.-**

(1) If the President of the Union is of opinion that in the interests of the public safety or tranquility, the issue of all or any of the following [orders]<sup>2</sup> is expedient, he may, by notification in the Gazette\_

(a) cancel or suspend, either absolutely or subject to such conditions as he may think fit to specify in the order, all or any licences or certificates issued under this Act;

(b) prohibit, either absolutely or subject to such conditions as he may think to specify in the order, or regulate in such manner as may be contained in the order, the flight of all or any aircraft or class of aircraft over the whole or any portion of the Union of Myanmar.

(c) prohibit, either absolutely or conditionally, or regulate the erection, maintenance or use of any aerodrome, aircraft factory, flying- school or club, or place where aircraft are manufactured, repaired or kept, or any class of description thereof; and

(d) direct that any aircraft or class of aircraft or any aerodrome, aircraft factory flying- school or club, or place where aircraft are manufactured, repaired or kept, together with any machinery, plant, material or things used for the operation; manufacture, repair or maintenance of aircraft shall be delivered, either forthwith or within a specified time, to such authority and in such manner as he may specify in the order, to be at the disposal of [ the state ]<sup>3</sup> for the public service.

1. Amendment Act No. 6 / 2004 25<sup>th</sup> August 2004.

2. For orders relating to civil aircraft, see Burma Gazette, 1940, part I, page 278.

3. Substituted by the Union of Burma (Adapatin of Laws ) Order, 1948.

- (2) Any person who suffers direct injury or loss by reason of any order made under clause (c) or clause (d) of sub-section (1) shall be paid such compensation as may be determined by such authority as the President of the Union may appoint in this behalf.
- (3) The President of the Union may authorize such steps to be taken to secure compliance with any order made under sub-section (1) as appear to him to be necessary.
- (4) Whoever knowingly disobeys, or fails to comply with, or does any act in contravention of, an order made under sub-section (1) shall be punishable, with imprisonment for a term which may extend to three years, with fine or with both, and the Court by which he is convicted may direct that the aircraft or thing (if any) in respect of which the offence has been committed, or any part of such thing, shall be forfeited to [ the State].<sup>1</sup>

**7. Power of the President of the Union to make rules for investigation of accidents\_**

- (1) the President of the Union may, by notification in the Gazette, make rules providing for the investigation of any accident arising out of or in the course of air navigation-
  - (a) in or over the Union of Myanmar of any aircraft, or
  - (b) [anywhere of aircraft registered in the Union of Myanmar]<sup>2</sup>
- (2) Without prejudice to the generality of the foregoing power, such rules may-
  - (a) require notice to be given of any accident in such manner and by such person as may be prescribed;
  - (b) apply for the purposes of such investigation, either with or without modification, the provisions of any law for the time being in force relating to the investigation of accidents.
  - (c) prohibit pending investigation access to or interference with aircraft to which an accident has occurred, and authorize any person so far as may be necessary for the purposes an investigation to have access to, examine, remove, take measures for the preservation of, or otherwise deal with any such aircraft; and
  - (d) authorize or required the cancellation, suspension, endorsement or surrender of any licence or certificate granted or recognized under this Act, when it appears on an investigation that the licence ought to be so dealt with, and provide, for the production of any such licence for such purpose.

**8. Power to detain Aircraft. \_**

- (1) Any authority authorized in this behalf by the President of the Union, may detain any aircraft, if in the opinion of such authority\_
  - (a) having regard to the nature of an intended flight, the flight of any such aircraft would involve danger to persons in the aircraft or to any other persons or property; or
  - (b) such detention is necessary to secure compliance with any of the provisions of this Act or the rules applicable to such aircraft; or such detention is necessary to prevent a contravention of any rule made under clause (h) or clause (i), of sub-section (2) of section 5.
- (2) The president of the union may, by notification in the gazette make rules regulating all matters, incidental or subsidiary to the exercise of this power.

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1. Substituted by the Union of Burma (Adaptation of Laws ) Order, 1948.

2. Substituted by Act XXI, 1947.



**8A. Power of the President of the Union to make rules for protecting the Public Health.** \_ The President of the Union may, by notification in the Gazette, make rules for the prevention of danger arising to the public health by the introduction or spread of any infectious or contagious disease from aircraft, arriving at or being at any aerodrome and for the prevention of the conveyance of infection or contain by means of any aircraft leaving an aerodrome and in particular and without prejudice to the generality of this provision may male, with respect to aircraft and aerodrome or any specified aerodrome, rules providing for any of the matters for which rules under sub-clauses (i) to (viii)of clause (p) of sub-section (1) of section 6 of the Myanmar Ports Act, may be made with respect to vessels and ports.

<sup>1</sup>**8B. (1)** If the President of the Union is satisfied that the Union of Myanmar or any part thereof is visited by or threatened with an outbreak of any dangerous epidemic disease, and that the ordinary provisions of the law for the time being in force are insufficient for the prevention of danger arising to the public health through the introduction or spread of the disease by the agency of aircraft, the president of the Union may take such measures as he deems necessary to prevent such danger.

**(2)** In any such case the President of the Union may, without prejudice to the powers conferred by section 8A, by notification in the Gazette, make such temporary rules with respect to aircraft and persons traveling or things carried therein and aerodromes as he deems necessary in the circumstances.

**(3)** Notwithstanding anything contained in section 14, the power to make rules under sub-section (2) shall not be subject to the conditions of the rules being made after previous publication, but such rules shall not remain in force or more than three months from the date of publication, provided that the President of the Union may by special order continue them in force for a further period or periods of not more than three months in all.

**9. Wreck and Salvage.** \_

**(1)** The provisions of Part VII of the Myanmar Merchant Shipping Act, relating to Wreck and Salvage shall apply to aircraft on or over the sea or tidal waters as they apply to ships, and the owner of aircraft shall be entitled to a reasonable reward for salvage services rendered by the aircraft in like manners as the owner of a ship.

**(2)** The President of the Union may, by notification in the Gazette, make such modifications of the said provisions in their application to aircraft as appear necessary or expedient.

<sup>3</sup>**9 A.** Whoever wilfully fails to comply with any notifications, orders, notices and directives issued under sub-section (c) of section 5 A, shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to kyats 20,000, or with both.

Penalty for failure to comply with notifications, orders, notices and directives.

**10. Penalty for act in contravention of rule made under this Act.** \_ In making any rule under section 5, [sub section (b) of section 5 A,]<sup>3</sup> section 7, [section 8, section 8 A or section 8 B],<sup>2</sup> the President of the Union may direct that a breach of it shall be punishable with imprisonment for any term not exceeding three months, or with fine of any amount not exceeding [kyats 50,000],<sup>3</sup> or with both.

**11. Penalty for flying so as to cause danger.** \_ Whoever wilfully flies any aircraft in such a manner as to cause danger to any person or to any property on water or in the air shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to [kyats 100,000],<sup>3</sup> or with both.

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1. Inserted by Act XXI, 1947.

2. Substituted *ibid*.

3. Amendment Act No. 6 / 2004 25<sup>th</sup> August 2004.

**12. Penalty for abetment of offences and attempted offences.** \_ whoever abets the commission of any offence under this Act or the rules, or attempts to commit such offence, and in such attempt does any act towards the commission of the offence, shall be liable to the punishment provided for the offence.

**13. Power of Court to order forfeiture.** \_ Where any person is convicted of an offence punishable under any rule made under clause (i) or clause (l) of sub-section (2) of section 5, the Court by which he is convicted may direct that the aircraft or substance, as the case may be, in respect of which the offence, has been committed shall be forfeited to the [State.]<sup>1</sup>

**14. Rules to be made after publication.** \_ Any power to make rules conferred by this Act is subjected to the condition of the rules being made after previous publication for a period of not less than three months: [Provided that any rules made under the provisions of the Burma Aircraft Amendment Act, 1947, may, if they are published within six months from the date on which the Act comes into force and if the urgency of the circumstances so requires, be made after previous publication for a period of one month.]<sup>2</sup>

<sup>3</sup> **15.** \* \* \* \* \*

**16. Power to apply customs procedure.** \_ The President of the Union of Myanmar may, by notification in the Gazette, declare that any or all of the provisions of the Sea Customs Act shall, with such modifications and adaptations as may be specified in the notification, apply to the import and export of goods by air.

**17. Bar of certain suits.** \_ No suit shall be brought in any Civil Court in respect of trespass or in respect of nuisance by reason only of the flight of aircraft over any property at a height above the ground which having regard to wind, weather and all the circumstances of the case is reasonable or by reason only of the ordinary incidents of such flight.

**18. Saving for acts done in good faith under the Act.** \_ No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

**19. Saving of application of Act.** \_

(1) [Except as otherwise provided in section 16, nothing]<sup>4</sup> in this Act or in any order or rule, made there under shall apply to or in respect of any aircraft belonging to or exclusively employed in the Myanmar Naval, Military or Air forces, or to any person in such forces, or to any person in such forces employed in connection with such aircraft.

(2) Nothing in this Act or in any order or rule made there under shall apply to or in respect of any lighthouse to which [the Myanmar]<sup>1</sup> Lighthouse Act, applies or prejudice or affect any right or power exercisable by any authority under that Act.

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1. Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.

2. Inserted by Act XXI, 1947.

3. Deleted *ibid*

4. Substituted by Act XVIII, 1948.

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## **CHAPTER II.**

**THE UNION OF MYANMAR AIRCRAFT RULES, 1937**

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## CHAPTER II.

### RULES.

#### PART I.—Preliminary

##### 1. Short title and extent.—

- (1) These rules may be called the Union of Myanmar Aircraft Rules, 1937.
- (2) They apply (unless the contrary intention appears) to all aircraft for the time being in or over the Union of Myanmar, provided that in the case of aircraft registered elsewhere than in the Union of Myanmar, for the provisions of Parts IV, V, VI and IX of these rules relating to registration, licensing of personnel, airworthiness and log books there shall be substituted the regulations of the State in which the aircraft is registered.

##### 2. Nationality of aircraft.—An aircraft shall be deemed to possess the nationality of the State on the register of which it is entered.

##### 3. Definitions and Interpretation.—

- (1) In these rules, unless there is anything repugnant in the subject or context—

“**Acrobatics**” means any aerial manoeuvres voluntarily accomplished other than those which are carried out in the course of normal flight ;

“**Aerial work aircraft**” means aircraft used for an industrial or commercial purpose or any lucrative purpose other than public transport ;

“**Aerodrome**” means any definite or limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft, and includes all buildings, sheds, vessels, piers and other structures thereon or appertaining thereto ;

“**Aerodrome light**” means any light exhibited at an aerodrome for the purpose of assisting the navigation or manoeuvres of an aircraft or of signalling to or from an aircraft ;

“**Aerodyne**” means an aircraft, whose support in flight is derived dynamically from the reaction on surfaces in motion relative to the air, and includes all aeroplanes, helicopters, gyroplanes, gliders and kites ;

“**Aeroplane**” means a power-driven heavier than air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given condition of flight ;

“**Aerostat**” means an aircraft supported in the air statically and includes all airships and balloons ;

“**Aircraft**” means any machine which can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth’s surface ;

“**Airship**” means a power-driven lighter-than-air aircraft ;



“**Air transport service**” means a service of aircraft for the purpose of effecting public transport of passengers, mails or any other thing, animate or inanimate, for any kind of remuneration whatsoever, whether such service consists of a single flight or series of flight. This expression also include undertakings ;

“**Balloon**” means non-power driver lighter than air aircraft ;

“**Contracting State**” means any State which is for the time being a party to the Convention relating to the Regulation of Civil Aviation signed at Chicago, December 7, 1944 and any amendment which may be made thereto under the provisions of Article 94 thereof;

“**Course**” means the forward direction of the intersection of the plane of symmetry (supposed vertical) of an aircraft with a horizontal plane. It is defined by the angle which it makes with a meridian of origin. By extension the angle itself ;

“**Director General**” means the Director General of Civil Aviation in the Union of Myanmar ;

“**Export**” means taking out of the Union of Myanmar

“**Flying machine**” means a mechanically driven aerodyne, and includes all aeroplanes, helicopters and gyroplanes ;

“**Glider**” means non-power driven heavier than air aircraft deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

“**Government aerodrome**” means an aerodrome which is maintained by or on behalf of the Government ;

“**Import**” means bringing into the Union of Myanmar

“**Landing area**” means that part of an aerodrome reserved for the departure or landing of aircraft ;

“**Making way**” : An aircraft is said to be “making way” when under way in the air or on the surface of the water—; it has a velocity relative to the air or water respectively ;

“**Military aircraft**” includes naval, military and, airforce aircraft ; and every aircraft commanded by a person in naval, military or airforce service detailed for the purpose shall be deemed to be a military aircraft

“**Normal flight**” means flight comprising climbing, horizontal flight, turning and descending ; provided, however, that it dose not entail abrupt variations in height, or in the attitude of the aircraft ;

“**Operator**” : means a person, organization or enterprises engaged or offering to engage in aircraft operations”

“**On the surface of the water**” : An aircraft is deemed to be” on the surface of the water so long as any portion of it is in contact with the water ;

“**Passenger aircraft**” , “**mail aircraft**” and “**goods aircraft**” means aircraft which effect public transport of passengers, mails or goods respectively ;

“**Personnel**” in relation to any aircraft means the person in charge pilot, navigator, engineer, and all other members of the crew ;

“**Petroleum in bulk**” means petroleum contained in a receptacle exceeding two hundred gallons in capacity ;

“**Private aircraft**” means all aircraft other than aerial work aircraft or

public transport aircraft ;

**“Prohibited area”** means an area over which the navigation of aircraft is prohibited under Rule 12 ;

**“Public transport”** means all carriage of persons or things effected by aircraft for a remuneration of any nature whatsoever, and all carriage of persons or things effected, by aircraft without such remuneration if the carriage is effected by an air transport undertaking ;

**“Public transport aircraft”** means an aircraft which effects public transport ;

**“Scheduled air transport service”** means an air transport service between the same two or more places and operated according to a published time table or with flights so regular or frequent that they constitute a recognizably systematic series, each flight being open to use by members of the public ;

**“State aircraft”** includes military aircraft and aircraft exclusively employed in State service, such as posts, customs, police ;

**“Subsequent aircraft”** means an aircraft which is constructed in accordance with the design and specification of a type of aircraft, which has been approved or accepted by the President of the Union for the issue of a certificate of airworthiness ;

**“Take-off”** includes all the successive positions of an aerodyne from the moment it moves from rest until the moment of starting normal flight ;

**“To land”** is the action under normal conditions of making contact with the ground or a solid platform or water by an aircraft equipped for this purpose ;

**“Under way”** : An aircraft is said to be “under, way” when, being in the air or on the surface of the water, it is not moored to the ground or to any fixed object on land or in the water

**“Under control”** : An aircraft is said to be “under control” when it is able to manoeuvre as required by these Rules :

**“Visible”** as applied to lights means visible on a dark night with a clear atmosphere.

- (2) Any power or duty conferred or imposed by these rules on the President of the Union may be exercised or discharged by the President of the Union or by any person authorized by him in that behalf.
- (3) Any power or duty conferred or imposed by Rule 19 or Part V or Part VI of these Rules on the President of the Union may be exercised or discharged by an authority outside the Union of Myanmar specified by the President of the Union in this behalf, and the exercise of such power or the discharge of such duty shall have effect in the Union of Myanmar as though the power had been exercised or discharged by a person authorized in this behalf under sub-rule (2).

## **PART II.—GENERAL CONDITIONS OF FLYING.**

- 4. Use and Operations of Aircraft.**—No person shall use or operate or assist in using or operating an aircraft save in accordance with these rules.
- 5. Registration and Nationality and Registration Marks.**—No person shall fly, or assist in flying any aircraft unless—
- (a) it has been registered, and
  - (b) it bears its nationality and registration marks and the name and residence of the owner affixed or painted thereon in accordance with Rule 37, or in the case of aircraft registered elsewhere than in the Union of Myanmar in accordance with tire regulations of the State in which it is registered :

Provided that the prohibition imposed by this rule shall not apply to aircraft flown in accordance with the special permission in writing of the President of the Union and subject to any conditions and limitations which may be specified in such permission.

- 6. Licensing of Personnel.**—Every aircraft shall carry and be operated by the personnel prescribed in Part V of these rules and, such personnel shall be licensed in the manner prescribed in that Part :

Provided that in the case of aircraft not registered in the Union of Myanmar, such personnel, shall be licensed in accordance with the regulations of the State in which the aircraft is registered ;

Provided further that this rule shall not apply to an aircraft flown by a person under instruction or undergoing tests for the purpose of obtaining or renewing a pilot's licence if—

- (a) the aircraft is flown within three nautical miles of a licensed aerodrome or a Government aerodrome,
- (b) the aircraft carries no passengers, and
- (c) prior notice of the flight and of the purpose of the flight is given to the person in charge of the aerodrome from which the flight is made.

- 7. Documents to be carried in Aircraft.**—

- (1) No person in charge of any public transport aircraft shall allow such aircraft to be flown unless the following documents are carried on board the aircraft, namely—
  - (i) the certificate, of registration,
  - (ii) the licences of the personnel,
  - (iii) the certificate of airworthiness,

- (iv) the journey log book in cases where the keeping of a journey log book is prescribed in Part IX,
- (v) the aircraft technical logbook
- (vi) where communication equipment is carried in the aircraft, the radio station permit or licence issued by the Director General of Post and Telecommunication Department, under which such equipment is carried:

Provided that where a licence or other document has been submitted to a competent authority under these Rules for renewal or other action that fact shall be deemed a valid excuse for its not being carried on board the aircraft.

- (2) No person in charge of any aircraft engaged in international navigation shall allow such aircraft to be flown unless the following documents issued by the State in which the aircraft is registered are carried on board the aircraft, namely—
  - (i) the certificate of registration,
  - (ii) the licences of the personnel,
  - (iii) the certificate of airworthiness,
  - (iv) the journey log book,
  - (v) the Aircraft Technical Log,
  - (vi) where radio communications equipment is carried in the aircraft, the permit or licence for such equipment,
  - (vii) where the aircraft carries passengers, a list of their names showing their place of origin and destination,
  - (viii) where the aircraft carries goods, air consignment notes and manifests in respect thereof.

**8. Carriage of Explosives and Arms.**—No person in, or in charge, of, an aircraft shall carry or permit to be carried therein, any explosives, articles of a highly inflammable nature, arms, ammunitions or military stores :

Provided that the President of the Union may by order in writing, permit the carriage of such explosives, articles, arms, ammunitions or military stores subject to such terms and conditions as may be deemed necessary.

*Exceptions.*—*The provisions of this Rule shall not apply—*

- (a) to such explosives or other articles as may be required for, and are not kept for any other purpose than, the working or handling of aircraft; and

- (b) subject to the provisions of the Arms Act and the Rules made there under, and subject to such further restrictions as may be imposed by the owner of the aircraft regarding their carriage, to such arms and ammunition as may reasonably be required for the private use of any person, either as personal luggage or as freight :

Provided that such explosives, articles, arms and ammunitions, when carried in a passenger aircraft, shall be placed in a receptacle or receptacles not accessible to the passengers.

**9. Radio-telegraph Apparatus.—**

- (1) No person shall operate radio-transmitting apparatus in any aircraft registered in the Union of Myanmar, unless he holds a licence of the type required by the provisions of Part V in respect of aircraft required by these rules to carry radio-telegraph or radiotelephone apparatus, as the case may be, and issued in accordance with those provisions.
- (2) Radio-transmitting apparatus carried in aircraft shall be operated under the conditions defined by the International Telecommunication Convention (Madrid, 1932) and the general radio-communication regulations annexed thereto as far as these apply and shall be operated only during the hours in which such operation is permitted by the President of the Union.
- (3) Aircraft registered in the Union of Myanmar and required by these rules to carry radio—telegraph apparatus shall be fitted with such apparatus in accordance with the provisions of Part VII.
- (4) Nothing in this rule shall exempt any person from those provisions of the Union of Myanmar Telegraph Act, 1885, and the rules made there under which require that radio-telegraph apparatus shall be licensed.

**10. Mails.—**No person shall carry mails or allow mails to be carried in any aircraft except with the consent in writing of the Director of Posts and Telegraphs.

**11. Aerodromes.—**

- (1) No pilot or person in charge of any aircraft carrying passengers for hire or reward shall use any place for a series of landings and departures, and no pilot or person in charge of any aircraft employed on a scheduled air transport service shall use any place as a regular place of landing or departure other than an aerodrome licensed or approved for the purpose in accordance with the provisions of Part XI.
- (2) No person being the proprietor of an aerodrome other than an aerodrome mentioned in sub-rule (1) shall permit the aerodrome to be used in contravention of that sub-rule.

- (3) No person other than the occupant of an aircraft manoeuvring in accordance with these rules may enter upon the landing area of an approved or licensed aerodrome without the consent of the person in charge of the aerodrome.

**12. Prohibited Areas.—**

- (1) No person shall fly or assist in flying an aircraft over any of the areas specified in Schedule I save in accordance with the conditions specified in that Schedule.
- (2) Every pilot, who, when flying an aircraft, finds himself above a prohibited area in contravention of sub-rule (1) shall, as soon as he is aware of the fact, give the signal of distress specified in sub-rule (2) of Rule 107, and shall land the aircraft as soon as possible outside the prohibited area at one of the nearest aerodromes in the Union of Myanmar :

Provided that he shall not, unless compelled by stress of weather or other unavoidable cause, fly further into the prohibited area nor commence to descend while still above the prohibited area.

- (3) When the signals prescribed in Rule III are given, the pilot of the aircraft shall immediately change his course and fly away from the prohibited area.
- (4) When the signals prescribed in Rule 110 are given the pilot shall immediately give the signal referred to in sub-rule (2) of this rule and land the aircraft in accordance with that sub-rule.

**13. Photography from Aircraft.—**No person shall take, or cause or permit to be taken from an aircraft any photograph of a prohibited area or of any part thereof, or of any object therein.

**14. Aerial work and Public Transport Reserved for certain Aircraft.—**No aircraft registered in accordance with Part IV in Category B shall be used as an aerial work aircraft or as a public transport aircraft :

Provided that the President of the Union may from time to time permit, and impose restrictions on the performance of aerial work or public transport by aircraft other than those registered in accordance with Part IV in Category A, and such restrictions shall be deemed to have been effectively imposed if they have been notified in writing to the owner or operator of such aircraft or by notification in the Myanmar Gazette.

**15. Conditions to be complied with by Aircraft in Flight.—**No aircraft engaged in international, navigation, passenger aircraft, goods aircraft or mail aircraft, and no aircraft let out for hire for the purpose of being flown by the hirer, or by any other person shall be flown unless the following conditions are complied with name-

ly—

- (i) the aircraft shall be certified as airworthy and shall be maintained in airworthy condition in accordance with the provisions of Part VI or (in the case of an aircraft not registered in the Union of Myanmar) in accordance with the regulations of the State in which the aircraft is registered ;
- (ii) all the terms or conditions on which the certificate of airworthiness was granted shall be duly complied with ;
- (iii) the aircraft shall carry on board its certificate of airworthiness and any other certificates prescribed by Part VI, or by the regulations of the State in which the aircraft is registered which it is required to carry on board. The certificate of airworthiness shall be carried in the pocket of the journey log book ;
- (iv) the aircraft shall be fitted with and shall have in working order such instruments and equipment as are prescribed in Part VI for an aircraft of that class or description:

Provided that the President of the Union may, by order in writing and subject to such conditions as may be contained in the order, exempt any aircraft from the operation of this rule.

*Explanation.—For the purpose of this rule, aircraft let out on payment for instructional or other purposes by a flying club or flying school to a member or pupil thereof shall be deemed to be let out for hire.*

- 16. Rules of the Air.**—Every pilot and navigator shall observe, and every person in charge of an aircraft shall cause to be observed, all the rules of the air contained in Part XI I, and shall take all such steps as are practicable to secure that when the aircraft is in flight or is being manoeuvred on the land or water, the windows, wind screens or side screens of the aircraft through which the pilot obtains his view forward or side ways are maintained in such conditions as not to obscure his view.
- 17. Production of licences, etc.**—Any licence (other than a licence issued under Part XIII) certificate, log book or document granted or required to be maintained under these Rules-hall, on demand for the purpose of inspection, by any magistrate, any police officer above the rank of constable, any customs officers, any commissioned officer of the Union of Myanmar naval, military or air forces, any gazetted officer of the Civil Aviation Department, or any other person authorized by the President of the Union by special or general order in writing in this behalf, be produced by the licensee or, in the case of an aircraft or of a licensed aerodrome by the owner, hirer, or person in charge thereof:

Provided that any such licence, certificate, log book, or document relating to an aircraft or its personnel which is not by these Rules required to be carried in the aircraft shall be produced within seven days of the making of the demand.

**18. Prevention of flights in contravention of the rules.—**

- (1) An authority authorized under Section 8 of the Union of Myanmar Aircraft Act, 1934, to detain aircraft may do so by the issue of a written direction to the pilot or other person for the time being in charge or the aircraft to be detained, or by taking such other steps as may be necessary to make the detention effective. If an aircraft detained by a person so authorized is housed or kept at a Government aerodrome the housing or picketing charges normally applicable shall be payable in respect of the whole period during which it is detained.
- (2) Any person acting in contravention of any direction given under this rule shall without prejudice to any other penalty he may incur, be deemed to have acted in contravention of these Rules.

**19. Cancellation, suspension or endorsement of licenses and certificates.—**

- (1) Where any person is convicted of a contravention of or failure to comply with these Rules in respect of any aircraft the —President of the Union may cancel or suspend any certificate of registration granted under these rules relating to that aircraft.
- (2) The President of the Union may cancel or suspend any certificate relating to the airworthiness of an aircraft granted under these Rules if it is satisfied that reasonable doubt exists as to the safety of the aircraft in question or of the type to which the aircraft in question belongs and may vary the conditions attached to any such certificate if it is satisfied that those conditions may properly be relaxed or that reasonable doubt exists whether those conditions afford a sufficient margin of safety.
- (3) The President of the Union may for reasons which shall be recorded in writing cancel, suspend or endorse any certificate or licence granted under these Rules if it is satisfied that there is sufficient ground for so doing and may suspend any such certificate or licence temporarily during the investigation of any matter forming a ground for action under this sub-rule.
- (4) The President of the Union may cancel or vary any particulars entered by him or under his authority in any licence or certificate granted or in any journey log book issued under these Rules.



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- (5) The President of the Union may require the holder of any licence, certificate or other document granted or issued under these rules or any person having possession or custody of such licence, certificate or document to surrender the same to him for cancellation, suspension, endorsement or variation and any person failing to comply with any such requirement within a reasonable time shall be deemed to have acted in contravention of these Rules.
- 20. Certain rules not applicable to gliders and kites.**—Rules. 5, 6, 7, 12, 15, 17, 19 and 25 shall not apply to gliders, and Rules 5, 6, 7, 12, 15, 17, 19 and the rules in Part 111, with the exception of Rule 26 in so far as it relates to the dropping of articles from aircraft shall not apply to kites.

### **PART III.—General Safety Conditions.**

- 21. Dangerous flying.**—No person shall fly any aircraft in such circumstances as, by reason of low altitude or proximity to persons or dwellings or for any other reason, to cause unnecessary danger to any person or property.
- 22. Flying over cities, etc.**—No pilot shall fly any aircraft, and no person in charge of any aircraft shall allow it to be flown over any city, town, village site or other populous area except at such altitude, which in no case shall be less than 1,000 feet, as will enable the aircraft to land outside the city, town, village site or other populous area in the event of an emergency :

Provided that this prohibition shall not apply within a distance of one nautical mile from a licensed aerodrome or a Government aerodrome.

**23. Acrobatics.**—

- (1) No person shall use any aircraft for acrobatics—
- (a) when flying over any city, town, village site or populous area or
  - (b) when flying over any meeting for public games or sports or other public assembly, except where a request for such flying has been made in writing by the promoters of such meeting or assembly.
- (2) When on aircraft is used for acrobatics-
- (a) it shall be flown by a licensed pilot, or, if it is flown by a person for the purpose of qualifying for a licence under these Rules, such person shall be accompanied by a licensed pilot instructor ;
  - (b) if passengers are carried, whether the carriage is public transport or not, their previous consent to the performance of acrobatics shall be obtained in writing ;
  - (c) the pilot or person in charge of the aircraft shall satisfy himself before commencing the flight that every person carried in the aircraft, is properly secured by safety seats ; and
  - (d) the acrobatics shall be concluded at a height above the ground not less than 2,000 feet, or such lower altitude as the President of the Union may permit by special order in writing.

**24. Prohibition of intoxicated persons entering aircraft.**— No person acting as, or carried in an aircraft for the purpose of acting as pilot, commander, navigator, engineer or operating member of the crew thereof, shall, while so acting or carried, be in a state of intoxication or in a state in which, by reason of his having taken or used any sedative, narcotic or stimulant drug or preparation, his capacity so to act is impaired ; and no other person while in a state of intoxication shall enter ,or be in any aircraft.

**25. Smoking in aircraft.**—

- (1) The owner of every aircraft registered in the Union of Myanmar which is provided with a certificate of airworthiness shall cause to be exhibited in a prominent place in the aircraft a notice stating where and to what extent smoking is prohibited or permitted therein.
- (2) A notice permitting smoking in such aircraft may be exhibited therein only if smoking in the aircraft is permitted by the certificate of airworthiness of the aircraft or by the direction of the President of the Union of Myanmar and only in accordance with the conditions relating to smoking contained in such certificate or direction.
- (3) No person shall smoke in any aircraft registered in the Union of Myanmar which is provided with a certificate of airworthiness unless a notice permitting smoking is exhibited in the aircraft, and any person smoking shall comply with all the terms of such notice.

**25A. Fuelling of aircraft.**—

- (1) No aircraft shall fill or replenish its fuel tanks from vehicles or vessels carrying petroleum in bulk unless -from specially constructed tank vehicles of a type approved by the Chief Inspector of Explosives in Myanmar for this purpose or from barges licensed under the Petroleum Rules.
- (2) Before the commencement of refuelling, the aircraft, its fuel tanks and all metallic parts of the fuel dispensing apparatus shall be electrically connected and efficiently earthed.
- (3) No smoking and no fire or other source of heat or light capable of igniting inflammable vapour shall be permitted within 100 feet of any aircraft while it is begin or is about to be fuelled.
- (4) All aircraft-engines within the distance specified in sub-rule (3) .shall be stopped so long as fuelling is in progress.
- (5) No electric motor shall be used inside an aircraft during refueling.

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- (6) During the fuelling of aircraft used for the conveyance of passengers, the passengers may be permitted to remain in the cabin of the machine provided that—
    - (i) there is no smoking in the aircraft
    - (ii) an employee of the operator is stationed in the entrance to the passenger cabin and remains alert for any emergency until refueling is completed ; and
    - (iii) in the case of seaplanes a suitable boat is kept alongside to disembark the passengers in an emergency.
  - (7) Fuel tanks shall not be allowed to over-flow except through special pipes incorporated in the system, which will prevent the fuel from running on to the aircraft surface, the ground or the water.
  - (8) All engine fuel cocks shall be closed while refueling.
  - (9) Except as provided in this sub-rule all electric switches in the aircraft shall remain in the " off " position during the operation of refueling and all electric circuits other than those required or permitted to be in operation by this sub-rule shall be controlled by a master switch or switches which shall be in the " off " position. The following electric switches may be operated or left in the " on " position as the case may require provided that the electric circuits involved are separate from all other electric circuits in the aircraft and that the switches and lights in operation are enclosed in gas proof covers :—
    - (i) Electric switches controlling the riding lights of seaplanes or any other lights required by law to be exhibited on the aircraft while on the surface of the water, shall be left in the " on " position.
    - (ii) Electric switches controlling interior lights in the aircraft which are necessary for safety may be left in the " on " position.
    - (iii) Electric switches controlling petrol gauges which it is essential to operate may be operated or left in the " on " position as may be required by the particular installation.

**25B. Housing of aircraft.—**

- (1) No aircraft containing dangerous petroleum in bulk in any of its tanks may be housed in a hangar unless such hangar is constructed of unflammable material and is effectively and safely ventilated to the open air.
- (2) Every such hangar shall be in charge of a competent person who shall be responsible for taking all proper precautions against fire and shall prevent unauthorized persons from having access to the building.

**26. Parachute descents and dropping of articles.—** No person shall, except in a case of emergency, descend by means of a parachute from an aircraft and no person shall drop or cause or permit to be dropped from an aircraft any article,

whether attached to a parachute or not, unless the descent is made or the article is dropped in accordance with and subject to any conditions or limitations contained in a general or special order of the President of the Union in writing in that behalf:

Provided that nothing in this rule shall be deemed to prevent the dropping of—

- (a) ballast which is not prohibited by the provisions of Rule 130
- (b) message bags, smoke producing or other apparatus or materials dropped for the purpose of navigating an aircraft or communicating messages from an aircraft, subject to the observance of such precautions as to the nature of the articles dropped and the place of dropping as will avoid risk of injuring persons or property on the ground ;
- (c) separate sheets of paper containing printed matter in any place if the written permission of the Government of the Union of Myanmar in the Ministry of Home Affairs is first obtained.

**27. Carriage of persons in unauthorised parts of aircraft.**—No, person shall at any time be carried on the wings or undercarriage of the aircraft, or on or in any other part thereof which is not designed for the accommodation of the personnel or passengers, or on or in anything attached externally to the aircraft

Provided that—

- (a) nothing in this rule shall prevent a person having temporary access-
  - (i) to any part of the aircraft for the purpose of executing repairs to the aircraft or adjusting the machinery, or equipment thereof or for the purpose of doing anything which may be necessary for the safety of the aircraft or persons or goods carried therein ; or
  - (ii) to any part of the aircraft in which goods or stores are being carried and to which proper means of access is provided and
- (b) a person may be carried on or in any part of the aircraft, or anything attached thereto, with the permission in writing of the President of the Union and subject to any conditions which may be specified in such permission.

- 28. Prohibition on persons under seventeen having sole control of aircraft.**—No person, being under seventeen years of age, shall have sole control of an aircraft in motion, and no person shall cause or permit any other person to have sole control of an aircraft in motion, unless he knows or has reasonable cause to believe such other person to have attained the age of seventeen years.
- 29. Acts likely to imperil the safety of aircraft.**—No person shall interfere with the pilot or with a member of the operating crew of an aircraft, or tamper with the aircraft or its equipment or conduct himself in a disorderly manner in an aircraft or commit any act likely to imperil the safety of an aircraft or its passengers or crew.

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## **PART IV.—REGISTRATION AND MARKING OF AIRCRAFT.**

### **30. Certificate of Registration.—**

- (1) The authority empowered to register aircraft and to grant certificates of registration in the Union of Myanmar shall be the President of the Union.
- (2) An aircraft may be registered in the Union of Myanmar in one or other of the following categories, namely :—
  - (a) Category A.—If the aircraft is wholly owned either-
    - (i) by organizations controlled by the Union or by a State or by local authorities, or
    - (ii) by citizens of the Union, or
    - (iii) by companies or other associations organized under the laws in force in the Union, not less than sixty per cent of whose capital is owned by the Union or by any State or by any local authority or by citizens of the Union, and
  - (b) Category B.—If the aircraft is wholly owned either-
    - (i) by persons, resident in or carrying on business in the Union, who are not citizens of the Union, or
    - (ii) by companies or other associations which do not qualify for Category A but are carrying on business in the Union.
    - (iii) No aircraft in respect of which the condition required in Sub Rule (2) are not satisfied, and no aircraft which is validly registered in another country shall be registered in the Union of Myanmar.

### **31. Nature of application.—**

- (1) Every application for a certificate of registration shall be accompanied by—
  - (a) such particulars relating to the aircraft as may be required ;
  - (b) the fee prescribed in Rule 35, which fee shall. be returned if the application is not granted ;
  - (c) in the case of aircraft imported by air, a certificate signed by a Chief Customs Officer or Customs Collector that the customs duty leviable in respect of it has been paid. Such certificate shall state the type and manufacturer's number of the aircraft and engine, and if the aircraft has been registered elsewhere, its registration marking.
- (2) An applicant for a certificate of registration may be required to produce proof of the truth of the statements contained in his application.

- 32. Aircraft imported by air.**—When an application is made for the registration of an aircraft before its import into the Union of Myanmar for the purpose of the import of the aircraft by air, a temporary certificate of registration will subject to the conditions of sub-rule (3) of Rule 30, be granted by the President of the Union on the owner of the aircraft complying with clauses (a) and (b), of sub-rule (1) of Rule 3 1. Such temporary certificate shall be valid only until the first landing of the aircraft at a customs aerodrome in the Union of Myanmar when the certificate shall be delivered by the pilot or other person in charge to the local Aerodrome Officer. Thereafter, on production by or on behalf of the owner of the aircraft of the certificate mentioned in clause (c) of sub-rule (1) of Rule 3 1, the certificate of registration shall be granted by the President of the Union :

Provided that, if an aircraft in respect of which a temporary certificate of registration has been issued is imported otherwise, than by air, such temporary certificate shall cease to be valid on the date of import of the aircraft, and the temporary certificate shall forthwith be delivered by the owner to the Director of Civil Aviation, Myanmar and thereafter the certificate of registration shall be granted by the President of the Union.

**33. Change in Ownership.**—

- (1) In the event of any change in the ownership of a registered aircraft, or if a registered aircraft ceases to be owned wholly either by persons or by a company or corporation fulfilling the conditions set out in Rule 30, then—
- (2) the registered owner of the aircraft shall forthwith notify the Director of Civil Aviation, Myanmar of such change of the ownership or, as the case may be, that the aircraft has ceased to be so owned as aforesaid ; and
- (3) the registration and the certificate thereof shall lapse as from the date of such change of ownership, of the date on which the aircraft ceased to be so owned.

- 34. Aircraft destroyed or withdrawn from use.**—When a registered aircraft has been destroyed or permanently withdrawn from use, the registered owner shall as soon as possible notify the Director of Civil Aviation, Myanmar, accordingly, and the registration and the certificate thereof shall not lapse, as from the date of such notification.

- 35. Registration Fees.**—A fee of twenty Kyats shall be payable in respect of a certificate of registration :

Provided that where the aircraft has been previously registered in the Union of Myanmar and the President of the Union is satisfied—

- (a) that the certificate of registration last issued in respect of the aircraft has lapsed by reason of the sale of the aircraft by the regis-



tered owner ;and

- (b) that the registered owner of the aircraft immediately before the sale was the constructor thereof or a dealer in aircraft and
- (c) that the aircraft has not been flown since a certificate of registration was last issued in respect thereof, except for the purpose of—
  - (i) an experiment or test carried out in the ordinary course of construction or in order to obtain a certificate of airworthiness ; or
  - (ii) a demonstration to a prospective purchaser ; or
  - (iii) delivering the aircraft to a purchaser a fee of four Kyats only shall be payable.

**36. Register of Aircraft.**—The register of aircraft registered in -the Union of Myanmar shall be open to inspection by members of the public at such times and subject to such conditions as may be specified by 'the Director of Civil Aviation, Myanmar.

**37. Nationality and Registration Marks, how to be affixed.**—

- (1) The nationality mark of an aircraft registered in the Union of Myanmar shall be the capital letters " XY " in Roman characters and the registration mark shall be a group of three capital letters in Roman characters assigned by the President of the Union.
- (2) The nationality and registration marks shall be painted on the aircraft in the following manner:—
  - (a) *Aerostats.*—In the case of airships the marks shall be painted -near the maximum cross-section so as to appear on both sides and on the upper surface equidistant from the letters on the sides.  
 In the case of balloons the marks shall appear twice near the maximum horizontal circumference of a spherical balloon and shall be placed as far as possible from one another and on a non-spherical balloon, near the maximum cross-section on both sides immediately above the rigging band on the points of attachment of the basket suspension cables.  
 In the case of all aerostats, the side marks shall be visible both from the sides and from the ground.
  - (b) *Aeroplanes.*—The marks shall be painted once on the lower surface of the main plane structure and once on the upper surface of the main plane structure, the top of the letters to be towards the leading edge. They shall also be painted along each side of the fu-

selage or of the body between the main planes and the tail planes.

- (c) *Other Aerodynes.*—The provisions of clause (b) shall be applicable to other aerodynes in so far as the latter comprise corresponding elements on which marks could be placed.
- (3) The marks shall be of such a colour in relation to the colour of the background on which they are painted as will tender them clearly legible at a distance of not less than 250 yards in a clear atmosphere,
- (4) The height of the letters of the nationality and registration mark need not exceed eight feet. Subject as aforesaid, the height of the marks shall be as follows:—
- (a) *Aerostats.*—In the case of airships the height of the marks shall be equal to at least one-twelfth of the perimeter of the airship at the maximum cross-section.
- In the case of balloons the height of the marks shall be equal to at least one-fifteenth of the maximum horizontal circumference of a spherical balloon and to at least One-twelfth of the perimeter of a non spherical balloon at the maximum cross-section.
- (b) *Aeroplanes.*—The marks to be borne on the wings and the fuselage or body shall, as regards each group of marks, be formed of letters of equal height, as large as possible without however touching the visible outline of the wings, fuselage or body.
- (c) *Gyroplanes.*—The marks to be borne on the fuselage or body shall, as regards each group of marks, be formed of letters of equal height, as large as possible without however touching the visible outline of the fuselage or body.
- (d) *Other Aerodynes.*—The provision of clause (b) shall be applicable to other aerodynes in so far as the latter comprise corresponding elements on which marks could be placed.
- (5) As nearly as the constructional features of the aircraft admit—
- (a) the width of the letters shall be two-thirds of their height;
- (b) the thickness of the letters shall be one-sixth of their height; and
- (c) except as provided in sub-rule (6) a space equal to one half the width of the letters shall be left between the letters.
- The letters shall be painted in plain block type and shall be uniform in shape and size.
- (6) A hyphen of a length equal to the width of one of the letters shall be painted between the nationality mark and the registration mark.
- (7) The nationality and registration marks shall be displayed to the best possible advantage, taking into consideration the constructional features of the

aircraft. The marks shall always be kept clean and visible.

- (8) The aircraft shall carry affixed to the car or basket or to the fuselage, in a prominent position, a metal plate which shall be of stainless steel and shall be inscribed with the names and residence of the owner and the marks of nationality and registration.

## PART V.—Personnel of Aircraft.

**38.** Personnel to be carried in Flying Machines.—Subject to, the provisions of Rule 6, every flying machine registered in the Union of Myanmar shall comply with such of the following requirements in respect of the personnel which it carries and by which it is operated as are applicable to the class of flying machine to which it belongs:—

- (1) *Private Pilot.*—Every private flying machine shall be flown by a person holding a Private Pilot's licence (" A " licence) or a Public Transport Pilot's licence (" B " licence) issued in accordance with sub- rules (1) and (3) respectively of Rule 41;

Provided that a flying machine, which is carrying a passenger or- passengers other than a person licensed to give instruction in flying in accordance with sub-rule (3) of this rule, may not be flown by a person holding only a private Pilot's licence (" A " licence) unless he has had- not less than 25 hours solo flying experience, has a certificate from a licensed pilot instructor that he is considered sufficiently qualified for the purpose and has previously flown a flying machine of the same type and has satisfactorily completed three landings and three take-offs therein.

- (2) *Public Transport or Aerial Work Pilot.*— Every public transport. or aerial work flying machine shall be flown by a person holding a Public Transport Pilot's licence (" B " licence) issued in accordance with sub-rule (3) of Rule 41:

Provided that within the Union of Myanmar such flying machine, when flying by day and when not employed on a scheduled air transport service, may be flown by a person holding an " A " licence which has been specially endorsed in accordance with sub-rule (2) of Rule 41 ( " A-1 " licence).

- (3) *Pilot Instructor.*— Every flying machine, which is being used. for the purpose of giving instruction in piloting shall carry, except, when flown solo by a pupil under instruction, a person holding a " B " licence, which has been specially endorsed for instructional purposes in accordance with sub-rule (4) of Rule 41, and no other person, may impart, for a remuneration of any nature whatsoever, instruction in piloting -lying machines:

Provided that the holder of a " B " licence which has not been, - so endorsed may, when acting as assistant to a licensed pilot instructor, impart such instruction but shall in no case authorise a person under instruction to perform his first solo flight nor give instruction in any form of acrobatics.

*Explanation* — A person acting as assistant to a licensed pilot instructor shall not be deemed to have ceased to be so acting by reason only of the absence of the pilot instructor, if such absence does not exceed seven consecutive days, but where such absence exceeds seven consecutive days, he shall not continue so to act without a written authorisation **from the President of the Union.**

- (4) *Second Class Navigator.*—Every flying machine used for international public transport and having to fly without landing—
- (i) by day, more than 100 nautical miles over inhabited regions, or more than 100 nautical miles but not more than 600 nautical miles, entirely over the high seas or uninhabited regions, or
  - (ii) by night, more than 15 nautical miles but not more than 600 nautical miles, shall have on board a navigator, holding a second or first class navigator's licence.
- (5) *First Class Navigator.*—Every flying machine used for international public transport and having to fly without landing—
- (i) by day, more than 600 nautical miles entirely over the high seas or uninhabited regions, or
  - (ii) by night, more than 600 nautical miles, shall have on board a navigator holding a first class navigator's licence.
- (6) *Pilot or other Member of Crew as Navigator.*—
- (a) In either of the following cases, namely—
    - (i) When the pilot of a flying machine, required by sub-rule (4) or sub-rule (5) of this rule to carry a navigator, himself holds a navigator's licence of the required class and there is on board a second pilot capable of flying the machine in case of need.
    - (ii) When there is on board such flying machine a member of the crew additional to the pilot who holds such navigator's licence, a navigator shall not be required to be carried in addition to such pilot or member of the crew.
  - (b) When the pilot of a flying machine, required by sub-rule (4) or sub-rule (5) of this rule to carry a navigator, himself holds a navigator's licence of the required class but there is on board no second pilot capable of flying machine in case of need, a navigator's licence of the required class shall be carried in addition to the pilot except in the case of—
    - (i) night flights over routes suitably marked and recognised as such by the competent authority,
    - (ii) day flights over inhibited regions,

- (iii) day flights of not more than 600 nautical miles over the high seas or uninhabited regions.
- (7) In sub-rules (4), (5) and (6) of this rule-
- (i) " uninhabited region " means a region where in consequence of the sparsity of the population, and of the absence of natural landmarks or of the insufficiency of the maps, the difficulties of navigation are similar to those met with over the high seas;
- (ii) " night " means the period commencing one hour after sunset and terminating one hour before sunrise;
- (iii) " flight over the high seas " means a flight in the course of which an aircraft finds itself over the sea at a distance of more than 50 nautical miles from the nearest point of the coast.
- (8) *Radio-telegraph Operator's Licence.*—An aircraft which is -required by these rules to carry radio-telegraph apparatus shall carry, in addition to the pilot and whether or not it participates in the international service of public correspondence, a person holding either a first class or a second class radio-telegraph operator's licence issued in accordance with this Part to operate radio-telegraph apparatus on aircraft.
- (9) *Radio-telephone Operator.*—An aircraft which is required by ,these rules to carry radio-telegraph apparatus and which communicates by radiotelephony, shall carry a person holding a first class radio- telegraph operator's licence

Provided that an aircraft carrying radio-telephone apparatus and which communicates solely by radio-telephony, may carry, instead of a person holding a first class radio-telegraph operator's licence, a radio- telephone operator licensed in accordance with this Part to operate radio-telephone apparatus on aircraft.

- 39. Licensing Authority.**—The authority by which the licences referred to in Rule 38 may be granted, renewed or varied shall be the President of the Union who may withhold the grant or renewal of a licence if for any reason he considers it desirable to do so.
- 40. Signature of Licence Holder.**—On the issue of a licence to an applicant he shall forthwith sign his name on the licence as the holder thereof with his ordinary signature.
- 41. Proofs of Competency.**—Applicants for licences shall be required to produce proofs of having the following practical experience and of having passed satisfactorily the following tests and examinations;—

- (1) *Private Pilot's Licence (" A " Licence)* .—Flying Experience, Flying Tests, Technical Examination and Medical Examination as laid down in Section A of the Schedule II :

Provided that for the purpose of the grant of such licence—

- (a) a person who is qualified as Royal Air Force Pilot may be exempted from the flying tests and may be exempted from the medical examination on production of a certificate from a Royal Air Force Medical Officer that he is fit for- flying duties and is up to the standard required for an " A " Licence ;
- (b) a person to whom a licence of a corresponding or higher class has been granted by the competent authority in a Contracting State may be exempted from all or any of the flying tests and from subjects (a) and (b) of the technical examination, and may, if he is the holder of a Currents licence, be exempted from the medical examination ;
- (c) a licence may be issued for all types of flying machines or endorsed for one or more types only.

- (2) *Pilot's Licence Endorsed for Limited Transport of Goods and Passengers within the Union of Myanmar (" A-I " Licence)* .—Flying Experience, Flying Tests, Technical Examination and Medical Examination as laid down in Section B of Schedule II :

Provided that for the purpose of the grant of such licence—

- (a) a person who is qualified as a Royal Air Force Pilot may be exempted from the flying tests and from the technical examination on flying machines, engines, instruments and elementary navigation, specified in Section B of Schedule if ; and an examination by an authorized Medical Officer at which the candidate was passed fit for full flying duties may be accepted in lieu of the medical examination
- (b) the requirements in respect of flying experience may be varied by the President of the Union in a case where the flying experience of the applicant is in the opinion of the President of the Union substantially the equivalent of the flying experience specified in Section B of Schedule II.
- (c) such licence shall be endorsed for such types of flying machine only as the candidate has produced proof of his competence to fly.

- (3) *Public Transport Pilot's Licence (" B " Licence)* .—Flying Experience, Flying Tests, Technical Examination and Medical Examination as laid

down in Section C of Schedule II :

Provided that for the purpose of the grant of such licence—

- (a) a person who is qualified as a Royal Air Force Pilot may be exempted from the flying tests (but not from any of the required flying experience) and from the technical examination on flying machines, engines and instruments specified in Section C of Schedule II ; and an examination by a Royal Air Force Medical Officer at which the candidate was passed fit for full flying duties may be accepted in lieu of the medical examination ;
  - (b) a person to whom a licence of a corresponding class has been granted by the competent authority in any one of the contracting State may be exempted from all or any of the flying tests, and from subjects (a) to (e) and (g) of the technical examination, and may, if he is the holder of a current licence, be exempted from the medical examination ;
  - (c) the requirements in respect of flying experience may be varied by the President of the Union in a case where in his opinion the flying experience of the applicant is substantially the equivalent of that specified in Section C of Schedule II ;
  - (d) such licence shall be issued for such types of flying machine only as the candidate has produced proof of his competence to fly, provided that for industrial purposes, other than public transport, a licence may be issued for any or all types of flying machines.
- (4) *Public Transport Pilot's Licences, Endorsed for Instructional Purposes (Pilot Instructor's Licence)*.—Flying Experience, Flying Tests, Technical Examination and Medical Examination as laid down in Section D of Schedule II.
- (5) *Navigator's Licence, 1<sup>st</sup> Class and 2<sup>nd</sup> Class*.—Flying Experience, Technical Examination and Medical Examination as laid down in Section E of Schedule II :

Provided that, -for the purpose of the grant of such licences, a person to whom a licence of a corresponding class has been granted by the competent authority in any one of the Contracting States, may be exempted from the technical examination and may, if he is the holder of a current licence, be exempted from the medical examination.

(6) *Radio-Telegraph Operator's Licences*.—

(a) *First Class Licence*.—



*Flying Experience and Medical Examination.*—As laid down in Section F of Schedule II.

*Technical Qualifications.*—The candidate must be the holder of a first class certificate of competency as a wireless operator issued by the Director. Telecommunications, Myanmar, or of such other certificate of proficiency as a wireless operator as may be accepted by the Director of Telecommunications, Myanmar, in lieu thereof.

(b) *Second Class Licence.*—

*Flying Experience and Medical Examination.*—As laid down in Section F of Schedule II.

*Technical Qualifications.*—The candidate must be the holder of a second class certificate of competency as a wireless operator issued by the Director of Telecommunications Myanmar, or of such other certificate of proficiency as a wireless operator as may be accepted by the Director of Telecommunications, Myanmar, in lieu thereof.

(c) *Radio-Telephone Operator's Licence.*—

*Flying Experience and Medical Examination.*—As laid down in Section F of Schedule II.

*Technical Qualifications.*—The candidate must be the holder of a certificate of proficiency as radio-telephone operator issued by the Director of Telecommunications, Myanmar, which has been specially endorsed for air operations, or of such other certificate of proficiency as a radio-telephone operator as may be accepted by the Director of Telecommunications, Myanmar, in lieu thereof;

Provided that a candidate for a radio-telegraph operator's licence who has not had the required -air experience may be granted a provisional licence for a period not exceeding one year in order to enable him to acquire the necessary air experience.

**42. Periods of Validity of Licences.**—

- (1) The licences may be granted, and on each occasion on renewal may be renewed, for any period not exceeding the periods shown below:—

- |   |  |
|---|--|
| (a) Pilot's " A " Licence.—Twelve months. | } —Six months in the case of a licence granted to a male.<br>Four months in the case of a licence granted to a female. |
| (b) Pilot's " A-1 " Licence.              |  |
| (c) Pilot's " B " Licence.                |  |
| (d) Pilot Instructor's Licence.           |  |

- (e) *Navigator's Licence*.—Twelve months.
  - (f) *Radio-Telegraph Operator's Licence*.—Twenty-four months.
- (2) The holder of a licence shall, in any one of the following circumstances, be required to undergo a fresh medical examination, wholly or in part, and to produce a certificate of medical fitness as a condition of the licence remaining valid namely:—
- (i) in the event of sickness involving incapacity for a period of twenty days or more for the work for which he is licenced; or
  - (ii) in the event of an accident occurring otherwise than during the performance of such work and involving the same incapacity; or
  - (iii) in the event of an accident occurring during the performance of such work and involving injury; or
  - (iv) if the holder of a licence has performed a total of 125 hours' flying in the capacity of pilot of a flying machine within any period of thirty consecutive days since his last medical examination under these rules.

**43. Renewal of Licence.**—Licences may be renewed for the periods specified in Rule 42 on production of proof of recent flying experience and after the passing of the medical examination as laid down in Schedule II:

Provided that in the case of a member of the operating crew of an aircraft engaged in public transport or aerial work, who is on duty in a region distant from official medical centres, the medical examination may exceptionally at the discretion of the President of the Union be deferred for two consecutive periods of three months each on condition that such member obtains locally in each case and forwards to the Director of Civil Aviation, Myanmar, a favourable medical certificate furnished by a medical practitioner who possesses qualifications entitling him to inclusion in the Medical Register of Myanmar:

Provided further that the holder of any licence may be required before the renewal of the licence to satisfy all or any of the requirements which are applicable -on the first grant of a licence of the same class:

Provided further that in the case of a pilot's licence the President of the Union may, when renewing the licence, restrict the types of aircraft for which the licence is endorsed to those on which it is satisfied that the holder of the licence has had recent reasonable flying experience.

**44. Aircraft not Registered in the Union of Myanmar.**—An aircraft not registered in the Union of Myanmar shall carry the personnel prescribed by the laws of the State in which it is registered and such personnel shall be licensed in accordance with the laws of that State.

**45. Validation of Foreign Licences.**—When a licence has been granted by the duly competent authority in any of the Contracting State or foreign State and is for the time being in force the President of the Union may, subject to such conditions and limitations and for such periods as he shall think fit, confer on such licence the same validity for the purpose of flying aircraft registered in the Union of Myanmar as if it had been granted under these rules and a licence so validated shall be subject to the provisions of Rule 19.

**46.** *Deleted.*

**47. Age of Applicants.**—Licences shall not be granted to applicants who at the time of qualification do not comply with the following conditions:—

- (a) An applicant for a Pilot's " A " Licence shall have attained the age of 17 years.
- (b) An applicant for a Pilot's " A-I " Licence or for a Pilot's " B " Licence shall have attained the age of 19 years and shall not be more than 45 years of age.
- (c) An applicant for a Navigator's Licence shall have attained the age of 19 years and shall not be more than 50 years of age.
- (d) An applicant for a Radio-telegraph Operator's Licence shall have attained the age of 19 years:

Provided that, at the discretion of the President of the Union a relaxation may be made as regards the upper age-limit—

- (i) in the case of an applicant for a Pilot's " A-I " Licence or for a Pilot's " B " Licence, if before the date of his application he has been in service as pilot of a State flying machine, or
- (ii) in the case of an applicant for a navigator's licence, if up to the date of his application he has been in service as an operative member of the crew of an aircraft.

**48. Fees.**—

- (1) The following fees shall be payable in respect of the issue, validation or renewal of licences or the issue of duplicate licences and the tests and examinations laid down in Rules 41 to 43:—

	Flying Test	Official Technical Examination (if required).	OFFICIAL MEDICAL EXAMINATION		Licence
			For issue of licence	For renewal of licence or if required under sub-rule (2) of Rule 42	
		K	K	K	K

Pilot's " A " Licence	*	10	16	16	10
Pilot's " A.I " Licence	*	25	32	32	10
Pilot's " B " Licence	*	45	32	32	10
Pilot Instructor's Licence	*	15	32	32	10
Navigator's Licence, 1 <sup>st</sup> Class	...	100	32	32	10
Navigator's Licence, 2 <sup>nd</sup> Class	...	50	32	32	10
Wireless Operator's Licence	...	...	16	16	10

\* For all flying tests the candidate shall be required to provide the aircraft and pay all charges incurred thereby, and in addition he shall pay, when an official examiner is carried on board during the flying test., a fee at the rate of K 15 for each hour or part of an hour so flown :

Provided that an applicant for the issue or renewal of a Pilot's " A-I " or Pilot's " B " Licence who is required to undergo some part only of the technical examination shall pay a fee of K 15 in respect of each group of subjects as shown in Schedule II in which he is examined, and an applicant for the variation of such a licence by the addition of a type of aircraft not already endorsed on the licence shall, if required to be examined on that type of aircraft, pay a fee of K 10 :

Provided further that in any other case when an applicant is required to undergo some part only of the technical examination, the fee may be reduced by such amounts as the President of the Union may think proper in the circumstances of the case.

- (2) An application for any licence or for the renewal or validation of any licence shall be accompanied by a Treasury receipt for the sum necessary to cover all the fees payable, except the fees for the official medical examination and the fees for the official examiner for a flying test if not a Government servant which shall be payable direct to the examiner.
- (3) When in any case the licence is not issued or renewed or validated the President of the Union may refund to the applicant such proportion of the sum paid as represents the cost of any examination not carried out or any licence not issued.

## PART VI. — Airworthiness.

- 49. Standard of Airworthiness.**—A certificate of airworthiness may be issued by the President of the Union in respect of any flying machine which complies with minimum standards of airworthiness prescribed in the United Kingdom in respect of design, materials, methods of construction and equipment, and the owner of a flying machine in respect of which a certificate of airworthiness is required by these rules, or is applied for or issued, shall submit such evidence relating thereto and shall submit to such inspection and tests of the flying machine as may be required by the President of the Union :

Provided that the President of the Union may, in respect of any flying machine or class of flying machines, from time to time prescribe modifications of the standard and such modified standard shall be complied with as a condition of the issue of remaining in force of a certificate of airworthiness in respect of the flying machine or class of flying machines.

- 50. Acceptance of Foreign Standards.**—The President of the Union may, in respect of any flying machine, accept as evidence of compliance with the conditions of Rule 49 a valid certificate of airworthiness issued by the competent authorities in any foreign country, provided it is shown to his satisfaction that the conditions on which such certificate of airworthiness was granted are substantially equivalent to the conditions on which a certificate of airworthiness is granted by the President of the Union of Myanmar.
- 51. Categories and Subdivisions.**—A certificate of airworthiness may be issued in respect of one or more of the categories and sub-divisions of flying machines specified in Section A of Schedule III and the operations of the flying machine shall be restricted to those authorized for the categories to which the certificate of airworthiness extends.
- 52. Instruments and Equipment-Minimum.**—A certificate of airworthiness shall not be granted in respect of any flying machine which is not equipped with the following instruments and equipments, which shall be in working order, namely

Air speed indicator.  
Altimeter.  
Revolution indicator.

Such gauges as may be considered necessary by the President of the Union for the particular installation.

Safety harness for the pilot and for each person carried in an open cockpit.

In amphibian flying machine and in flying machines fitted with a retractable undercarriage, indicator of position of landing wheels.

- 53. Instruments and Equipment for Flight.**—Every flying machine which is required by these rules to be provided with a certificate of airworthiness shall, when flying, be fitted or equipped with the instruments and equipment specified in Section B of Schedule III according to the circumstances of the flight. The instruments and equipment shall be of types approved by the President of the Union, they shall be installed in a manner approved by him and shall be maintained in working order.
- 54. Weight.**—Every flying machine which is required by these rules to be certified as airworthy shall be weighed and marked in accordance with the provisions of Section C of Schedule III.
- 55. Period of Validity of Certificates of Airworthiness.**—A certificate of airworthiness shall be valid for a period of one year from the date on which the flying machine was passed for the issue of the certificate :

Provided that, in the case of damage to the flying machine such as renders it unsafe for flight, or of failure to carry out the inspection prescribed in these rules, or of failure to carry out any compulsory modification directed by the President of the Union or of incorporation of any modification which has not been approved by the President of the Union, the certificate shall cease to be valid until the flying machine has been repaired or modified as the case may be and inspected and certified as required by these rules.

- 56. Renewal of Certificates of Airworthiness.**—The President of the Union may renew any certificate of air worthiness for such further period (not exceeding one year at a time) as he may think fit, and may for this purpose require the flying machine to be overhauled, inspected and certified in accordance with Rule 57, and in addition may require the flying machine to be inspected by a person authorised in this behalf by the President of the Union or tested in flight, or to be so inspected and so tested, and the owner of the aircraft shall give all necessary facilities for such inspection. and test.
- 57. Periodical Overhaul.**—Every flying machine required by these rules to be provided with a certificate of airworthiness, and every engine of such flying machine shall be periodically overhauled 2nd after every such overhaul, and after the completion of any repairs to or modification of the flying machine or engine, the flying machine shall be inspected and certified in accordance with the provisions of Section E of Schedule III by the appropriate person licensed under Rule 61.
- 58. Modifications.**—
- (1) If at any time the President of the Union considers modifications to a flying machine, in respect of which certificate of airworthiness is in force, to be necessary for safety it may require such modifications to be carried out as a condition of the certificate of airworthiness remaining in force.

Such modifications may be notified in a general notice to aircraft owners and ground engineers or in a special notice to the owner of a particular aircraft.

- (2) If modifications (including changes of equipment or its installation), which effect the safety of the flying machine are carried out in a flying machine in respect of which a certificate of airworthiness is in force, then, until the modifications have been approved by the President of the Union, the flying machine shall not fly except in so far as under these rules it might fly if it had no certificate of airworthiness.
- (3) Any such modifications shall be carried out by methods approved by the President of the Union and shall be inspected by the appropriate person licensed under Rule 6 1, who shall certify the modification in the form and manner laid down in Section E of Schedule III.

**59. Maintenance Standards and Accessories.**—The President of the Union may in respect of any aircraft or class of aircraft which is certified as airworthy under these rules and in respect of any technical accessories or equipment used in connection with the operation of such aircraft, prescribe conditions for the technical operation, maintenance and use of such aircraft, accessories or equipment.

**60. Daily Inspection.**—

- (1) A public transport flying machine effecting public transport shall not commence any flight unless it has, within the preceding 24 hours, been inspected and certified as safe for flight in accordance with these rules by the appropriate person licensed under Rule 6 1.

Provided that if any, such flying machine not carrying passengers for remuneration on a regular scheduled air service is absent from its usual station, whether by reason of delay or otherwise, for a longer period than 24 hours, it may proceed on its journey if, at the time of commencement of a flight, it has not performed more than 12 hours flying and a period of more than four days has not intervened, since it was last so inspected and certified:

Provided further that no such flying machine shall commence any flight if, since such inspection, it has suffered any damage or revealed any defect which would render the machine unsafe for flight and which could not, in accordance with ordinary aeronautical practice, be remedied by the pilot or crew.

- (2) The certificate required by sub-rule (1) shall be given in the form and manner specified in Section D of Schedule III.

- (3) The pilot or commander of every flying machine shall before commencing any flight satisfy himself that—
- (a) having regard to the performance of the aircraft, the extent to which it is loaded, and the prevailing conditions, sufficient length of run is available to effect a safe take-off and the line of flight in the take-off direction is not obstructed, and that
  - (b) the flying machine is safe for flight according to the circumstances of the flight as laid down in Section D of Schedule III.

**61. Licensing of Ground Engineers.—**

- (1) For the purpose of Rules 57, 58 and 60 the President of the Union may grant licences as Ground Engineers in the following categories to persons who satisfy the requirements as to practical experience, examination and tests laid down in Section F of Schedule III, namely:—

*Category A.*—Inspection of aircraft before flight.

*Category B.*—Inspection of aircraft during construction or overhaul.

*Category C.*—Inspection of aero-engines before flight.

*Category D.*—Inspection of aero-engines during construction to overhaul.

*Category X.*—Inspection construction, installation and repair of aircraft instruments, accessories and equipment; special duties as may be specified in the licence.

- (1-A) For those engineers who maintain aerial work or public transport aircraft under Approved Maintenance organization, Department of Civil Aviation may grant Licenses Without Type Rating as Ground Engineers in the following categories to persons who satisfy the requirements as to practical experience, examination and test laid down in current European Aviation Safety Agency Part 66, namely –

*Category A.* —Line Maintenance Certifying Mechanic.

*Category B1.*—Maintenance Certifying Technician Mechanical.

*Category B2.*— Maintenance Certifying Technician Avionic.

*Category C.*—Base Maintenance Certifying Engineer.

*Ground Engineers.*—Holding above categories shall exercise their licenses privileges endorsed on their Company Authorisations.



- (2) A Ground Engineer's licence shall not be granted to a person who has not attained the age of 21 years.
- (3) Licences shall remain valid unless cancelled or suspended, for the periods specified therein, subject to a maximum period of twelve months in each case, and may thereafter be renewed by the President of the union. A candidate for the renewal of a licence may be required to undergo further examinations and tests as a condition of the renewal of the licence.
- (4) A Ground Engineer licensed in a particular category shall be competent to deal only with the matters specified in sub-rule(1) against the category in which he is licensed.
- (5) A licence granted under this rule shall specify the type or types of aircraft aero-engines, instruments, accessories or equipment which the licensee is competent to deal with and may contain restrictions limiting his competence to deal with any particular class of work, and the President of the Union may at any time vary such specifications or restrictions.
- (6) Any licence granted under this rule may be cancelled, suspended or endorsed by the President of the Union after investigation where it appears to him that—
  - (a) the holder of such licence has performed work, or granted a certificate in respect of work, which has not been performed in a careful and competent manner, or
  - (b) the holder of such licence has granted a certificate in respect of any matter which he is not licenced to deal with, or
  - (c) it is undesirable for any other reason that the holder of such licence should continue to exercise the functions of a Ground Engineer.
- (7) The President of the Union may withhold the grant or renewal of a licence if for any reason he considers it desirable to do so.

**62. Fees.—**

- (1) The Director General may, from time to time publish in notice the fees payable for the issue, validation or renewal of certificates, licences and approval or the issue of duplicate certificates, licences and approval of the tests and examinations for the aircraft, aircraft maintenance, engineers licences and approval of major and minor repairs mentioned in this part:
- (2) When, in view of the candidate's experience and competence it is decided to dispense with the whole or a part of the technical examination, the fee may be waived or reduced by such amount as the President thinks fit.

- (3) An application for a licence or certificate or for the renewal or extension of a licence or certificate shall be accompanied by a Treasury Receipt for the sum necessary to cover all the fees payable but when, in any case, the licence or certificate is not issued renewed or extended, the President may refund to the applicant such proportion of the sum paid as represents the cost of any examination or inspection not carried out or any licence or certificate not issued.

## **PART VII.—Radio-telegraph Apparatus and Atmospheric Pressure Indicator.**

- 63. Aircraft for which apparatus is obligatory.**—Every public transport aircraft registered in the Union of Myanmar, which is capable, according to its certificate of airworthiness of carrying ten or more persons including the crew, shall, when used in international air navigation or on a regular air transport service operating in the Union of Myanmar, be equipped with radiotelegraph apparatus of a type approved by the President of the Union capable of sending and receiving communications by radio-telegraphy or radio-telephony, and installed, bonded and screened in a manner approved by the President of the Union. Such aircraft shall, also, be equipped with an instrument of a type approved by the President of the Union which gives a direct indication of absolute atmospheric pressure.
- 64. Suspension of rules.**—The application of the rules in this Part may be suspended when owing to the lack of radio-telegraph organizations available for air traffic in a particular region the employment of radio-telegraph apparatus on board aircraft would serve no useful purpose.

## **PART VIII.—Air-route Beacons, Aerodrome Lights and False Lights.**

### **65. Air-route beacons and aerodrome lights.—**

- (1) No air-route beacon or aerodrome light shall be established or maintained within the Union of Myanmar nor shall the character of the light exhibited there from be altered, except with the approval in writing of the President of the Union, and subject to such condition as it may prescribe.
- (2) No person shall willfully or negligently injure or interfere with any air-route beacon or aerodrome light, established or maintained with the approval of the President of the Union, or any light exhibited there from.

### **66. False lights.—**

- (1) Whenever in the Union of Myanmar any light is exhibited—
  - (a) in the neighbourhood of an aerodrome or an air-route beacon so as to be liable to be mistaken for an aerodrome light or an air-route beacon ; or
  - (b) which by reason of its liability to be mistaken for an aerodrome light or an air-route beacon is calculated to endanger the safety of aircraft ; or
  - (c) which, being in the neighbourhood of an aerodrome, is liable by reason of his glare to endanger the safety of aircraft arriving at or departing from the aerodrome, the President of the Union may serve a notice upon the owner or person in possession of the place where the light is exhibited or upon the person having charge of the light, directing that owner or person within a reasonable time to be specified in the notice, to take effectual means for extinguishing or for effectually screening the light and for preventing for the future the exhibition of any similar light.
- (2) The notice may be served either personally or by post, or by affixing the same in some conspicuous place near to the light to which the notice relates.
- (3) An owner or person on whom a notice under sub-rule (1) has been served shall, in the absence of reasonable cause, the burden of proving which shall be upon him, comply with the directions contained in the notice.
- (4) If any owner or person on whom a notice under this rule is served, neglects for a period of seven days to extinguish or effectually to screen the light mentioned in the notice, the President of the Union may enter upon the place where the light is and forthwith extinguish the same, doing no unnecessary damage.

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### **PART IX.—Log Books.**

- 67.** (1) The following log books shall be kept in respect of aircraft registered in the Union of Myanmar, namely—
- (a) for every aircraft an aircraft log book and an engine log book and where more than one engine is fitted, a separate log book for each engine ;
  - (b) in addition, for every public transport aircraft (except where such aircraft does not leave the vicinity of its starting place and returns without landing elsewhere to its starting place) and for every aircraft engaged in international navigation, a journey log book.
- (2) The log books shall be kept up-to-date in such manner as the President of the Union may direct.
- (3) The journey log book shall be issued by the President of the Union ; other log books shall be in the form required by the President of the Union.
- (4) The log books shall be preserved for two years from the date of the last entry therein.
- (5) No person shall destroy, mutilate, alter or render illegible any log book or any entry made therein, or willfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log book.

## PART X.—Investigation of Accidents.

- 68.** In this Part the expression " serious structural damage " in -relation to an aircraft means—
- (i) the telescoping or breaking apart of the fuselage ; or
  - (ii) the breaking of a main spar ; or
  - (iii) the breaking of any part of the controls ; or
  - (iv) damage by fire to any part of the aircraft.
- 69. Notification of Accidents.—**
- (1) When an accident, in which any aircraft is involved, occurs in or over the Union of Myanmar, and such accident involves, death or personal injury to any person, whether carried in the aircraft or not, or serious structural damage to the aircraft, or is suspected to have been caused or contributed to by the failure in the air of any part of the aircraft, the pilot, or, if the pilot is incapacitated by injury, the owner or, if the owner is not present or is incapacitated by injury, the hirer of the aircraft shall—
    - (a) send notice thereof by telegram to the Director of Civil Aviation, Myanmar, and
    - (b) give information to the District Magistrate and the Officer in charge of the nearest Police Station.
  - (2) The notice and information shall be sent as soon as possible and by the best available means and in any case within twenty-four hours after the occurrence of the accident.
  - (3) The notice to the Director of Civil Aviation, Myanmar, shall contain the following information—
    - (i) the nationality and the registration marks of the aircraft
    - (ii) the name of the owner and hirer (if any) of the aircraft
    - (iii) the name of the pilot of the aircraft ;
    - (iv) the place where the accident occurred
    - (v) the date and time when the accident occurred
    - (vi) the nature of the accident ;
    - (vii) a brief statement of the extent of damage to the aircraft, and
    - (viii) whether death or personal injury was caused by the accident, and, if so, to whom.
- 70. Report on Accidents.—**The pilot or owner of an aircraft -which has been involved in an accident, whether notifiable under Rule 69 or not, shall, if required by the Director of Civil Aviation, Myanmar, submit to the Director, a written report on such accident in such form as he may prescribe.

**71. Removal of Wreckage.—**

- (1) In the case of an accident which is notifiable under Rule 69 and which involves serious structural damage, or in any other case in which the Director of Civil Aviation, Myanmar, gives notice to the owner or other person in charge of the aircraft to this effect, the aircraft shall not, except under the authority of the Director of Civil Aviation, Myanmar, be removed or otherwise, interfered with :

Provided that, subject to compliance with the provisions of Rule 61 of the Myanmar Aircraft Rules, 1920, in so far as they may be applicable-

- (i) if the aircraft is wrecked on water, the aircraft or any parts or contents thereof may be removed to such extent as may be necessary for bringing it or them to a place of safety.
  - (ii) the aircraft or any parts or contents thereof may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals preventing the destruction of the aircraft or its contents by fire or other cause or preventing any danger or obstruction to the public ; and
  - (iii) goods, mails or passengers' baggage may be removed from the aircraft under the supervision of the pilot, a member of the crew, an official of the operating company, an officer of police, a Magistrate, or an officer of the Civil Aviation Directorate, and, in the absence of any such person, mails may be removed under the supervision of an officer of the Posts and Telegraphs Department, and passengers baggage by the owner or owners thereof.
- (2) The Director of Civil Aviation, Myanmar, may authorize any person, so far as may be necessary for the purposes of any investigation under these rules, to take measures for the preservation of any aircraft involved in an accident, and such person may thereupon, have access to, examine, or otherwise deal with the aircraft.
  - (3) The owner of the aircraft or his nominated representative shall have the right to be present during any examination or other action taken ,under sub-rules (1) and (2) provided that the Director of Civil Aviation'. Myanmar shall not be bound to postpone any action which he may consider necessary under this rule by reason of the absence of the owner or his representative.

**72. Inspector's Investigation.—**

- (1) Director of Civil Aviation, Myanmar, may order the investigation of any accident, whether notifiable under Rule 69 or not and may by general or special order appoint an person (hereinafter referred to as an Inspector of Accidents) for the purpose of carrying out such investigation.

- (2) The investigation shall be conducted in such manner that if a charge is made or is likely to be made against any person, that person shall have an opportunity of being present and of making any statement, or giving any evidence and producing witnesses on his behalf.
- (3) The Inspector of Accidents shall make a report to the Director of Civil Aviation, Myanmar, stating all relevant facts with regard to the accident and his findings with regard to the causes of the accident and adding any recommendations which he may think fit to make with a view to the avoidance of similar accidents in future.

**73. Powers of Inspector.**—For the purpose of such investigation an Inspector of Accidents shall have power—

- (a) by summons under his hand to require the attendance of any person whom he thinks fit to call before him and examine for such purpose and to require answers or returns to any inquiries he thinks fit to make ;
- (b) to require any such person to make and sign a declaration of the truth of the statements made by him in his examination ;
- (c) to require and enforce the production of all books, papers, documents and material objects which he considers important for such purpose ;
- (d) to have access to and examine any aircraft concerned in the accident, the place where the accident occurred, or any other place the entry upon and examination of which appears to the Inspector requisite for the purposes of the investigation.

**74. Inspector's Fee.**—When a person other than an officer of Government is appointed to investigate an accident, he may be granted such fee and expenses as may be determined by the President of the Union.

**75. Formal Investigation.**—Where it appears to the President of -the Union that it is expedient to bold a formal investigation of an accident, it may whether an investigation has been made under Rule 72 or not, by order direct a formal investigation to be held; and with respect -to any such formal investigation the following provisions shall have effect:—

- (1) The President of the Union shall appoint a competent person, in these rules referred to as " the Court " to hold the investigation, and may appoint one or more persons possessing legal, aeronautical, engineering, or other special knowledge to act as assessors, and may direct that the Court and the assessors shall receive such remuneration as it may determine.



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- (2) The Court shall hold the investigation in open Court in such manner and under such conditions as the Court may think most effectual for ascertaining causes and circumstances of the accident and enabling the Court to make the report hereinafter mentioned.
  - (3)
    - (i) The Court shall have, for the purpose of the investigation, all the powers of a Civil Court under the Code of Civil Procedure, 1908, and, without prejudice to those powers the Court may—
      - (a) enter and inspect, or authorize any person to enter and inspect, and place or building, the entry or inspection where of appears to the Court requisite for the purposes of the investigation, and
      - (b) enforce the attendance of witnesses and compel the production, of documents and material objects; and every person required by the Court to furnish any information shall be deemed to be legally bound to do so within the meaning of Section 176 of the Indian Penal Code.
    - (ii) The assessors shall have the same powers of entry and inspection as the Court.
  - (4) The investigation shall be conducted in such manner that, if a charge is made or likely to be made against any person, that person shall have an opportunity of being present and of making any statement or giving any evidence and producing witnesses on his behalf.
  - (5) Every person attending as a witness before the Court shall be allowed such expenses as the Court may consider reasonable:

Provided that, in the case of the owner or hirer of any aircraft concerned in the accident and of any person in his employment or of any other person concerned in the accident, any such expenses may be disallowed if the Court, in its discretion, so directs.
  - (6) The Court shall make a report to the President of the Union stating its findings as to the causes of the accident and the circumstances thereof, and adding any observations and recommendations which the Court thinks fit to make with a view to the preservation of life and the avoidance of similar accidents in future, including a recommendation for the cancellation, suspension or endorsement of any licence or certificate issued under these Rules.
  - (7) The assessors (if any) shall either sign the report, with or without reservations or state in writing their dissent there from and their reasons for such dissent, and such reservations or dissent and reasons (if any) shall be forwarded to the President of the Union with the report. The President of the Union may cause any such report and reservations of dissent and reasons (if any) to be made public wholly or in part, in such manner as he thinks fit.

**76. Obstruction of Proceedings.—**

- (1) A person shall not obstruct or impede the Court or an Inspector of Accidents or an assessor or any person acting in the exercise of any powers or duties under the rules in this Part.
- (2) A person shall not without reasonable excuse (the burden of proving which shall lie on him) fail to comply with any summons or requisition of a Court or an Inspector of Accidents holding an investigation under the rules in this Part.

**77. Saving.—**Nothing in this Part shall limit the power of the President of the Union with regard to the cancellation, suspension or endorsement of any licence or certificate issued under these Rules.

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## PART XI.—Aerodromes.

- 78. Government Aerodromes.**—A Government aerodrome shall -not be open to use by any member of the public save to such extent, if any, and subject to such conditions as the President of the Union may -determine.
- 79. Places other than Government Aerodromes.**—A place in the Union of Myanmar other than a Government aerodrome shall not be used -as a regular place of landing and departure by a scheduled air transport service or for a series of landings and departures by any aircraft carrying .passengers for hire or reward unless it has been licensed for the purpose, -or save in accordance with the conditions, if any, of such licence.
- 80. Licensed Aerodromes.**—An aerodrome shall be licensed by .the President of the Union in one of the following categories, namely
- (a) for public use ;
  - (b) for private use ; that is to say, for use by the licensee and by individuals specifically authorized by the licensee.
- 81. Public Aerodromes.**—Every aerodrome which is licensed for public use or which is open to public use by aircraft registered in the Union of Myanmar upon payment of charges shall to the same extent -and upon the same conditions be open to use by aircraft possessing the nationality of a Contracting State. Every such aerodrome shall at all reasonable times be open to use by any aircraft in the service of the Union Government.
- 82. Tariff Charges.**—
- (1) The President of the Union may
    - (a) Prescribe—
      - (i) a scale of fees to be charged at any aerodrome licensed for public use in respect of any services to aircraft which may be specified in such scale and
      - (ii) conditions to be observed in relation to the charging of such fees, or the rendering of such services ;
    - (b) modify from time to time as he thinks fit, any scale of conditions so prescribed ; and
    - (c) classify, if he shall think fit, aerodromes licensed for the purpose of prescribing any such scale or conditions with reference to a particular class of such aerodromes.

- (2) At every aerodrome referred to in Rule 81 there shall be exhibited in a conspicuous place a single tariff charge, including charges for landing and length of stay, which shall not exceed the charges specified in, and shall be leviable in accordance with the provisions contained in, Section B of Schedule V and such tariff shall be applicable alike to all aircraft whether registered in the Union of Myanmar or in any other Contracting State.
- 83. Qualifications, of Licensee.**—A licence for an aerodrome shall not be granted to any person or corporation other than-
- (a) a citizen of the Union, or
  - (b) a company or corporation registered and having its principal place of business in the Union of Myanmar.
- 84. Period of Validity of Licence.**—An aerodrome licence may be granted for any period not exceeding twelve months, and on each occasion of renewal may be renewed for any period not exceeding twelve months.
- 85. Classification of Aerodromes.**—An aerodrome may be licensed for all types of aircraft or for certain specified types or classes of aircraft and the licence may specify the conditions on which the aerodrome may be used.
- 86. Conditions governing the grant of Licence.**—
- (1) A licence shall not be granted in respect of any place which does not satisfy the requirements specified in Part A of Schedule V.
  - (2) While a licence is in force no alterations to the landing area or to the buildings or other structures on the aerodrome which may affect the safety of aircraft shall be undertaken save with the previous approval of the President of the Union. Application for such approval shall be addressed to the Director of Civil Aviation, Myanmar, and shall be accompanied by full particulars with plans of any such alterations including alterations to surrounding obstructions which may affect the safety of aircraft.
  - (3) The necessary approval may be granted or withheld and if granted may be granted subject to such conditions (including conditions involving a revision of the original conditions of licence) as the President of the Union may think fit.
  - (4) If any alteration of the nature referred to in sub-rule (2) is undertaken without the previous approval of the President of the Union the licence may be cancelled.

- (5) The licensee shall maintain the aerodrome in a fit state for use by aircraft and adequately marked to the satisfaction of the President of the Union during the whole period of the currency of the licence where this exceeds a period of three months and shall, if the aerodrome becomes unserviceable, immediately notify the Director of Civil Aviation, Myanmar, by telegraph.

**87. Fees.**—The fees chargeable for the grant or renewal of a licence for an aerodrome shall be—

	K
1. When the licence is granted or renewed for a period not exceeding three months.....	15
2. When the licence is granted or renewed for a period exceeding three months but not exceeding six months.....	20
3. When the licence is granted or renewed for a period exceeding six months but not exceeding twelve months.....	30

Provided that if, in the opinion of the President of the Union, it is necessary or expedient before the grant or renewal of the licence, for the aerodrome in question to be inspected by an officer of the Government or other person authorized by the Director of Civil Aviation, Myanmar, an additional fee of K 30 shall be chargeable for the inspection and the applicant shall also be required to pay the traveling expenses of the inspecting officer.

## PART XII.—Rules of the Air.

### SECTION I.

#### LIGHTS AND VISUAL SIGNALS TO BE DISPLAYED BY AIRCRAFT AND SOUND SIGNAL.

##### A.—GENERAL.

- 88. Obligation to display the required lights.**—The rules concerning lights to be displayed by aircraft shall be complied with in all weathers from sunset to sunrise, and during such time on other lights which may be mistaken for the prescribed lights shall be exhibited. The said lights shall not be dazzling.
- 89. Angular limits of lights.**—The angular limits of the lights referred to in this Part shall be determined when the aircraft is in its normal position for flying on a rectilinear horizontal course and as shown diagrammatically in Figure I in Schedule IV.
- 90. Failure of lights, etc.**—
- (1) In the event of the failure of any, light which is required by these Rules to be displayed by aircraft in flight, the aircraft concerned shall, if the light cannot immediately 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 these books as regards sector lights, an overlap of those lights is unavoidable, the overlap shall be as small as possible ; there shall be no sector in which no light is visible.
- 91. Savings.**—Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any State with respect to the additional signal or station lights for military aircraft, aircraft exclusively employed in State service or for aircraft in group, formation, or with the exhibition of recognition signals adopted by owners of aircraft which have been authorized by their respective Governments and duly published.

B.—LIGHTS AND VISUAL SIGNALS TO BE DISPLAYED BY AIRCRAFT.

*Flying Machines.*

**92. In the air or on land aerodromes.**—Every flying machine in the air or on the landing area of 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 nautical miles, throughout a dihedral angle of 110° 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 nautical miles, throughout a dihedral angle of 110° 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 nautical miles, throughout a dihedral angle of 140° formed by two vertical planes bisected by the plane of symmetry.
- (2) In a case where, in order to comply with the provisions of sub-rule (1), a single light has to be replaced by several lights, the field of visibility of each of these 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 rule may be combined in one or more lamps, placed centrally provided that the requirements of sub-rules (1) and (2) as to colour and visibility are complied with.

**93. Under way on the surface of the water.**—Every flying machine under way on the surface of the water shall display lights in accordance with the following provisions :—

- (1) If it is under control and is not being towed, it shall display the lights required by Rule 92, and in addition, forward, a white light fixed so as to show forward an unbroken light visible at a distance of at least 3 nautical miles, throughout a dihedral angle of 220° formed by two vertical planes and bisected by the plane of symmetry.
- (2) If it is being towed, it shall display the lights required by Rule 92.

- (3) 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 nautical miles, and in addition-
- (a) if making way, it shall display the light required by Rule 92 ; or
- (b) if not making way, it shall display the lights required by clause (c) of sub-rule (1) of Rule 92.
- (4) If it is towing another aerodyne, it shall display the lights specified in clause (1) and in addition, forward, two white lights placed where they can best be seen, one vertically over the other, not less than 6 feet apart and visible at a distance of at least 3 nautical miles in a dihedral angle of 220' formed by two vertical planes and bisected by the plane of symmetry.

**94. At anchor or moored on the surface of the water.**—Every flying machine whether at anchor or moored on the surface of the water shall display lights in accordance with the following provisions, namely :—

- (1) In every case, it shall display forward centrally where it can best be seen, a white light, visible all round the horizon at a distance of at least one nautical mile.
- (2) 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 rule, a white light at or near its stern at a lower height than the forward light mentioned in clause (1), and visible all round the horizon at a distance of at least one nautical mile.
- (3) 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 rule, 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 one nautical mile.

***Gliders.***

**95.** In all cases in which flying machines are required by these rules to display lights, a glider shall display a red light visible, so far as practicable in all directions.



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*Balloons and Kites.*

- 96. Free Balloons.**—A free balloon shall display a red light placed not less than 15 or more than 30 feet below the nacelle and visible so far as practicable, in all directions at a distance of at least 2 nautical miles.
- 97. Captive Balloons and kites.**—In the case of a captive balloon or kite, lights shall be displayed in accordance with the following provisions, namely : —
- (1) when flown at an altitude exceeding 180 feet above the ground, or at any altitude if it is less than 3 nautical miles from an aerodrome or from a recognized air-route the balloon or kite shall display white light placed 12 feet vertically above a red light, these lights being visible so far as practicable in all directions at a distance of at least 2 nautical miles, the upper white 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 ;
  - (2) 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 lights, similar groups of two lights, one white and one red, and if the lowest group of light is obscured by clouds, an additional group shall be displayed below the cloud base ;
  - (3) in addition, the position of the object to which the balloon or kite is moored on the ground shall be marked by a group of three flashing lights, arranged on a horizontal plane at the apex of a triangle approximately equilateral and measuring at least 75 feet on each side ; the side of this triangle, perpendicular to the horizontal projection of the cable, shall be delimited by two red lights, the third light shall be a green light placed opposite the direction of the cable.
- 98. Day Markings for Captive Balloons.**—By day, the-mooring cable of a captive balloon shall have attached to it at intervals of not more than 600 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.
- 99. Day Markings for Kites.**—By day, the mooring cable of a kite shall be marked, either in the manner required by Rule 98 in the case of a captive balloon, or by streamers of stout paper attached to the cable at intervals of 300 feet measured from the lowest part of the kite, such streamers being not less than 30 inches ii) length and one foot in width in their widest part and marked with alternate bands of white and red 4 inches wide.

*Airships.***100. Under way.—**

- (1) Except as provided in Rule 101, an airship, when under way shall display the following lights, namely :—
  - (a) forward, a white light fixed so as to show forward an unbroken light visible at a distance of at least 5 nautical miles and throughout 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 nautical miles and throughout 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 nautical miles and throughout 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 nautical miles and throughout 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 provisions of sub- rule (1) 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.

**101. Not under Control.—**

- (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, namely,—
  - (a) the forward and rear lights required by clauses (a) and (b) of sub-rule (1) of Rule 100

- (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 2 nautical miles ;
  - (c) in addition, if making way but not otherwise the side lights required by clauses (b) and (e) of sub-rule, (1) of Rule 100.
- (2) By day, an airship in the circumstances mentioned in sub-rule (1) of this rule shall display two black balls or shapes each at least 2 feet in diameter, one placed vertically below the other 12 feet apart, the upper one being 24 feet below the control car, and both being visible so far as practicable in all directions.

Where necessary in order to comply with this requirement, the said group of two black balls or shapes may be duplicated.

#### **102. Moored.—**

- (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 nautical 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 clause (a) of sub-rule (1) of Rule 100, and at the rear, the white light required by clause (d) of that sub-rule, and in addition the airship and its mooring cable shall be lighted or marked in accordance with such of the provisions of Rules 97 and 98 as are applicable in the case of a captive balloon.
- (3) An airship while picking up its moorings, although considered as being under way and not being under control, shall however display only the lights specified in Rule 100 until it is finally made fast.

#### C.—SOUND SIGNALS.

#### **103. Fog, Mist, etc.—**In fog, mist, falling snow or heavy rainstorm whether by day or night an aircraft on the water shall make the following sound signals, namely : —

- (a) if not anchored or moored, a sound at intervals of not more than two minutes, consisting of two blasts of about five seconds duration with an interval of about one second between them
- (b) if at anchor or moored, the rapid ringing of an efficient bell or gong for about five seconds at intervals of not more than one minute.

## SECTION II.

## GROUND MARKINGS AND SIGNALING.

## A.—GROUND MARKINGS, LIGHTS AND SIGNALS ON AND IN THE VICINITY OF AERODROMES OPEN TO PUBLIC USE.

**104. Ground Markings.**—At every land aerodrome open to public use, the boundaries of the landing area shall, by means of suitable markings, be rendered clearly visible both to aircraft in the air and to aircraft manoeuvring on the landing area. In addition, a circle marking may be placed on the landing area. All obstructions existing on a landing area shall be clearly marked. In case part of the marked landing area should become unfit for use, this part shall be delimited by clearly visible markings or flags, and may, in addition, be indicated by one or more clearly visible crosses.

**105. Ground Signals.**—

- (1) At every aerodrome open to public use—
  - (a) the direction of the wind at the landing area shall be clearly- indicated by one or more of the recognised methods, e.g., conical streamers, smudge fire, etc. ;
  - (b) if there is a landing T, it shall be used to indicate the compulsory direction for landing and taking off, even should such direction not correspond to the direction of the wind. Normally, the T shall be so placed that the long arm lies along the direction of the wind, with the cross arm set at that end of the long arm from which the wind is blowing. In the event of there being no wind or a light irregular wind, the T shall be fixed in the, direction in which the landing or departure is to be made, and the fact that it is fixed shall be signaled by the presence of a ball, mounted on a mast on the signal area and clearly visible both to aircraft in flight and to those manoeuvring on the landing area.
- (2) When, by way of exception, at certain aerodromes, the landing area is regarded as divided into two approximately equal zones, one for departure and the other for landing, as provided for in Rule 126, this special arrangement must be indicated by a full star of five points (constituted by a regular non-convex pentagon which could be inscribed in a circle of not less than 45 feet diameter) as shown in figure 2 in Schedule IV.

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- (3) When under Rule II 8 the special rules for air traffic prescribed in Section V are temporarily suspended, wholly, or partially, in respect of a specified aerodrome such suspension shall be indicated by a red square panel, each side of which measures at least 10 feet, placed horizontally as shown in figure 3 in Schedule IV.
  - (4) If an order issued under Rule 118 prescribes among other thing that circuits outside the landing area and those for taking off and landing, which are referred to in clause (b) of Rule 120 and Rule 124, are to be right-handed, the red square panel, prescribed in sub-rule (3) of this rule, shall, along two of its sides, be bordered by a red rectangular panel at least 3 feet in width, separated from the central panel by at least 3 feet. At the extremity of one of the rectangular panels shall be placed a red triangle so as to indicate that the direction of the circuit is right-handed as shown in figure 4 in Schedule IV. If however, the only object of the order is that circuits should be right-handed, the red square panel shall not be displayed.
  - (5) When special circumstances call for a prohibition to land liable to be prolonged, use shall be made of a red square panel, placed horizontally, each side of which measures at least 10 feet and the diagonals of which are covered by yellow strips at least 2 feet in width, arranged in the form of an X as shown in figure 5 in Schedule IV.
  - (6) When the bad state of the landing area or any other reason calls for the observance of certain precautions in landing, use may be made of a red square panel, placed horizontally, each side of which measures at least 10 feet and of the diagonals of which is covered by a yellow strip at least 2 feet in width as shown in figure 6 in Schedule IV.
  - (7) When a landing by means of a radio-electric guide is taking place the fact may be signaled by hoisting on a mast a yellow triangular equilateral pyramid, each side of which measures at least 6 feet as shown in figure 7 in Schedule IV.
  - (8) The signals referred to in the foregoing sub-rule shall, whenever possible, be displayed in a special part of the aerodrome selected as a signal area ; by way of exception, the wind indicators and the landing T referred to in sub-rule (1) of this rule may be located elsewhere.
  - (9) During periods of poor visibility, the lights existing for night lighting shall be operated by day, whenever possible and in so far as necessary.

**106. Ground Lights.—**

- (1) Lighting of public airports and landing areas shall be accomplished as per ICAO Annex 14. Vol 1 Chapter 5, para 5.1 guideline :
- (2) At every land aerodrome open to public use and used for night flying, the following provisions shall apply during the working hours of the night service, namely:—
  - (a) *Lighting of Obstructions.*—Fixed red lights shall be exhibited—
    - (i) on all obstructions within the landing area which constitute a danger to aircraft in motion on the landing area;
    - (ii) as far as possible, on all obstructions within 1,000 yards of the boundary of the landing area and constituting a danger to aircraft approaching or leaving the aerodrome in a normal manner. In case it should be impossible to exhibit fixed red lights on such obstructions, their horizontal projection and the centre of the obstructions shall, as far as possible, be clearly indicated by synchronised red flashing or occulting lights, placed on a level with or near to the ground.
  - (b) *Lighting of Landing T and of Wind Indicators.*—The landing T, if used, and at least one of the wind indicators shall be illuminated with fixed lighting, preferably white.
  - (c) *Lighting of Signals.*—The signals displayed in the signal area shall be suitably illuminated.
  - (d) *Lighting of Landing Area*—
    - (i) The landing area or the part thereof on which landings should be made shall be illuminated by a floodlight or floodlight system during landing manoeuvres;
    - (ii) in default, one of the following methods may be used:—

First method: a line of lights spaced 150 feet apart shall be laid out on the ground, consisting of a central section of 6 white lights to indicate that landings should be made on the adjacent portion of the landing area and on either side of this line, with at least 2 green lights at one end and at least 2 red lights at the other end to indicate that landings should be made from the direction of the green lights towards the red lights;

Second method: lights shall be laid out on the ground in the form of a T, the long arm of which shall be composed of at least 4 lights in a line not less than 250 yards in length. The light at the foot of the T shall indicate the place where the aerodyne should first make contact with the ground and the cross arm of the T shall indicate the place where it should finish its run. Landings may be made on either side of the long arm of the T but always parallel to that arm; in the event,, however, of the area situated on either side of the long arm becoming obstructed, the light indicating the cross arm on that side shall be removed and landing shall be effected on the opposite side.

The direction of landing and take-off will be given by the two, alternative methods referred to above; the landing T shall not, therefore, be used.

- (e) *Approach Lighting*.—The most favourable sections of approach to the landing area may be indicated by green lights.
- (f) *Boundary Lighting*.—The boundary of the landing area shall be marked by fixed yellow-orange lights, normally laid out 300 feet apart

Provided that—

- (i) when there are obstructions on the boundary of the landing area, the lights serving to mark such obstructions may take the place of boundary lights;
  - (ii) when the boundary lights are in the form of strips their colour may be red;
  - (iii) when local conditions render unavoidable the use of gas boundary lights; they may be given an intermittent character;
  - (iv) when the boundary of the landing area cannot be marked, only the extremities of such landing area between which aircraft may move without danger shall be indicated by fixed yellow-orange lights.
- (3) At every water aerodrome open to public use and used for night flying the provisions of sub- rule (2) shall equally apply, except in cases of obvious impossibility.

## B.—DISTRESS, URGENCY AND SAFETY SIGNALS.

### 107. General.—

- (1) The following general provisions shall apply to all distress, urgency, and safety signals, namely—
  - (a) the signals referred to in this rule may be transmitted only with the authorization of the commander or person responsible for the aircraft;
  - (b) when these signals are sent by radio-telegraphy or radio-telephony, the group or spoken expression shall be sent three times and followed by the group DE and the call sign, also sent three times, of the station which sends it. In the case of " safety " messages, the frequency to be employed is that for " distress " messages.
- (2) **Distress Signals.**—When an aircraft is threatened by grave and imminent danger and requests immediate assistance, the following signals shall be used or displayed, either together or separately, before the sending of a message, namely:—
  - (a) by radio-telegraphy—  
the signals. . . — — [See Note (1)]
  - (b) by radio-telephony—  
the spoken expression " MAYDAY " (corresponding to the French pronunciation of the expression " m' aider ");
  - (c) by visual signaling—
    - (i) the signal ( . . . — — . . . ) with signaling apparatus;
    - (ii) a succession of red pyrotechnical lights fired at short intervals;
    - (iii) the two-flag signal corresponding to the letter NC of the International Code of Signals [See Note (2)];
    - (iv) the distant signal, consisting of a square flag having, either above or below it, a ball or anything resembling a ball [See Note (2)];
  - (d) by sound signaling—
    - (i) the signal ( . . . — — . . . ) with any sound apparatus;
    - (ii) a continuous sounding with any sound apparatus [See Note (2)].



**(3) Urgency Signals.—**

- (a) When an aircraft wishes to give notice of difficulties which compel it to land without (requiring immediate assistance, the following signals shall be used, either together or separately, before the sending of a message, namely:—
- (i) by radio-telegraphy—  
the group PAN, the letters of which must be well separated. so that the signals AN may not be transformed into one signal P;
  - (ii) by radio-telephony—  
the spoken expression PAN (corresponding to the French pronunciation of the word "panne");  
in cases where, owing to the rapidity of the manoeuvres. to be executed, the aircraft is unable to transmit the intended message by radio-telegraphy or radio-telephony, the signal PAN not followed by a message retains this. meaning;
  - (iii) by visual signaling—  
by day : a succession of white pyrotechnical lights;  
by night : a succession of white pyrotechnical lights, or- a succession of short and intermittent flashes with the navigation lights.
- (b) When an aircraft has a very urgent message to transmit concerning its own safety, or that of an aircraft, ship or other vehicle, or the safety of any person on board or within sight, the following signals shall be used, either together or separately, before the sending of the message. As a general rule they are addressed to specific authority—
- (i) by radio-telegraphy—  
the group XXX;  
the letters of each group and the successive groups shall be clearly separated from each other;
  - (ii) by visual signaling—  
either a succession of green pyrotechnical lights;  
or a succession of green flashes with signaling apparatus.

Note (1).—When the signal specified in clause (a) above is sent by radio-telegraphy on 500 kc/s 600 m., it shall, when possible, in order to be received by automatic maritime apparatus, be followed by the automatic alarm signal consisting of a series of twelve dashes of four seconds each, separated by an interval of one second.

Note (2).—The signals specified in (iii) and (iv) of clause (c) and in (ii) of clause (d) above are normally for use by seaplanes on the surface of the water but they may also be used by aircraft in the air.

- (4) **Safety Signals.**—When an aircraft is about to transmit a message concerning the safety of navigation or giving important meteorological warnings, the following signals shall be used, either- together or separately, before the sending of a message, namely:—
- (a) by radio-telegraphy—  
the group T T T ;  
the letters of each group and the successive groups shall be clearly separated from each other;
  - (b) by radio-telephony—the French word " SECURITE " (to which corresponds in English pronunciation the syllabus SAY-CUR-E-TY);
  - (c) by visual signaling—  
International visual signaling procedure, by signaling, apparatus or flags.

#### C.—OTHER SIGNALS TO OR FROM AIRCRAFTS.

#### 108. At Aerodromes open to Public Use.—

- (1) By day and by night when there is an officer controlling the traffic, he shall, except as permitted by sub-rule (2) of this rule, use the following visual signals, namely:—
- (a) to authorize movement on the landing area, but excluding authorisation to take off, he shall direct at the aircraft an- intermittent white luminous beam;
  - (b) to authorize taking-off, he shall direct at the aircraft a continuous white luminous beam;
  - (c) to prohibit taking-off or any movement on the landing area, he shall direct at the aircraft in intermittent red luminous beam.

The signals in this sub-rule may be preceded by the last three letters of the registration group of the aircraft to which the signal is addressed; these three letters shall be sent in the International Morse Code, by using a luminous beam of the same colour as the signal which is to be sent.

- (2) By day, when there is on the landing area an officer controlling the traffic, he may use the following signals, namely:—
- (a) to authorize movement on the landing area, but excluding authorisation to take-off, he shall wave a small white flag in the direction to be followed;

- (b) to authorize taking-off, he shall lower a small white flag in the direction of taking-off;
  - (c) to prohibit taking-off or movement towards the taking-off point, he shall raise a small red flag;
  - (d) to prohibit landing, he shall wave a small red flag vertically above his head.
- (3) An aircraft wishing to land at night, without being compelled -to do so, on an aerodrome having a ground control, shall, before landing, ask permission by a signal made either by radio-telegraphy or radio-telephony or by means of a lamp or a projector, the use of the navigation lights for this purpose not being permissible.

The visual signal, sent by International Morse Code, shall be composed of the last three letters of the registration group of the aircraft; this signal shall be repeated for as long as may be necessary.

The reply will be given from the ground to the aircraft either by radio-telegraphy or radio-telephony or by visual signal, it being understood that when permission has been asked by visual signal the reply shall always be by visual signal. The visual signal shall consist of a repetition of the same three letter sign made with the signaling lights of the aerodrome.

These signaling lights shall be constituted either by a group of lights arranged on a horizontal plane at the apexes of an equilateral triangle, each side of which measures from 1 to 3 yards, or by a luminous -beam directed at the aircraft.

The colour green shall be used to give permission to land and the colour red to prohibit landing.

#### **109. Signals for aircraft not to land.—**

- (1) At every aerodrome, -the firing of a red pyrotechnical light or the display of a red flare from the ground whether by day or by night and notwithstanding any previous permission, shall be taken as -an instruction to aircraft in flight that they are not, to land for the moment and to aircraft manoeuvring on the landing area that they are to stop moving.
- (2) At aerodromes provided with the triangular device provided -for in sub-rule.(3) of Rule 108, the emission by such device of intermittent red lights shall, whether by day or by night and notwithstanding any previous permission, instruct aircraft in flight that they are not to land for the moment.

**110. Signals for aircraft to land.**—To require an aircraft to land the following signals shall be used:—

- (a) *By day* : a series of projectiles discharged at intervals of ten seconds, each showing on bursting black smoke;
- (b) *By night* : a series of projectiles discharged at intervals of ten seconds, showing on bursting white lights or stars.

In addition, if it is necessary to distinguish amongst several the aircraft which is to land, a continuous white luminous beam shall be directed at that aircraft:

Provided that when the authority who desires to give the order to land is able to establish a radio-electric communication with the aircraft, this order may be given by using the means of communication established.

**111. Warning signals for prohibited areas.**—To warn an aircraft that it is in the vicinity of a prohibited area and should change its course, the following signals shall be used:—

- (a) *By day* : a series of projectiles discharged at intervals of ten seconds, each showing on bursting orange smoke;
- (b) *By night* : a series of projectiles discharged at intervals of ten seconds, showing on bursting orange lights or stars:

Provided that, when the authority who desires to prescribe the change of course referred to in this rule is able to establish a radio-electric communication with the aircraft, this order may be given by using the means of communication established.

### SECTION III.

#### GENERAL RULES FOR AIR TRAFFIC.

**112. General.**—

- (1) Subject to the provisions of sub-rule (6) of this rule and clause (1) of Rule 116, mechanically driven aerodynes shall always give way to non-mechanically-driven aerodynes and to aerostats, and mechanically-driven aerostats to non-mechanically driven aerostats and aerodynes.
- (2) An airship which is under way and which is not under control (or which has voluntarily stopped its engines) shall, for the application of the rules in Section III be classed as a free balloon.

**113. Risk of collision.—**

- (1) When circumstances permit, an aircraft can ascertain risk or collision with another aircraft by carefully watching the successive compass beatings and angles of elevation of the latter. It shall consider that risk of collision with this other aircraft exists if neither the bearing nor the angle of elevation changes appreciably and if the distance between the two aircraft diminishes.

The term " risk of collision " includes all risk of accident due to undue proximity of other aircraft.

- (2) Every aircraft which is required by these Rules to give way to another to avoid collision, shall keep a safe distance, having regard to the circumstances of the case.
- (3) While observing the provisions relative to risk of collision contained in sub-rules (1) and (2), a mechanically-driven aircraft must always manoeuvre according to the provisions of sub-rules (4) and (8), as soon as it is apparent that, if it pursued its course, it would not pass clear of another aircraft.
- (4) When two mechanically-driven aircraft are meeting end on or nearly end on, each shall, without prejudice to the application of the provisions of sub-rule (1), alter its course to the right.
- (5) Subject to the application of the provisions of sub-rule (1) of this Rule and sub-rule (3) of Rule 116, when two mechanically-driven aircraft are on courses which cross, the aircraft which has the other on its own right side shall keep out of the way of the other.
- (6) An aircraft overtaking any other shall keep out of the way of the overtaken aircraft by altering its own course to the right, and must not pass by diving.

Every aircraft coming up with another aircraft from any direction more than 110 degrees from ahead of the latter, i.e., in such a position with reference to the aircraft which it is overtaking that at night it would be unable to see either of that aircraft's side lights, shall be deemed to be an overtaking aircraft, and DO subsequent alteration of the bearing between the two aircraft shall make the overtaking aircraft a crossing aircraft within the meaning of these rules, or relieve it of the duty of keeping clear of the overtaken aircraft until it is finally past and clear.

As by day the overtaking aircraft cannot always know with certainty whether it is forward or abaft the direction mentioned above from other aircraft, it should, if in doubt, assume that it is an overtaking aircraft and keep out of the way.

- (7) Every aircraft which is obliged by the rules in Part XII to keep out of the way of another aircraft shall, if the circumstances of the case admit, avoid passing over or under the other, or crossing ahead of it.

- (8) Where, by any of the rules in the Part XII, one of two aircraft is to keep out of the way, the other shall keep its course and speed. When, however, in consequence of thick weather or any other cause, the aircraft having the right of way finds itself so close that collision- cannot be avoided by the action of the giving-way aircraft alone, it shall take such action as will best aid to avert collision.
- (9) Every aircraft in a cloud, fog, mist or other conditions of bad visibility, shall proceed with caution, having careful regard to the existing circumstances.
- (10) Every aircraft flying beneath clouds shall always do so, so far as it is safe and practicable, at such a distance below the clouds as will enable it readily to see and be seen.

**114. Risk of collision on air traffic routes.**—In order to obviate the increased risk of collision which exists on air traffic routes the following provisions shall be observed by aerodynes and airships when flying on or in the vicinity of such routes, namely:—

- (1) An aircraft flying by compass along the straight line (rhumb line) joining, two points on an air traffic route in common use, shall keep such line at least 1,000 yards on its left.
- (2) An aircraft following, either an officially recognized air traffic route or a route frequented by aircraft and indicated on the ground by a line of landmarks such as a road, railway, river, canal, coastline, etc., shall keep such route at least 300 yards. on its left.
- (3) An aircraft shall not fly keeping on its right any of the lines or- routes referred to in Rule 114, except at a distance, there- from sufficient to avoid aircraft following such lines or routes in accordance with the said rule.
- (4) An aircraft crossing one of the lines or routes referred to in Rule 114 shall cross it at right angles as rapidly as possible.
- (5) In the case of pre-arranged flights in group formation, the aircraft of the leader of the group shall lead the flight in such a manner that every aircraft in the group can comply with Rule 114.

**115. Position of Pilot.**—To facilitate the application of the rules, for air traffic Contained in this Part, the pilot of a mechanically- driven aerodyne shall save in exceptional circumstances, be placed either in the plane of symmetry of the aerodyne or on the left-hand. side of such plan.

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## SECTION IV.

### SPECIAL RULES FOR AIR TRAFFIC ON AND IN THE VICINITY OF ALL AERODROMES.

**116. Special Rules.**—The following provisions shall apply on and in the vicinity of all aerodromes, namely:—

- (1) Aircraft about to land on an aerodrome shall be given free way.
- (2) An aircraft about to take off shall not attempt to do so until there is not risk of collision with another aircraft.
- (3) In the case of two mechanically-driven aerodynes approaching an aerodrome for the purpose of landing, the aerodyne flying at the greater altitude shall be responsible for avoiding the aerodyne at the lower height, but the latter shall, if the contingency arises, comply with the provisions of sub-rule (6) of Rule 113.

## SECTION V.

### SPECIAL RULES FOR AIR TRAFFIC ON AND IN THE VICINITY OF AERODROMES OPEN TO PUBLIC USE.

#### A.—GENERAL.

**117. Extent of application.**—

- (1) The provisions of Section V shall apply on and in the vicinity of aerodromes open to public use. They concern only land and water aerodromes for mechanically-driven aerodynes, which are designated in the present Section by the single word " aerodynes. "
- (2) Non-mechanically-driven aerodynes on and in the vicinity of aerodromes open to public use shall comply with the provisions of Section V as far as possible.

**118. Exemptions.**—The President of the Union may by special order in writing in this behalf temporarily suspend the application of all or any or the provisions of Section V with reference to any aerodromes in the Union of Myanmar which is open to public use. Where any such order is for the time being in force with respect to any aerodrome the suspension shall be indicated by the appropriate signals provided for in sub- rule (3) of Rule 105.

- 119. Neutral zones.**—At land aerodromes, a neutral zone, situated along the perimeter of the landing area and at the approaches to the hangars, may be set apart for aerodynes manoeuvring on the ground.

B.—FLIGHT OVER OR IN THE VICINITY OF THE LANDING AREA.

- 120. Minimum Flying altitude.**—Subject to any special local regulations which may exist—

- (a) flight over a landing area at a lower altitude than 2,000 feet is prohibited for aerodynes, save in the case of a departure or landing;
- (b) every aerodyne flying outside landing area at a distance of less than 2,000 yards from the nearest point of such area shall unless it is flying at a greater altitude than 2,000 feet, keep the landing area on its left.

- 121. Aerial acrobatics.**—Aerodynes are prohibited from engaging in aerial acrobatics in the vicinity of aerodromes, at a distance of less than 2 nautical miles from the nearest point of the perimeter of the aerodrome unless they are flying at a greater altitude than 6,000 feet.

- 122. Landing by radio-electric guide.**—When an aerodyne is, about to land by means of a radio-electric guide, other aerodynes, in order to avoid collision, must conform, to any local rules in force which may be applicable or, in default of such rules, fly as low as possible below the clouds.

- 123. Fixed balloons and kites.**—No fixed balloon or kite shall be elevated in the vicinity of an aerodrome without a special authorization.

C.—RULES TO BE OBSERVED FOR THE DEPARTURES AND LANDINGS.

- 124. Circuits.**—An aerodyne starting from or about to land on an aerodrome shall make a circuit or partial circuit and the turning shall be made clear of the landing area and shall be left-handed (anti-clockwise), so that during such circuit the landing area shall always be on its left.

As an exception, the turning shall be right handed when the signal indicated in sub-rule (4) of Rule 105 is displayed.

- 125. Direction of Take-off or Landing.**—

- (1) Every aerodyne taking off from or landing at an aerodrome shall do so upwind, except when the natural conditions on the aerodrome do not permit. If, however, there is a landing T as provided for in clause (b) of sub-rule of Rule 105, or a line of lights as provided for in sub-clause (ii) of



clause (d) of sub-rule (2) of Rule 106, the aerodyne shall take off or land in the direction indicated by this T (i.e., by following the direction of the long arm of the T towards the cross arm of that T) or by the line ,of lights.

- (2) Landings shall be preceded by a descent in a straight line, commencing at least 300 yards outside the perimeter of the landing area.
- (3) Every aerodyne landing at an aerodrome shall leave clear on its left any aerodyne which has already landed or is already landing or which is taking off or about to take off.
- (4) Every aerodyne taking off from an aerodrome shall leave clear on its left any aerodyne which is already taking off.
- (5) In observing the provisions of Rule 125, every aerodyne, when landing or taking off shall leave a reasonable space on its right for other aerodynes to land or take off.
- (6) At an aerodrome, taking off or landing simultaneously by two or more aerodynes, unless pre-arranged, is prohibited.
- (7) For the purposes of Rule 125, two or more aerodynes taking off or landing simultaneously by pre-arrangement shall be regarded as a single aerodyne.

**126. Zones for Landings and Departures.—**

- (1) By way of exception, at certain aerodromes the landing area may be regarded as divided into two approximately equal zones, by a vertical plane bearing in the direction of departure and landing defined in sub-rule (1) of Rule 125. For an observer facing in the direction towards which departures and landings are to be made, the zone on the right will be the one reserved for landings and the zone on the left the one reserved for departures. This special arrangement must be indicated by the signal provided for in sub-rule (2) of Rule 105.
- (2) Every aerodyne landing at one of these aerodromes shall do so in conformity with the provisions of sub-rules (1) and (2) of Rule 125, as far as possible to the left in the zone reserved for that purpose, but leaving clear on its left any other aerodyne which has already landed or which is landing
- (3) Every aerodyne taking off from one of these aerodromes shall do so in conformity with the provisions of sub-rule (1) of Rule 125 as far as possible to the left in the zone reserved for that purpose but leaving clear on its left any other aerodynes which are already taking off.

**127. Take-offs.—**On land aerodromes having a ground control, no aerodyne having proceeded on to the landing area with the intention of taking off shall take off until it has received permission to do so the signals prescribed in clause (b) of sub-rule (1) and clause (b) of sub-rule (2) of Rule 108.

## D.—RULES TO BE OBSERVED FOR MANOEUVRES ON THE GROUND.

- 128. (1) Land Aerodromes.**—Every aerodyne moving on the ground in the landing area shall normally do so in the direction of landing. It may, however, in order to shorten its course, cross the landing area to reach its take-off point or the boundary, provided that in the course of such movement, turns are always made to the left, that it gives free way to every aircraft leaving or landing, and that it conforms to the provisions of sub-rules (4) and (8) of Rule 113.
- (2) Water Aerodromes.**—The rules for land aerodromes contained in sub-rule (1) of this Rule apply equally to water aerodromes, subject however to the provisions contained in Rule 129.
- (3)** On aerodromes having a ground control, in addition to the observance of the provisions of sub-rules (1) and (2) of this Rule, no aerodyne shall proceed on to the landing area until it has received permission to do so by the signal prescribed in clause (a) of sub-rule (1), -or clause (a) of sub-rule (2), of Rule 108.

## SECTION VI.

## RULES RELATING TO AIRCRAFT ON THE SURFACE OF THE WATER.

- 129. Regulations for Preventing collisions at Sea.**—Every aircraft manoeuvring under its own power on the water shall conform to the regulations for preventing collisions at sea and for the purposes of these regulations shall be deemed to be a steam-vessel

Provided that—

- (a)* in conforming with the above-mentioned regulations, it shall be borne in mind that steam-vessels in narrow channels are not able to manoeuvre so as to avoid collision with aircraft ;
- (b)* the aircraft shall carry only the lights specified in Section 1 of this Part, and not those prescribed for steam-vessels in the regulation for preventing collisions at sea ; it shall use the sound signals specified in the above-mentioned regulations only as specified in Rule 103 and clause (d) of sub-rule (2) of Rule 107 and it shall not be deemed to hear any sound signals.

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## SECTION VII.

### MISCELLANEOUS PROVISIONS.

- 130. Ballast.**—The dropping of ballast other than fine sand or water from aircraft in the air is prohibited.
- 131. Observance of general and Special rules for Air Traffic.**—In conforming with the provisions of Sections 111, IV and V of this Part, due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from these rules necessary in order to avoid immediate danger.
- 132. Neglect on the Use of Lights for Signals, etc.**—Nothing in this Part shall exonerate any aircraft, or the owner, pilot or crew thereof, from the consequences of any neglect in the use of lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of the air, or by the special circumstances of the case.
- 133. Special orders relative to Navigation of Aircraft in the immediate Vicinity of an Aerodrome.**—Nothing in this Part shall interfere with the operation of any special rule or rules approved by the President of the Union and published relative to navigation of aircraft in the immediate vicinity of any aerodrome or other place, and it shall be obligatory on all owners, pilots, or crew, of aircraft to obey such Rules.

## **PART XII-A.—Emergency Provisions.**

**133-A.** The Flying Control Regulations and Communications Procedures as may from time to time be prescribed by the Director of Civil Aviation, Myanmar, and promulgated by the said Director of Civil Aviation, in Notices to Airmen, shall apply to a civil aircraft being in or over the Union of Myanmar and shall have effect notwithstanding anything inconsistent therewith contained in the preceding Parts of these Rules.

**133-B. Recall of Aircraft in Flight.—**

- (1) If and when circumstances arise which make the recall of an aircraft already in flight and still within the boundaries of the Union of Myanmar absolutely imperative, any authority authorized under section 8 of the Myanmar Aircraft Act, may recall it by any means available at the time.
- (2) Any person acting in contravention of any direction given to him under this Rule, shall be deemed to have acted in contravention of these Rules and shall be punishable to the extent laid down in Schedule VI of these Rules.

### **PART XIII.—Licensing of Air Transport Services**

- 134. Air Transport Services to be Licensed.**—No air transport service shall be established or shall operate within the Union of Myanmar, except under the authority of, and in accordance with, a licence issued under this Part :

Provided that the President may permit the operation of air transport services to or across the Union of Myanmar from and to places outside the Union of Myanmar by persons not domiciled in the Union of Myanmar or by Companies registered elsewhere than in the Union of Myanmar with aircraft registered elsewhere than in the Union of Myanmar on such terms and conditions as he may, think fit :

Provided further -that the President may, subject to such conditions as he may think fit to impose permit the operation of air transport services which are not scheduled air transport services for the carriage of passengers, mails or goods without any licence.

- 135. Air Transport Licensing Authority.**—The authority charged with the duty of examining applications for licences to operate air transport services and of issuing, amending, suspending or revoking such licences shall be the President.

- 136. Powers of the Licensing Authority.**—

- (1) The President shall have power, subject to the provisions of these Rules, to decide whether a service of aircraft constitutes a scheduled air transport service within the meaning of these Rules, to grant a licence for the operation of a scheduled air transport service wholly within the Union of Myanmar or from the Union of Myanmar to a place or places outside the Union of Myanmar on such conditions as he may think fit, to refuse to grant a licence applied for, and to amend, suspend or revoke a licence.
- (2) The President shall have power to require the declaration of the truth of any statements submitted to him, to inspect or cause to be inspected any premises, aircraft or other things which appear to him to be necessary, to require the submission of additional information by an applicant for a licence, to require the applicant to attend before the President for the purpose of giving evidence in support of his application, to receive and consider the representations of any third party whom he considers to have an interest in regard to any application for a licence and to publish such particulars regarding an application for a licence as he considers necessary for the purpose of these Rules

Provided that the President shall not disclose or require the applicant to disclose to any third party information concerning the financial resources of the applicant, or any financial or technical data concerning his application.

**137. Applications.—**

- (1) Applications for a licence to operate an air transport Service shall be made to the Director of Civil Aviation, Myanmar, not less than three months before the date on which it is desired to commence the service unless the President has appointed a last date for the receipt of applications in which case the applications shall be made on or before that date. Applications for a temporary licence, i.e., a licence to operate an air transport service for a period not exceeding 60 days, shall be made to the Director of Civil Aviation, Myanmar, not less than 15 days before the date on which it is desired to commence the service, provided that the President may relax this requirement in any case of emergency.
- (2) The application shall be made on a form which will be supplied by the Director of Civil Aviation, Myanmar, on request, shall be signed by the person applying for the licence and if made by any corporate body shall be signed by a person duly authorized in that behalf by such body and shall be accompanied by such information as may be required for the purposes of these Rules.

**138. Publication of Applications.—**The President shall, except in the case of applications for a temporary licence, cause to be published in the Myanmar Gazette and in not less than two daily newspapers, particulars regarding each application for a licence as set out in Section A of Schedule VII to these Rules and a statement of the date, not being less than 30 days after the date of publication, on which the application will be taken into consideration.

**139. Representations.—**Any person may, not less than 15 days before the date specified for the consideration of the application by the President, make a representation to the President in writing, accompanied by the appropriate fee, through the Director of Civil Aviation, Myanmar, setting out the specific grounds on which the representation is made. A copy of every such representation shall be sent by the person making it to the applicant for the licence at the same time as it is sent to the President and a certificate to that effect shall be attached to the representation. The President may, at his discretion, give an opportunity to the person making the representation to state his views in the presence of the applicant for the licence. The President may require any person making a representation under this Rule to produce evidence of the truth of any statement he may make.

**140. Conditions to be fulfilled.**—In exercising his discretion to grant or refuse a licence or to attach Conditions to a licence, the President shall have regard to the co-ordination and development of air transport generally in the interests of the public as well as those of persons providing air transport facilities and shall satisfy himself in regard to, the following matters namely:—

- (1) *General.*—The need for air transport in the area concerned, potential traffic on the route, existing air services serving, the area, other proposals for air transport services in the area and the capacity of the applicant as an air transport operator.
- (2) *Economic strength.*—That the applicant commands financial resources and organization sufficient to establish his presumptive ability to maintain the , operation of the air transport service proposed for a period of at least three years and for this purpose he shall present to the President details of his capital organization, particular of his managerial and administrative organization, a copy of the Memorandum and Articles of Association of the Company (if the applicant- is an incorporated body) and estimates in such details as may be required of the cost of operation of the service and of the revenue expected.
- (3) *Route.*—That the air route over which the service is proposed to be operated complies with the minimum conditions set out in Section A of Schedule VIII to these Rules ; and in general that the route is or will be adequately- organized with terminal and intermediate aerodromes, emergency landing grounds, passenger facilities and radio, meteorological and other ground aids to navigation appropriate to the nature of the air transport service it is proposed to operate.
- (4) *Aircraft.*—That the aircraft to be used comply with the minimum conditions prescribed in Section B of Schedule VIII to these Rules and in general that aircraft will be provided for the air service of a number and type adequate for safe and efficient operation of the air service in accordance with the approved timetable, having regard to the nature of the terrain to be flown over and the nature of the organization on the route, and for this purpose the applicant shall produce all necessary technical data concerning the aircraft and engines to be used. He shall also show that such aircraft are or will be adequately equipped with radio communication, radio, lighting and other aids to navigation and passenger equipment and conveniences in accordance with the nature of the air transport service to be operated.

- (5) *Technical Personnel.*—That technical personnel (including pilots, radio operators, engineers and mechanics) will be employed in adequate numbers, with appropriate licences issued under these Rules and with other qualifications and experience in particular satisfying the requirements of Section C of Schedule VIII to these Rules and in general adequate for safe operation as related to the service proposed, the route to be traversed, the aircraft to be used and the operation and maintenance procedure to be adopted.
- (6) *Operations Manual.*—That an operations manual has been prepared for the use of the aircrews and other technical personnel, which adequately details the organization of the route to be traversed and the operational and communications system procedure and technique to be adopted, and that proper provision is made for maintaining the operations manual up-to-date and for introducing progressive amendments.
- (7) *Maintenance and Overhaul.*—That adequate hangars, workshops and aerodrome's equipment, tools and aircraft and aero-engine spares have been or will be provided for the proper maintenance and overhaul of the aircraft and their engines, that a maintenance manual has been prepared for the use of personnel which adequately details the maintenance and overhaul system to be adopted and that proper provision is made for maintaining the maintenance manual up-to-date and introducing progressive amendments.
- (8) *Schedules, Fares, Freight Rates, etc.*—That the time-table of the service proposed satisfies, to the greatest practical extent) the convenience of transport of passengers and mails, that, having regard to prevailing winds and scheduled refueling stops, it does not involve the operation of the aircraft at a cruising speed in excess of that obtainable at the continuous cruising power output of the engines specified by the makers for like conditions of operation or prescribed by the President and that the passenger fares and freight rates proposed, including any concessional fares and rates, are reasonable in relation to the cost of the service and prevailing fares and rates on other air and surface transport services. For these purposes the applicant shall produce a timetable of the service proposed, and a schedule of such fares and rates.



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- 141. Grant of Licence subject to Conditions.**—The President may grant a licence subject to such conditions as he may think fit, with the object of securing the safe and efficient operation of air transport. The licence shall provide, among others, for the following matters, namely:—
- (1) The places at which aircraft may or shall land for traffic or other purposes.
  - (2) The conditions (diurnal, seasonal, or meteorological) in which the service may be operated.
  - (3) The aircraft to be used.
  - (4) The observance of a schedule of air services approved from time to time by the President.
  - (5) The maximum and minimum fares and freight rates to be charged to passengers and consignees of goods and mails.
- 142. Obligation to comply with the Myanmar Aircraft Act, 1934 and Rules.**—The grant of a licence shall not be construed as in any way absolving any person from the obligation of complying with the Myanmar Aircraft Act, 1934, the Myanmar Carriage by Air Act, or with the Rules made there under or with any other statutory provision governing aviation for the time in force.
- 143. Period of validity of Licences.**—A licence shall, subject to the provisions of Rule 148, be valid for such period not exceeding 60 days in the case of a temporary licence, and not exceeding ten years in any other case, as may be fixed by the President and noted in the licence.
- 144. Refusal of Licence.**—In any case in which the President refuses to grant a licence, or grants a licence subject to conditions to which the applicant objects, the President shall record in writing the reasons for his decision, and the applicant shall be entitled to a copy thereof.
- 145. Amendment of terms of Licence.**—
- (1) The President, so far as appears to him to be necessary for securing the more effective development of air transport or otherwise in the public interest, may, at any time amend the terms of a licence after giving the holder a reasonable opportunity of representing his views.

- (2) The President may, on the application of the holder of a licence made in the manner prescribed in Rule 137, make such amendment in the licence as appears to the President to be unobjectionable.

**146. Provisional Licences.**—The President may grant a provisional licence for such period and on such conditions as he thinks fit—

- (i) where an application for a licence other than a temporary licence has been made under Rule 137 and the President considers it desirable that the applicant should have a provisional licence pending the final disposal of the application, or
- (ii) where the President considers that although all the requirements of this part cannot be immediately satisfied an air transport service may be permitted to operate for a limited period without detriment to public safety.

**147. Revocation and Suspension of Licences.**—

- (1) The President may revoke, or suspend for such period as he thinks fit, a licence if he is satisfied that any of the conditions of the licence has not been complied with and that the failure is due to any wilful act or omission on the part of the holder of the licence, or has been so frequent, or is due to such negligence on his part, that the licence should in the public interest be revoked or as the case may be, suspended.
- (2) Before any action is taken under sub-rule (1) the President shall give to the holder of the licence not less than thirty days' notice in writing specifying the grounds upon which it is proposed to revoke or, as the case may be, suspend the licence and shall give him an opportunity of showing cause against the proposed action in writing through the Director of Civil Aviation, Myanmar, to the President.
- (3) Where a licence is revoked or suspended under sub-rule (1) the President shall record in writing the reasons for his decision and the holder of the licence shall be entitled to a copy thereof.
- (4) Where a licence is suspended under sub-rule (1) the holder of the licence shall submit it to the Director of Civil Aviation, Myanmar, who shall make an endorsement thereon showing the period of, and the reasons in brief for, the suspension.
- (5) Notwithstanding anything contained in sub-rule (1) or sub-rule (2) the President may, if he has reason to believe on information in his possession that it is expedient in the interests of public safety so to do, summarily suspend a licence with a view to further enquiry and action in accordance with sub-rule (1).

**148. Publication of decisions.**—The President shall cause to be published in the Myanmar Gazette and in not less than two daily news-papers the particulars prescribed in Section 13 of Schedule, VII to these Rules concerning his decision on any application for a licence and the particulars prescribed in Section C of Schedule VII to these Rules concerning any decision to revoke, suspend or amend a licence.

**149. Transfer of Licence.**—A licence issued under this Part shall not be capable of being transferred or assigned except with the specific permission of the President in writing in this behalf:

Provided that in the event of the death, incapacity, bankruptcy, sequestration or liquidation of the holder of the licence, or of the appointment of a receiver, or manager or trustee, in relation to the business of the holder, the person for the time being carrying on that business shall, if within fourteen days application is made to the President for a new licence, be entitled to continue the operation of the licensed air transport service until the application is disposed of.

**150. Continuance of Rights.**—Nothing in this Part shall be construed as conferring upon the holder of a licence on its expiry any right to the issue of a new licence for the operation of a service on the same route or to the continuance of any other benefits arising from the provisions of this Part or any licence granted there under:

Provided, however, that if the holder of a licence applies for a new licence to continue the operation for a further period of an air transport service which has been licensed under this Part, and if the President is satisfied that the air transport service has been operated efficiently and in the best interests of the public, other things being equal, the President shall give preference to the application from the holder of the licence.

**151. Custody, production and Surrender of Licences.**—

- (1) A licence issued under this Part shall be kept at the principal office of the holder thereof and shall be produced for inspection on demand by any Magistrate, any Police Officer not below the rank of Deputy Superintendent, any Customs Officer, any Gazetted Officer of the Civil Aviation Department, or any other person authorized by the President by special or general order in writing in this behalf.
- (2) An extract from the licence giving the particulars set out in Section D of Schedule VII to these Rules shall be displayed in a position accessible to the public in the principal traffic office of the holder of the licence.

- (3) On the expiration of the currency of a licence, whether by efflux of time or in consequence of a decision of the President under these Rules, or when a licence is suspended by the President, the holder shall surrender the licence to the Director of Civil Aviation, Myanmar, for endorsement or cancellation as the case may require.

**152. Carriage of Mails.**—A licence-holder shall perform all such reasonable services in regard to the conveyance of mails (with or without officers of the post office in charge thereof) on a licensed air transport service as the Director of Posts may from time to time require. The remuneration for any services performed in pursuance of such requirement shall be such as may be determined from time to time by the President.

**153. Fees.**— The Director General may from time to time publish in notice the fees payable for the application, issue, amendment, representation or renewal of the air transport licences or the issue of temporary licences mentioned in this part.

**154. Periodical Returns.**—

- (1) Every person to whom a licence has been granted under this Part shall submit to the Director of Civil Aviation, Myanmar, in such form as may be prescribed -by him-
- (a) monthly returns regarding the operation of the licensed air transport services and other air' transport operations of the licence holders so as to reach the Director of Civil Aviation, Myanmar, not later than 45 days after the expiry of the month to which the return relates ; and
- (b) annual returns regarding the financial results of the undertaking during each calendar year so as to reach the Director of Civil Aviation, Myanmar, not later than three months after the expiry of the year to which the return relates..
- (2) Subject to such additions and alterations, if any, as may be indicated in the forms prescribed by the Director of Civil Aviation, Myanmar, the particulars of information to be furnished in the monthly and annual returns under sub-rule (1) shall be those set out in Section A and Section B, respectively, of Schedule IX to these Rules.
- (3) No information furnished in the annual return under paragraph (b) of sub-rule (1) shall be published or disclosed in respect of any individual air transport service or licensee without the consent of the licensee, and if any person publishes or discloses any such information without such consent, he shall be guilty of an offence punishable under these Rules :

Provided that nothing in this sub-rule shall apply to the publication or disclosure by any authorized person of collective information relating to li-

censed air transport services nor to the publication or disclosure of any information for the purposes of any legal proceedings which may be taken in pursuance of this Part or for the purpose of any report of such proceedings.

## **PART XIV.—Air Operators' Certificates.**

### **155. Granting of Air Operators' Certificates.—**

- (1) An aircraft shall not fly in the Union of Myanmar on any flight for the purpose of public transport, otherwise than under and in accordance with the terms of an Air Operator's Certificate granted to the operator of the aircraft under sub-rule (2) of this Rule certifying that the holder of the Certificate is competent to secure that aircraft operated by him on such flights as that in question are operated safely.
- (2) The Ministry of Transport shall grant to any person applying therefore an Air Operator's Certificate if it is satisfied that the person is competent, having regard in particular to his previous conduct and experience, his equipment, organization, staffing, maintenance and other arrangements, to secure the safe operation of aircraft of the types specified in the Certificate on flights of the description and for the purposes so specified. The Certificate may be granted on such conditions as the Ministry of Transport thinks fit subject to Rule 19 of these Rules and shall remain in force for the period specified in the Certificate



## PART XV.—General.

- 156. Inspection.**—Any person authorized by the President of Union by special or general order in writing in this behalf may—
- (a) at all reasonable times enter any place to which access is necessary for the purpose of exercising his powers or carrying out his duties under these Rules
  - (b) at all times during working hour enter that portion of any factory or place in which aircraft or parts of aircraft or aero-engines or parts of aero-engines are being manufactured, overhauled, repaired or assembled and inspect any such factory or place, aircraft, aero-engines or parts and any drawings relating to such aircraft, aero-engines or parts ;
  - (c) at any time inspect any flying machines which is required by these Rules to be certified as airworthy or in respect of which a certificate of airworthiness is in force ;
  - (d) enter, inspect and search any aircraft for the purpose of securing compliance with any of these Rules.
- 157. Forgery, etc., of documents.**—No person shall fraudulently lend any licence or certificate issued under these Rules or allow it to be used by any other person.
- 158. Foreign Military Aircraft.**—No person shall fly or land, or assist in flying or landing, any foreign military aircraft over or in the Union of Myanmar except on or with the invitation or permission in writing of the President of the Union and on such condition as may be specified in the invitation or permission.
- 159. Obstruction of authorized persons.**—No person shall voluntarily obstruct any person acting in the exercise of his powers or in discharge of his duties under these Rules.
- 160. General power to exempt.**—The President of the Union may by general or special order in writing exempt any aircraft or class aircraft or any person or class of persons from the operation of these Rules, either wholly or partially, subject to such conditions, if any, as may be specified in such order.



**161. Penalties.—**

- (1) Any person contravening any of these Rules shall where no punishment is provided for such contravention in the Myanmar Aircraft Act, 1934 (XXII of 1934), be punishable to the extent laid down in Schedule VI to these Rules.
- (2) It shall be a defence to any proceedings for contravention of or failure to comply with, these Rules if the contravention or failure, is proved to have been due to accident, stress of weather or other unavoidable cause ; and it shall be a defence to any proceedings under these Rules against the owner, hirer, operator, pilot or commander of an aircraft that the alleged contravention took place without his actual fault or privity.

## SCHEDULE I.

(see Rule 12.)

## AREAS OVER WHICH FLIGHT BY AIRCRAFT IS PROHIBITED.

Area	Extent of prohibition

Note.—

## SCHEDULE II.

(See Rule 41.)

### PROOFS OF COMPETENCY TESTS AND EXAMINATIONS FOR THE ISSUE AND RENEWAL OF LICENCES TO AIRCRAFT PERSONNEL.

#### PERSONNEL.

The qualifications of which proofs are required from applicants for licences or renewal of licences are as set out below :—

#### SECTION A.—PRIVATE -PILOT'S LICENCE ( " A " LICENCE) (FLYING MACHINES).

1. **Flying Experience.**—An applicant for the grant of a licence or the renewal of a licence shall be required to produce evidence of having carried out, during the six months immediately preceding the date of the application, not less than five hours solo flying.
2. **Flying Tests.**—
  - (1) An applicant for the grant of a licence shall be required to carry out the following tests to the satisfaction of the examiners :—
    - (a) *Tests for Altitude and Gliding flight.*—Two flights each finishing with a glide, the engines being completely throttled down at not less than 2,000 feet above the landing area. The landings shall be made without re-opening the throttle and within 150 yards of a point fixed beforehand by the official examiners of the test.
    - (b) *Test of Skill.*—A flight around two posts (or buoys) situated 500 yards apart making a series of five figure-of-eight turns, each turn reaching one of the two posts (or buoys). This flight shall be made at an altitude of not more than 600 feet above the ground (or water) without touching the ground (or water). The landing shall be effected by :
      - (i) finally closing the throttle of the engine at latest when the aircraft touches the ground (or water) ;
      - (ii) finally stopping the flying machine without the use of brakes within a distance of 50 yards from a point fixed by the candidate before starting.
    - (c) *Spinning Test.*—A left hand and right hand spin. During this test the examiner shall be on board. The test shall be undertaken at such a height that normal flight is resumed after the spin at an altitude of not less than 2,000 feet above the ground.

- (2) An applicant for the renewal of a licence who has not had the recent flying experience laid down in paragraph I of this Section shall carry out the following tests to the satisfaction of the examiner:—
    - (a) *Test of Skill.*—Three figure-of-eight turns in accordance with subparagraph (1) of this paragraph.
    - (b) *Landing Test.*—Three landings, finally stopping the aircraft, on each occasion without the use of brakes within a distance of 50 yards from a point fixed by the applicant before starting.
  - (3) An applicant for the addition to his licence of a different type of aircraft may be required to carry out any of the foregoing tests and shall normally be required to carry out the landing test detailed in clause (b) of subparagraph (2).
3. **Technical Examination.**—An applicant for the grant of a licence shall be required to pass to the satisfaction of the examiners an examination in the following subjects:—
  - (a) Rules as to Lights and Signals : General Rules for Air Traffic Special Rules for Air Traffic on and in the vicinity of aerodromes open to public use.
  - (b) International Air Legislation, with particular reference to the obligations of a pilot in international flights.
  - (c) General Knowledge of-in so far as they affect the responsibilities of a pilot, the rules made under the Union of Myanmar Aircraft Act 1934 (Act XXII of 1934), and Notices to Airmen.
4. **Medical Examinations.**—
  - (1) The medical examination shall be carried out by a medical practitioner who possesses qualifications entitling him to inclusion in the Medical Register of Union of Myanmar, and who may be the applicant's usual medical attendant. Such examination shall be conducted in accordance with such form as may be prescribed by the President of the Union and a copy of that form, completed as required, shall be forwarded by the medical officer to the Director of Civil Aviation, Myanmar, by whom copies of the form will be supplied on demand.
  - (2) The medical examination shall be based upon the following requirements of mental and physical fitness:—
    - (a) Good family and personal history, with particular reference to nervous stability, as to which information shall be given in a statement made and signed by the applicant and satisfactory to the medical examiner.

- (b) *General surgical examination.*—The applicant must neither suffer from any wound or injury nor have undergone any operation, nor possesses any abnormality, congenital or acquired which might interfere with the safe handling of a private flying machine under ordinary conditions.

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

Any anatomical lesion in the walls of any part whatever of the digestive tube, any stricture of its calibre, any calculus or foreign body, any peritoneal lesion, established by clinical or laboratory examinations, will entail rejection. Exception may be made for spasmodic strictures, not accompanied by other troubles and for ptosis compensated by a good abdominal musculature.

An applicant who has undergone a surgical intervention in the biliary passages or the digestive tube, except appendicitis, involving a total or partial excision or a diversion of any of these organs shall be declared unfit unless (i) a period of two years has elapsed since the surgical intervention and the effects of the operation are not considered liable to cause sudden incapacity in the air, or (ii) an attestation made by a surgeon, having knowledge of the nature of the disease which necessitated the operation, certifies that no immediate or future consequences are to be feared.

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

- (c) *General Medical Examination.*—The applicant must not suffer from any disease or disability which renders him liable suddenly to become incompetent in the management of aircraft. He must possess heart, lungs and nervous system in a state to withstand the effects of altitude. He must be free from kidney disease, and must not present any clinical sign of syphilis, nor have any cardiac lesion.
- (d) *Eye Examination.*—The applicant must possess, with correction by glasses if necessary, a visual acuity equal to at least 70 per cent. of the normal visual acuity for each eye taken separately. Visual acuity shall be measured by means of standard test types (optotypes) powerfully illuminated in such manner that the light does not shine directly into the eyes of the examinee. Binocular vision, ocular poise, ocular mobility, the field of vision of each eye and colour perception must be normal. With regard to colour percep-

tion, an applicant suffering from daltonism may be accepted under the following conditions :—

- (i) If he is unable to distinguish pigmentary colours but is able to distinguish the coloured lights used in air navigation, his licence is rendered valid both for flight by night and for flight by day.
  - (ii) If he is unable to distinguish either pigmentary colours or the coloured lights used in air navigation, his licence is rendered valid only for flight by day, that is to say, between sunrise and sunset.
- (e) *Ear Examination.*—The middle ear must be healthy. The applicant must possess an auditory acuity not less than that corresponding with the perception of the whispered voice at one metre. The vestibular mechanism must be intact and not hypersensitive. It must be equal on both sides.
- (f) *Nose, Throat and Mouth Examination.*—The applicant must possess free tubular air entry on both sides :

Provided that a person who does not the whole satisfy of the above medical requirements may, at the discretion of the President of the Union, be accepted, so far as such requirements are concerned, as eligible for the renewal of a licence, or for the issue of a licence if he has previously been found medically fit for flying :

Provided also that a person who does not satisfy all the above medical requirements may, at the discretion of the President of the Union, be accepted as eligible for the issue of a licence subject to such limitations as the President of the Union may impose and on the condition that the licence shall in no case be valid for flight outside the Union of Myanmar.

- (3) The medical examination shall take place before the commencement of flying instruction in the case of an application for the issue of a licence, and, in the case of an application for renewal of a licence, not earlier than 15 days before the date of expiry of the validity of the licence:

Every applicant who presents himself to undergo the medical examination required for the issue or renewal of a licence must furnish to the medical examiner a declaration signed by him stating whether he has previously undergone such a medical examination, and with what result. A false declaration shall render the applicant liable to, the cancellation of any licence issued or renewed to him as the result of the examination.

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SECTION B.—PILOT'S " A-1 " LICENCE (FLYING MACHINES)

1. **Flying Experience.—**

- (1) An applicant for the original endorsement of a licence shall be required to produce evidence of having carried out during the two years preceding the date of application not less than 100 hours solo flying (including not less than 30 landings) of which not less than 15 hours shall have been performed during the preceding six months, and of which not less than 25 hours shall consist of cross country flights:

Provided that, except in a case where the President of the Union is satisfied that the experience of the applicant as a pilot is sufficiently long and varied as to constitute equivalent experience an applicant for the endorsement of his licence in respect of a type of flying machine fitted with two or more engines, shall be required to produce evidence of having carried out not less than 10 hours flying in a multi-engined flying machine either as first pilot or as second pilot.

2. **Flying Tests.—**

- (1) An applicant for the original endorsement of a licence shall be required to carry out the following tests to the satisfaction of the examiner:—

(a) *For single-engine flying machines.*—General flying for half an hour with an examiner on board and including three landings.

(b) *For multi-engined flying machines.*—General flying for half an hour with an examiner on board, during which the aircraft shall be flown with each engine in turn completely throttled down and during which three landings shall be made. Part of this flying shall be carried out with the aircraft light and part with the aircraft fully loaded.

(c) A cross country or oversea flight of at least 200 nautical miles with an examiner on board and including three forced landings at points selected by the examiner. During this flight an altitude of 6,500 feet shall be maintained for a total period of one hour. The applicant will at the time of departure be informed of his route and furnished with the appropriate map. The examiner will judge whether the route has been correctly followed.

- (2) An applicant for the endorsement of his licence in respect of an additional type of flying machine shall be required to carry out to the satisfaction of the examiner three landings with the aircraft light and three landings with the aircraft fully loaded:

Provided that an applicant for the addition-to the endorsement on his licence for the first time of a type of flying machine with two or more engines shall be required to carry out general flying test specified in clause (b) of sub-paragraph (1) of this paragraph.

- (3) An applicant for the renewal of a licence who has not had the recent flying experience specified in sub-paragraph (2) of paragraph 1 shall be re-

quired to carry out the general flying tests laid down in sub-paragraph (1) of this paragraph and may also be required to carry out the other tests laid down in sub-paragraph (1) of this paragraph.

3. **Technical Examination.**—

- (1) An applicant for the issue of a licence shall be required to pass, to the satisfaction of the examiners, an examination in the following subjects:—

*Group I.*

- (a) *Flying Machines.*—Theoretical knowledge of the laws of resistance of the air especially as concerns its effect on main plane structure, tail unit and air-screw ; functions of the different parts of flying machines and of the controls. Assembling of flying machines and their parts. Practical tests on rigging. Centre of gravity and loading. Principles of inspection and tests.
- (b) *Engines.*—General knowledge of internal combustion engines and the functions of the component parts; general knowledge of the construction, assembling, adjustment and characteristics of aero-engines ; fuel and oil consumption and effect on range of aircraft; principles of inspection and tests. Causes of the faulty running of engines and of breakdown, practical tests in running repairs.
- (c) *Instruments.*—Principles and use of instruments prescribed for flying machines.

*Group II.*

- (d) As set out in paragraph 3 of Section A for an applicant for Pilot's "A" licence.
- (e) *Elementary Navigation.*—Map reading and use of maps, care, use and compensation of the compass, determination of position and drift.
- (2) The examination in flying machines and engines shall have reference to the particular types of flying machines or engines which are to be endorsed on the licence. The applicant may be required to undergo a further examination with reference to other types of flying machines and engines before the licence is endorsed for such other types.
- (3) An applicant who fails to pass in any group shall be permitted to reappear not more than twice for examination in that group:  
 Provided that an applicant who does not pass in all groups of the technical examination within a period of six months from the date of the first examination shall be required to undergo the complete examination again.



4. **Medical Examination.**—The medical examination shall be based on the same requirements and shall be undertaken under the same conditions as set out in paragraph 4 of Section C for an applicant for Pilot's " B " Licence.

SECTION C.—PILOT'S " B " LICENCE (FLYING MACHINES).

1. **Flying Experience.**—

(1)

(a) An applicant for the grant of a licence shall be required to produce evidence of having carried out during the three years preceding the date of application not less than 200 hours solo flying (including not less than 30 landings) of which not less than 15 hours shall have been performed during the preceding six months, and of which not less than 5 hours shall have been performed by night.

(b) The applicant's flying experience shall include a minimum of 75 hours cross country flying, of which at least 5 hours shall consist of cross country flights carried out at night.

(c) Except in a case where the President of the Union is satisfied that the experience of the applicant as a pilot is sufficiently long and varied as to constitute equivalent experience, an applicant for a licence in respect of type of flying machine fitted with two or more engines shall be required to produce evidence of having included in the flying experience specified in this sub-paragraph not less than 10 hours solo flying on a multi-engined flying machine :

Provided that flying experience as the holder of an " A-1 " licence while employed as second pilot in a flying machine fitted with dual control employed in an air transport operation may be accepted in lieu of the solo flying experience specified in this paragraph but each hour of such experience shall count as half an hour of solo flying experience.

(2) An applicant for the renewal of a licence shall be required to produce evidence of having carried out during the preceding six months not less than 10 hours solo flying.

2. **Flying Tests.**—

(1) An applicant for the grant of a licence shall be required to carry out the following tests to the satisfaction of the examiners :—

(a) *Altitude, Gliding Flight, Skill and Spinning Tests.*—The same tests as are laid down in sub-paragraph (1) of paragraph 2 of Section A for a Pilot's " A " Licence :

Provided that of such tests an applicant who is in possession of a valid Pilot's " A " Licence shall be required to pass the spinning test only.

(b) *Tests of Navigation.*—Two cross country or oversea flights of at least 200 nautical miles each. As regards one of these the flight shall be made in the same aircraft within eight hours, shall include two obligatory landings (when the machine must come to rest at points, other than the point of departure, fixed before-hand by the examiners) and shall terminate with a landing at the point of departure. During this flight an altitude of at least 6,500 feet shall be maintained for a total period of one hour. On the second flight the examiner shall be on board and three forced landings shall be made at point selected by the examiner : Provided that an applicant who is in possession of a valid Pilot's " A-1 " licence may be exempted from this flight.

(c) *General Flying.*—

- (i) For single-engined flying machines—General flying for about half an hour with an examiner on board and including three landings.
- (ii) For multi-engined flying machines—General flying for half an hour with an examiner on board during which the aircraft shall be flown with each engine in turn completely throttled down and during which three landings shall be made. Part of this flying shall be carried out with the aircraft light and part with the aircraft fully loaded.

(d) *Night flight.*—

- (i) A night flight of at least one hour carried out away from the aerodrome of departure at an altitude of at least 1,500 feet.
- (ii) Three landings of which at least two shall be made without the aid of a flood-light flares on the landing area may be used.

These flights shall be made between two hours after sunset and two hours before sunrise, on a dark night.

The aircraft used for these tests shall be equipped with approved lighting equipment for effecting night landings.

(e) *Blind Flying.*—A flight of not less than one hour in duration in the course of which the applicant, under the supervision of an examiner appointed by the President of the Union, shall without exterior view satisfactorily perform the following operations:—

- (i) Calculate and fly at least three different courses of not less than 15 nautical miles each on direction given by the examiner stating the point of departure and point to be flown to

- (ii) Carry out all ordinary manoeuvres and enter and recover from a spin :

Provided that the President of the Union may, at his discretion, exempt from this test an applicant who produces satisfactory evidence of having had experience in or of having completed a recognised course of training in instrument flying.

- (2) An applicant for the endorsement of his licence in respect of an additional type of flying machine shall be required to carry out, to the satisfaction of the examiner, three landings with the aircraft light and three landings with the aircraft fully loaded :

Provided that an applicant for the addition to his licence for the first time of a type of flying machine with two or more engines shall be required to carry out the general flying test prescribed in sub-clause (ii) of clause (c) of subparagraph (1) of this paragraph.

- (3)
- (i) An applicant for the renewal of a licence, who has not had the recent flying experience specified in subparagraph (2) of paragraph 1, shall be required to carry out the general flying test laid down in sub-clause (i) of clause (c) of subparagraph (1) of this paragraph, but may be required to carry out any of the other tests laid down in subparagraph (1) of this paragraph.
- (ii) An applicant for the renewal of a licence whose total night flying experience does not exceed 30 hours and who has not performed at least two hours night flying during the preceding six months shall be required to pass the test laid down in sub-clause (ii) of clause (d) of subparagraph (1) of this paragraph.

### 3. **Technical Examination.**—

- (1) An applicant for the grant of licence shall be required to pass, to the satisfaction of the examiners, an examination in the following subjects:—

#### *Group I*

- (a) *Flying Machines.*—Theoretical knowledge of the laws of resistance of the air especially as concerns its effect on main plane structure, tail unit and air-screw ; functions of the different parts of the flying machine and of the controls. Assembling of flying machines and their parts. Practical tests on rigging. Centre of gravity and loading. Principles of inspection and tests.
- (b) *Engines.*—General knowledge of internal combustion engines and the functions of the component parts ; -general knowledge of the construction, assembling, adjustment and characteristics of aero-engines; fuel and oil consumption and effect on range of aircraft ;

principles of inspection and tests. Causes of the faulty running of engines and of breakdown ; practical tests in running repairs.

- (c) *Instruments.*—Principles and use of instruments prescribed for flying machines including blind flying instruments :

Provided that an applicant who is in possession of a valid Pilot's "A-1" Licence may be exempted from the examination in the subjects mentioned in this Group.

*Group II.*

- (d) *Elementary Navigation.*—Map reading and use of maps compass, care, use and compensation ; principles of dead reckoning navigation and the instruments in common use ; principles of navigation by radio-goniometry.

- (e) *Rules as to Light and Signals.*—General Rules for Air Traffic, Special Rules for Air Traffic on and in the vicinity of aerodromes open to Public Use ; Rules for Preventing Collisions at Sea.

- (f) Practical knowledge of the special conditions of air traffic and of international air legislation. General knowledge in so far as they affect the responsibilities of a pilot, of the rules made under the Union of Myanmar Aircraft Act, 1934 (Act XXII of 1934), and Notices to Airmen.

*Group III.*

- (g) Elementary Meteorology.

- (2) The examination in flying machines and engines shall have references to the particular types of flying machines or engines which are to be endorsed on the licence. The applicant may be required to undergo a further examination with reference to other types of flying machines and engines before the licence is endorsed for such other types.

- (3) An applicant who fails to pass in any of the groups shall be permitted to re-appear not more than twice for examination in those groups :

Provided that an applicant who does not pass in all groups of the technical examination within a period of six months from the date of the first examination, shall be required to undergo the complete examination again.

4. **Medical Examination.**—

- (1) The medical examination shall be conducted by medical officers specially approved for the purpose by the President of the Union and shall be based

on the following requirement of mental and physical fitness

- (a) *Preliminary.*—The applicant must have the complete use of his four limbs, must not be completely deprived of the use of either eye and must be free from any active or latent, acute or chronic, medical or surgical, disability, or infection. He must be free from any injury or wound which would entail any degree of functional incapacity which might interfere with the safe handling of aircraft at any altitude even in the case of prolonged or difficult flight. He must be completely free from hernia, must not suffer from any detectable sensory lesion, and must be free from history of morbid mental or nervous trouble.

The applicant will be questioned concerning his family and personal history.

- (b) *Examination of the Nervous System.*—The examination of the nervous system of the applicant shall comprise a full inquiry into family and personal history. The information obtained shall be given in a statement made and signed by the applicant and accompanied, if possible, by a certificate in regard especially to losses of consciousness fits and convulsions of all kinds, from the applicant's ordinary medical adviser or a responsible person who has known him for a long time. This statement and this certificate must be such as to satisfy the examining medical officer. The applicant must not present any mental or trophic impairment, pathological tremor, or presumptive evidence of latent epilepsy. Motility, sensibility, tendinous, cutaneous and pupillary reflexes, co-ordination of movements and cerebellar functions, must be normal, an exception may be made for local peripheral trouble due to accidental section of a nerve branch.

Fractures of the cranium involving the internal table of the cranial-box, even without apparent impairment, will entail temporary unfitness during a period of two years from the date of the fracture. Any presumed nervous syphilis will entail rejection, unless the non-existence of such an impairment is proved by an examination of the blood and an examination of the cerebrospinal fluid, made with the consent of the applicant.

- (c) *General Surgical Examination.*—The requirements of this examination shall be the same as those laid down in clause (b) of sub-paragraph (2) of paragraph 4 of section A for an applicant for a Pilot's "A" licence, with the addition that the applicant must neither suffer from any wound or injury, nor have undergone any operation, nor possess any abnormality, congenital or acquired, which might interfere with the safe handling of a flying machine at any altitude even in the case of prolonged or difficult flight.
- (d) *General Medical Examination.*—The applicant must not suffer from any disease or disability which renders him liable suddenly

to become incompetent in the management of aircraft. His muscular power must be adequate for handling of the types of aircraft he will have to pilot or the apparatus he is to use. He must not have any signs of aneurism of the large arterial trunks, nor have any cardiac lesion, even if well compensated ; the heart must be normal, with normal function, and only respiratory, arrhythmia, increase of pulse rate from excitement of exercise and a general slow pulse not associated with auriculo-ventricular dissociation will be allowed. The applicant must not suffer from any acute disability of the lungs, nor possess any cicatricial lesion of the lungs, and must be free from tuberculosis capable of being diagnosed by the usual clinical methods from traceobronchial disease of the glands, and from pulmonary emphysema, even if slight. However, with regard to the maintenance of the applicant's efficiency, pulmonary emphysema will entail rejection only when the pulmonary capacity falls below three and half litres at rest after full exhalation and inhalation and when the duration of the breath holding falls at rest below fifty seconds, or only forty seconds if the candidate is less than 5 feet or is of the female sex. In addition, each examination shall include a radioseopic record in doubtful clinical cases. When the examination of the spleen and of the ganglionic tracts reveals hypertrophy of these organs, the candidate shall be declared unfit unless a hematological examination has shown that it is not a case of an original impairment of the hemotopoietic organs. Hemoglobinary, hemophily and purpuras shall also entail rejection, unless hematological examination shows that it is a case of only transitory impairment. The applicant must not present any sign of organic disease of the kidneys ; these latter must be insensitive to palpation and of normal size. Renal ptosis shall entail rejection ; this rule, however shall not apply as regards the maintenance of efficiency if no functional trouble is involved. The urine must not contain any pathological element. Affections of the urinary passages and of the genital organs, even blennorrhoea, may entail temporary or definite unfitness, an exception being allowed as regards the maintenance of efficiency in the case of tuberculous orchid-epididymitis in its mild and localised form.

Applicants of the female sex must present a normal uterus and appendages. Cases in which surgical intervention has taken place shall be considered individually. Any presumed pregnancy shall entail rejection. Following confinement or miscarriage, the holder of a licence shall be allowed to resume her air duties only after having undergone a fresh medical examination.

The applicant must not present any clinical signs of syphilis. Dysentery shall be considered as an acute disease ; provided that a presumption of dysenteric infection shall entail rejection, unless the medical examiner considers that the clinical phenomena have disappeared.

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

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

- (f) *Ear Examination.*—The middle ear must be healthy. The applicant must possess an auditory acuity not less than corresponding with the normal perception of 64 vibrations per second, 256 vibrations per second, and 4,096 vibrations per second, the fork being held perpendicularly to the ground one centimeter from the auditory tube. The vestibular mechanism must be intact and not hypersensitive ; it must be equal on both sides.

- (g) *Nose, Throat and Mouth Examination.*—The applicant must possess free nasal and tubal air entry on both sides and must not suffer from serious, acute or chronic affections of the buccal cavity or upper respiratory tract :

Provided that an applicant who does not satisfy the whole of the above medical requirements may, at the discretion of the President of the Union, be accepted, as far as such requirements are concerned, as eligible for the renewal of a licence, or for the issue of a licence if he has previously been found medically fit for flying in accordance with the above requirements :

Provided further that an applicant who does not satisfy all the above medical requirements may, at the discretion of the President of the Union, be accepted, so far as such requirements are concerned as, eligible for the issue of a licence subject to such limitations as the President of the Union may impose and on the condition that the licence shall in no case be valid for flight outside the Union of Myanmar.

- (2) In the case of an application for renewal of a licence the medical examination shall take place ordinarily not earlier than 15 days before the date of expiry of the validity of the licence.
- (3) Every applicant who presents himself to undergo the medical examination required for the issue or renewal of a licence must furnish to the medical examiner a declaration signed by him stating whether he has previously undergone such a medical examination and with what result. A false declaration shall render the applicant liable to the cancellation of any licence issued or renewed to him as the result of the examination.





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SECTION D.—PILOT INSTRUCTOR'S LICENCE.

1. **Flying Experience.**—

- (1) An applicant for the issue of a licence shall be required to produce evidence of having carried out not less than 500 hours, solo flying, which shall be to the satisfaction of the President of the Union.
- (2) An applicant for the renewal of a licence who has not given at least 50 hours flying in the preceding 22 months, shall be required to pass the flying tests prescribed in paragraph 2 of this Section.

2. **Flying Tests.**—An applicant shall carry out such practical flying test as may be required by the President of the Union or produce evidence of such qualifications as a pilot instructor as may be considered equivalent. The tests will include a demonstration by the candidate as instructor and the examiner as pupil.

3. **Technical Examination.**—An applicant shall undergo such technical examination in the principles of flying instruction as may be required by the President of the Union or produce evidence of such qualifications as a pilot instructor as may be considered equivalent. The examination shall include a demonstration by the candidate of his ability to lecture on any subject of examination for the Pilot's "B" licence, and shall test the candidate's knowledge of the rules made under the Union of Myanmar Aircraft Act, 1934 (Act XXII of 1934), and of Notices to Airmen with particular reference to the training and licensing of pilots and the responsibilities of a pilot instructor.

4. **Medical Examination.**—The medical examination shall be based on the same requirements and shall be undertaken under the same conditions as set out in paragraph 4 of Section C of this Schedule for a Pilot's " B " licence.

SECTION E.—NAVIGATOR'S LICENCE.

1. **Flying Experience.**—

- (1) An applicant for a second class licence shall be required to produce evidence of having had at least two years air experience, during which at least 300 hours shall have been spent in the air.
- (2) An applicant for a first class licence shall be required to produce evidence of having had at least four years air experience, during which at least 600 hours shall have been spent in the air, not less than 100 hours of this being experience of navigation in the air of which not less than 15 hours shall have been obtained in connection with cross country flights made between two hours after sunset and two hours before sunrise.

- (3) In this paragraph the expression " air experience " means experience as an operative member of the crew of an aircraft.

2. **Technical Examination.—**

- (1) An applicant for a second class licence shall be required to pass to the satisfaction of the examiners an examination on the following subjects:—
- (a) Form of the earth ; its divisions and their notation; mathematical calculation of the various elements by plane trigonometry to obtain course and distance.
  - (b) Maps and charts; how to read and use them; practical properties of different projections used in aviation.
  - (c) Compasses, their construction, use, and adjustment; elementary principles of earth's magnetism.
  - (d) Flight by dead reckoning; with the use of instruments for the Measurement and calculation of the elements of the triangle of velocities.
  - (e) Navigation by radio goniometry; methods of fixing the position of an aircraft with the application of the necessary corrections.
  - (f) International air legislation; regulation for the prevention of collisions at sea; publications for the assistance of navigators.
  - (g) Signaling semaphore, flashing and international code flags. the Meteorology knowledge of meteorological elements and observations; arrangements for the issue of meteorological reports for aviation; principles of forecasting; construction and interpretation of synoptic charts; climatology.
- (2) An applicant for a first class licence shall be required to pass to the satisfaction of the examiners an examination on the following subjects :—
- (a) Form of the earth, or in clause (a) of sub-paragraph (1) with the addition of mathematical calculation of various elements by spherical trigonometry (great circle courses and distances).
  - (b) Maps and Charts, as in clause (b) of subparagraph (1) with the addition of the principles of construction of the common projections used in Air Navigation.
  - (c) Tides—Elementary theory and prediction by the aid of tables.

- 
- (d) Astronomical navigation—Various methods of fixing the position of an aircraft with the use and care of tables, diagrams and instruments for the solution of this problem. Knowledge of the mathematics involved.
  - (e) Flight by dead reckoning, as in clause (d) of sub-paragraph (1).
  - (f) Navigation by radio goniometry, as in clause (e) of sub-paragraph (1).
  - (g) International air legislation, etc., as in clause (f) of sub-paragraph (1).
  - (h) Signaling, as in clause (g) of sub-paragraph (1).
  - (i) Astronomical navigation; various methods of fixing the position of an aircraft, with the use and care of tables, diagrams, and instruments for the solution of this problem; knowledge of the mathematics involved.
  - (j) Meteorology, as in clause (h) of sub-paragraph (1); more advanced knowledge.
- (3) The arrangement of subjects detailed in this paragraph shall not necessarily be that adopted in the examination where two or more subjects may be grouped into one paper. The examination usually be written but shall be accompanied by oral and practical tests..
3. **Medical Examination.**—The medical examination shall be conducted by medical officers specially approved by the President of the Union, shall be based upon the same requirements and shall be undertaken under the same condition as set out in paragraph 4 of Section A for a -Pilot's " A " Licence with the following modifications:—
- (1) *General Surgical Examination.*—The applicant must neither suffer from any wound or injury nor have undergone any operation, nor possess any abnormality congenital, or acquired, which might interfere with the performance of his duties. The remaining conditions for this examination shall be the same as those set out in clause (b) of sub-paragraph (2) of paragraph 4 of Section A.
  - (2) *General Medical Examination.*—The applicant must not suffer from any -disease or disability which might interfere with the performance of his duties. The remaining conditions for this examination shall be the same as those set out in clause (e) of sub-paragraph (2) of paragraph 4 of Section A.
  - (3) *Eye Examination.*—The applicant must possess, with correction by glasses, if necessary, a visual acuity equal to 100 per cent, that is to say normal for each eye taken separately.

## SECTION F.—RADIO-TELEGRAPH OPERATOR'S LICENCES.

1. **Flying Experience.**—

- (1) For the original grant of a licence, the applicant shall be required to produce evidence of having had the following minimum air experience while performing satisfactorily in an aircraft the duties of a radio-telegraph operator:—
- |     |  |  |
|-----|--|--|
| (a) | Radio-telephone licence—ten hours as a radio-telephone operator. |  |
| (b) | Second Class licence—twenty hours                                | } Other than as a radio<br>telephone operator. |
| (c) | First Class licence—seventy hours                                |  |
- (2) For the renewal of a licence, the applicant shall be required to produce evidence of having had, during the two years immediately preceding the date of application, the air experience specified in sub-rule (1) for the original grant of the licence.

2. **Medical Examination.**—

- (1) An applicant for a licence shall be required to undergo a medical examination by medical officers specially approved for the purpose by the President of the Union. This examination shall be based on the requirements set out in paragraph 4 of Section A, with the following modifications, namely:—
- (a) normal colour perception shall not be required;
- (b) binocular vision, ocular poise and ocular mobility may be sub-normal;
- (c) visual acuity may be reduced for the two eyes with correction by glasses to a total of 50 per cent of the normal visual acuity, it being admitted that one eye may be entirely lacking.
- (2) Special attention shall be paid to the following requirements:—
- (a) freedom of nasal air passage;
- (b) potency of Eustachian tubes;
- (c) absence of active *olitis media*; absence of *ceruminous* or *apedermal* plugs;
- (d) perception of the whispered voice at seven feet or more for each ear;
- (e) perfect perception of air vibrations between 512 and 2,048; absence of symptoms of serious labyrinthine disorder (vertigo, vomiting, loss of balance) whether spontaneous or easily evoked.

## SECTION G.—GENERAL.

1. The evidence normally required as proof of flying experience shall consist of the production of a Pilot's Log Book certified by a responsible authority, or of a certi-

fied extract there from in the prescribed form. Such flying experience shall be to the satisfaction of the President of the Union.

2. Flight by night for the purpose of this Schedule, except where otherwise stated, means flight performed between the hours of half an hour after sunset and half an hour before sunrise.
3. A cross country flight for the purpose of this Schedule means a flight of not less than 100 nautical miles from the aerodrome from which the flight started, whether over land or sea.
4. In each flying tests, unless otherwise specified, the candidate shall be alone in the flying machine.
5. The flying tests specified in Sections A to D, respectively shall be carried out within a maximum period of two months, and together with the technical examinations specified in these Sections shall be completed within a period of nine months preceding the date of issue of the licence.

The flying tests may be carried out in any order and each may be attempted twice. They shall be witnessed by at least two property accredited examiners who shall hand over the official reports to the proper authorities.

The official reports shall give full details of the flights, especially -of the landings. The candidates shall, on demand by the examiners, furnish, before each test, proof of identity.

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

6. All landings carried out in the course of the flying tests specified in Sections A to D, respectively shall be normal three point landings to the satisfaction of the examiner.
7.
  - (1) Application for the grant of licences should be made to the Director of Civil Aviation, Myanmar, Rangoon, by whom all the necessary forms shall be supplied on demand.
  - (2) Such applications shall be accompanied by—
    - (a) three unmounted photographs of the applicant's head uncovered, the image of the head measuring approximately 1¼" H ¾" ;
    - (b) the necessary medical certificates, and examiner's reports where these have not been sent direct;
    - (c) the treasury receipt for the payment of the fee due.

8. An applicant who fails in any subject of the technical examinations specified in Sections A to D, shall not be permitted to appear for reexamination for a period of 3 months or such lesser period as may be intimated by the examiner or by the Director of Civil Aviation, Myanmar.

### SCHEDULE III.

(See Part VI.)

#### DETAILED CONDITIONS APPLICABLE TO THE ISSUE, VALIDITY AND RENEWAL OF CERTIFICATES OF AIRWORTHINESS, AND GROUND ENGINEERS' LICENCES.

##### SECTION A.—CLASSIFICATION OF FLYING MACHINE.

1. Every flying machine for which a certificate of airworthiness is granted shall be classified on such certificate as belonging to one of the following categories and one or more of the following sub-divisions:—
- (1) *Normal Category*:—  
*Sub-division (a)*.—Passenger machines.  
*Sub-division (b)*.—Mail machines.  
*Sub-division (c)*.—Goods machines.  
*Sub-division (d)*.—Aerial work machines.  
*Sub-division (e)*.—Private machines.
- (2) *Special Category*:—  
*Sub-division (f)*.—Private machines.  
 " Racing or record machines " means machines which are specially intended or arranged for the purpose of sporting or technical performances, to the exclusion of all other uses.  
*Sub-division (g)*.—Research or experimental machines.  
 " Research or experimental machines " means machines which are specially intended or arranged for the purpose of experimenting in flight with new apparatus, to the exclusion of all other uses.
- (3) *Acrobatic Category*:—  
 Sub-divisions (a) to (g) as in the two preceding categories.

Notes.—

- (i) An aerial work machine may be limited by the certificate of airworthiness to specific purposes for which it is designed or equipped.
- (ii) Machines in the Normal Category must not be flown at indicated air speeds greatly in excess of the indicated air speed corresponding to steady horizontal flight at the international number of revolutions per minute, as specified in the certificate of airworthiness, at the rated altitude of the engine(s) and must in no circumstances be flown at speeds greater than 50 per cent in excess of this speed. They are limited to normal flight.

- (iii) The conditions of flight for machines in the Special Category shall determine for each individual machine on its merits. Flights of such machines may, as a pre-cautionary measure, be limited to certain areas and to certain periods.
  - (iv) Machines in the Acrobatic Category shall not be restricted as to the indicated air speed at which they may be flown and shall not be limited to normal flight.
  - (v) The Category in which a flying machine may be given a certificate of airworthiness shall depend upon its load factors, its performance and its equipment.
2. A flying machine which is classified in any sub-division in the Normal or Special Category may be used for any of the sub-divisions which follow in those categories, and a flying machine which is classified in any sub-division in the Acrobatic Category may be used for any of the sub-divisions which follow in that category, provided in each case that while being so used all the conditions (including those relating to the equipment and operation of the machine) applicable to the subdivision concerned shall be complied with.

#### SECTION B.—INSTRUMENTS AND EQUIPMENT TO BE CARRIED BY FLYING MACHINES.

1. The following instruments and equipment shall be required in the circumstances detailed to be carried When flying machines which are required to be provided with a certificate of airworthiness:—
- (1) In all flying machines:—
    - (a) For all flights:—  
The instruments specified in Rule 52, in addition—  
Hand fire extinguisher in each main compartment carrying personnel.
    - (b) For flights which extend beyond a radius of 3 nautical miles from the point of departure:—  
Equipment, as required by the circumstances of the case. for making the signals prescribed in these Rules.
    - (c) For flights any part of which takes place between sunset and sunrise:—  
Navigation lights. Illumination for instruments and equipment.
  - (2) In all flying machines capable of more persons including the crew:—
    - (d) For all flights—  
The instruments and equipment prescribed under sub-paragraph (1) (a), (b) and (c) and in addition—  
Artificial horizon.  
Directional gyro.

Hand Fire Extinguisher in each main Passenger compartment with a minimum of two extinguishers.

Axe suitably stowed so as to be readily available to the crew for use in emergency.

(3) In public transport flying machines, the instruments and equipment prescribed under subparagraph (1) (a), (b) and (c) and in addition—

(e) For flights which extend beyond a radius of 20 nautical miles from the point of departure:—

Compass.

Watch.

Map or maps to cover the whole route of the proposed flight.

Turn indicator

Sensitive altimeter when radio-  
telegraph apparatus is carried.

Pitch indicator

} For machines operating  
on a regular scheduled  
air service.

(f) For flights at any point of which the machine is more than 10 nautical miles from the nearest land:—

Life belt for each person on board.

(g) For flights any part of which takes place between the boors or sunset and sunrise observed respectively at the ground level of the region flown over and at any point of which the machine is more than 3 nautical miles from the nearest lighted aerodrome approved for night flying:—

Approved lighting equipment for effecting night landing.

(h) For flights on which a licensed navigator is required, by Part V of these Rules, to be carried:—

Drift Indicator, for machines with seating accommodation, as shown in the certificate of airworthiness, for more than five persons.

Chart table

Navigator instruments

Navigator's air speed indicator

Navigator's altimeter

Navigator's compass

} As may be required by  
the duties and location of  
the Navigator.

Note.—The rules with regard to carriage of radio-telegraph apparatus are contained in Parts II and VII.

(i) For flight over uninhabited or sparsely inhabited regions:—

Two days' supply of water and food for each person on board.



- (4) In public transport flying machines capable of carrying ten or more persons including the crew—
- (j) For all flights:—
- The instruments and equipment prescribed in sub-paragraphs (1) (2) and (3) above.

SECTION C.—WEIGHING AND MARKING OF FLYING MACHINES.

1. Every flying machine shall be weighed—
- (a) before a certificate of airworthiness is issued in respect thereof and
- (b) at such times after the issue of a certificate of airworthiness as the President of the Union may require.
2. Every flying machine for which a certificate of airworthiness is for the time being in force shall bear clearly painted upon it in prominent position—
- (a) its weight empty (including water in radiators), as ascertained at its last previous weighing; and
- (b) the maximum total weight authorised for it, as shown for the time being in its certificate of airworthiness and shall carry displayed in a prominent position inside it a weight schedule showing what items of equipment (if any) are included in the “weight empty (including water in radiators)” as painted on it.

SECTION D.—INSPECTION OF AIRCRAFT BEFORE FLIGHT.

1. **Conditions of inspection.**—The inspector of a flying machine required by Rule 60 shall be in accordance with the following provisions
- (a) Inspection of the flying machine including its instruments and equipment, but exclusive of the engine or engines, and engine installation and of the instrument relating thereto shall be carried out by a ground engineer licensed in Category A in respect of aircraft of the type in question;
- (b) Inspection of the engine or engines and engine installation and of the instruments relating thereto shall be carried out by a ground engineer licensed in Category C in respect of engines of the type or types in question;
- (c) The whole of the inspection may be carried out by the same ground engineer, provided that he shall be licensed both in Category A and in Category C in respect of aircraft and engines of the types in question.

2. **Form of ground engineer's certificate.**—The certificate of the ground engineer required by Rule 60 (2) shall be made out in duplicate in the following form:—

*Certificate of safety for flight.*

Aircraft Type

Nationality and Registration Mark

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

(Signed)

Ground Engineer ; Licence No.  
Category

Date  
Time

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

(Signed)

Ground Engineer ; Licence No.  
Category

Date  
Time

3. **Pilot's Inspection.**—The inspection of a flying machine required by sub-rule (3) of Rule 60 shall be such as to satisfy the pilot or person in charge of the flying machine on the points enumerated hereunder:—

- (a) the aircraft is equipped with the prescribed instruments and equipment ;
- (b) the controls of the machine are working freely in the correct sense, and the engines are giving their correct revolutions ;
- (c) the aircraft is satisfactorily loaded with respect to total load and distribution of load as specified in the certificate of airworthiness, with such modification as may be necessitated by the conditions of the proposed flight ;

- (d) the view of the pilot is not interfered with by any obstruction not forming part of the structure of the aircraft ;
  - (e) sufficient fuel, oil and water are on board for the purpose of the proposed flight, and the fuel and oil are of a grade specified by the manufacturer of the engine ;
- and in the case of every flying machine which is required by Rule 15 to be certified as airworthy ;
- (f) the aircraft, engines, instruments and equipment have been certified by a ground engineer holding the appropriate licence as fit in everyway for the proposed flight, in accordance with Rule 60.

4. **Load Sheet.**—In the case of a public transport flying machine ,effecting public transport on a regular air service, a load sheet shall be completed by the person, superintending the loading and such load sheet shall be submitted to the pilot or person in charge for the purpose of satisfying himself that the conditions set out in clause (e) of paragraph 3 have been complied with.
5. **Disposal of Certificates.**—Of the copies of the certificates referred to in this Section one copy shall be retained by the owner or Operator of the aircraft, and one copy shall be carried in the journey log book until replaced by a further certificate issued under this section. The load sheet shall be kept by the owner or operator of the aircraft. Certificates and load sheets shall be kept for six months from the date of their completion.

#### SECTION E.—INSPECTION OF AIRCRAFT AND AERO-ENGINES AFTER OVERHAUL, REPAIR, ETC.

1. **Conditions of Inspection.**—When any flying machine which is required by these rules to be certified as airworthy or in respect of which a certificate of airworthiness has been issued by the President of the Union or the engine or engines of such flying machine, overhauled, repaired or modified or when any part thereof is replaced, the flying machine shall not fly except in so far as flying machines which have no certificates of airworthiness are permitted to fly under these Rules, unless and until the following conditions have been complied with:—
  - (1) The work shall be completed in all essential respects in accordance with—
    - (a) the approved type design in conformity with which the aircraft or engine was constructed, including any modifications to that design or to the aircraft or engine which may have been required or approved by the President of the Union, or

- (b) a repair scheme which has been approved by the President of the Union.
- (2) The materials used shall be not inferior to those authorized for the type design in conformity with which the aircraft or engine was constructed.
- (3) the work shall be inspected in accordance with the provisions respecting inspection of subsequent aircraft or engine applicable to the case.
- (4) A certificate in the form set out in paragraph 3 of this Section, shall be obtained :

Provided that, in the case of repairs where it is not reasonably practicable to comply with the above requirements, whether by reason of particulars of the type design not being available or otherwise, a temporary repair may be made for the purpose of enabling the aircraft to proceed directly to the nearest place at which a repair complying with the above requirements can be carried out and, if the pilot is satisfied that, having regard to all the circumstances of the case, such repair is adequate for the purpose, the aircraft may then proceed to fly to such place :

Provided further that if it is proposed that such temporary repair shall remain in service, it shall be treated as a modification requiring the approval of the President of the Union and until such approval has been obtained the aircraft shall not fly except as specified in the preceding. provision or in so far as aircraft which have no certificate of airworthiness are permitted to fly under these Rules.

2. **Inspection Requirements.**—The following conditions shall be complied with in the inspection of flying machines or engines during construction (including overhaul), repair, modification, or replacements, namely :—

- (1) All materials used in the construction of the aircraft or engine shall be in accordance with the approved specification for the first aircraft or engine constructed of that particular type, and such material shall be adequately identified as being of the approved specification or shall be proved to comply with such specification by suitable examination, sampling and testing.
- (2) The constructor's inspecting staff shall stamp, or otherwise provide means for the identification of, all parts approved by them for incorporation in the aircraft or engine in such a way that the person so approving each such part can subsequently be identified.

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- (3) Only parts which have been approved in accordance with clause (2) may be issued to the workshops for assembly into the flying machine.
  - (4) The constructor shall maintain an efficient process inspection- during the work of assembly and record the progress of such inspection for each component. Every component shall be finally inspected and approved by a qualified member of his inspection staff, who shall mark the component in such a way that he may afterwards be identified as the person having so approved it and shall also sign the inspection record.
  - (5) Operations such as heat treatment of steels and non-ferrous metals, seasoning and conversion of timber gluing of important parts), doping, welding, white metalling, brazing and soldering shall be carried out by methods approved by the -President of the Union.
  - (6) The constructor shall ensure that all components and parts obtained from sub-contractors have been inspected and approved in accordance with these conditions.
  - (7) The constructor shall ensure that all engines fitted in the aircraft have been inspected and approved in accordance with these conditions and have passed satisfactory tests. The constructor shall provide adequate facilities for these tests.
  - (8) The constructor shall ensure that the instruments and equipment fitted in accordance with Section B have been manufactured, and any repairs thereto executed in accordance with approved specifications.
  - (9) The aircraft constructor shall ensure by suitable inspection that all engines, instruments and parts (including wiring for electrical equipment and radio-telegraph apparatus) which are fitted into the aircraft are so installed as to function correctly. The persons responsible, for such inspection shall be indicated by signatures on the inspection record referred to in clause (4).
3. **Form of Certificate.**—The certificate referred to in clause(4) of paragraph I shall be appended to the written particulars of the overhaul, repair, modification or replacement to which it relates, and shall be in the following form :—

I hereby certify that in carrying out the overhaul, repair, modification, replacement specified above all the conditions required for the inspection of subsequent aircraft (aero-engines) during construction which are applicable to this aircraft (aero-engines) have been complied with.

Signed—  
 Designation—  
 Date—

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4. **Persons authorized to give Certificates.**—The certificate referred to in clause (4) of paragraph I shall be signed by a ground engineer, qualified under the terms and conditions of his licence to carry out or inspect the overhaul, repair, modification, or replacement to which the certificate relates, or by a person authorized by a firm or company approved by the President of the Union in this behalf.
5. **Ground Engineers authorized to inspect.**—The categories of ground engineers who are authorized to inspect overhauls, replacements, modification and repairs are as follows :—
- (a) *Inspection of flying machines, excluding engines.*—A ground engineer licensed in Category B in respect of flying machines of the type in question.
  - (b) *Inspection of engines.*—A ground engineer licensed in a Category D in respect of engines of the type in question.
  - (c) *Inspection of instruments, equipment and accessories of aircraft and engines.*—A ground engineer licensed in Category X in respect of the type of instrument, equipment or accessory in question.
6. **Disposal of Certificates.**—The certificate referred to in clause (4) of paragraph (1) shall, when it relates to the aircraft exclusive of the engine or engines, be written in the Aircraft log book, or, when it relates to the engine or engines, be written in the engine log book, or, when it relates to instruments, equipment and accessories, in the aircraft or engine log book as may be most appropriate :
- Provided that, if the appropriate log book, is not at the place where the overhaul, repair, modification or replacement is carried out, the certificate may be given separately, but shall be pasted in the log book as soon as practicable and shall be kept with the working copy of the log book until so pasted.
7. **Inspection after Damage.**—When structural damage which materially impairs its safety occurs to an aircraft in respect of which a certificate of airworthiness is required by these Rules, the aircraft shall not again fly until the damage has been repaired and a certificate has been obtained in accordance with this section.
8. **Defective Parts.**—When any part of aircraft, an aero-engine, or an instrument or equipment of an aircraft is revealed by inspection to be defective the President of the Union may require it to be delivered to a person authorized by him in this behalf for examination, and on a request being made by the owner such part shall be returned to him after examination.

SECTION F.—GROUND ENGINEER'S LICENCES. QUALIFYING TESTS  
AND EXAMINATIONS.

1. **Practical Experience required.—**

- (1) An applicant for the grant of a licence under Rule 61 shall normally be required to satisfy the examiner appointed or approved by the President of the Union in this behalf that he has the qualifications and has had the practical experience detailed below for the appropriate category of licence:—

*Category A.*—Not less than two years on aircraft maintenance or construction and maintenance.

*Category B.*—Not less than two years on aircraft construction, including overhaul and the testing of materials used in aircraft construction, and not less than four years in all on aircraft construction and maintenance. The applicant must be the holder of a licence in Category A.

*Category C.*—Not less than two years on a aero-engine maintenance or construction and maintenance.

*Category D.*—Not less than two years on aero-engine construction including overhaul and the testing of materials used in aero-engine construction, and not less than four years in all on aero-engine construction and maintenance. The applicant must be the holder of a licence in Category C.

*Category X.*—Such practical experience of the particular work -of which the licence is required as in the opinion of the authorised examiners will enable the candidate to perform satisfactorily the duties for which the licence is required.

- (2) A shorter period of practical experience than that specified may be accepted as sufficient on proof that the candidate has otherwise acquired adequate engineering experience which may be applied to the construction or maintenance of aircraft, aero-engines, instruments, accessories or equipment as the case may require.
- (3) A candidate whose experience is limited to particular types of construction, methods of overhaul or materials may be granted a licence restricted to those particular types of construction, methods of overhaul or materials:

Provided that an applicant for such a restricted licence in Category B or D shall have had not less than one year's experience in the complete overhaul or construction and overhaul of aircraft or aero-engines, as the case may be, and not less than three years' experience in all in aircraft construction, overhaul and maintenance, or aero-engine construction, overhaul and

maintenance, as the case may be, and shall, if an applicant for a B licence, have held an A licence for one year, and if an applicant for a D licence, have held a C licence for one year.

2. **Technical Examination.**—

- (1) An applicant for the grant of a licence shall be required to pass to the satisfaction of the examiner an examination in the subjects detailed below for the appropriate category of licence:—

*For all Categories.*

Duties and responsibilities of a ground engineer; approved materials and distribution procedure; procedure regarding modifications; forms and procedure regarding certificates and log book entries; prescribed equipment of aircraft; general principles of engineering practice.

*Category A.*

**Inspection of aircraft before flight.**

Elementary theory of flight as applied to rigging.  
 Erection and inspection of aircraft and adjustment of flying controls.  
 Inspection for wear and tear and inspection after accident.  
 Methods of carrying out repairs, replacements and modifications permitted under Category A.  
 Common defects of aircraft components.  
 Fitting and inspection of air crews.  
 Principles of construction installation and inspection of air speed indicators and altimeters.  
 Principles of construction, installation and inspection of various types of turn indicators and electrical equipment.  
 Erection, truing and inspection of hulls and floats.

*Category B.*

**Inspection of aircraft during construction or overhaul.**

The subjects for Category A, and in addition:—

Processes of manufacture, inspection, testing and identification of aircraft materials and parts

Methods of repair, assembly, inspection, and testing of aircraft components and complete aircraft.



*Category C.***Inspection of aero-engines before flight.**

- Principles of internal combustion engines.
- Constructional details of types of aero-engines.
- Top overhaul methods, common defects and permissible allowances for wear and distortion.
- Clearances and tolerances use of measuring instruments, and knowledge of principles of expansion of metals.
- System of carburetion, ignition and lubrication. Detection and correction of running defects.
- Installation of engines and inspection of installation and engine controls.
- Fitting and inspection of airscrews.
- Principles of construction, installation and inspection of aero-engine instruments.
- Routine inspection and testing of aero-engines preparatory to flight.

*Category D.***Inspection of aero-engines during construction or complete overhaul.**

The subject of Category C and in addition :—

- Processes of manufacture, inspection, testing and identification of aero-engine materials and parts.
- Methods of repair, assembly, inspection and testing of aero-engine components and complete aero-engines.

Note.—In the case of restricted B and D licences, such portions of the appropriate syllabus may be omitted as the examiner thinks fit.

*Category X.*

- (1) One or more of the following subjects according to the purpose for which the licence is required :—
  - (1) Repair, overhaul and testing of magnetos.
  - (2) Repair, overhaul, testing and calibration of aircraft and aero-engine instruments.
  - (3) Inspection, packing and maintenance of parachutes.
  - (4) Installation and compensation of compasses in aircraft.
  - (5) Construction and repair by welding.

- (2) The examiners may require a candidate to undergo a practical -test in any of the subjects of examination.
- (3) An applicant for the renewal of a licence who has not, since the issue of the licence, been employed on the work for which the licence was issued may be required to undergo re-examination as a condition of -the renewal of the licence.

#### SECTION G.—GENERAL.

1. Application for the issue or renewal of certificates of airworthiness and ground engineer's licences shall be made to the Director of Civil Aviation, Myanmar, Rangoon, by whom all the necessary forms shall be .,Supplied on demand, and by whom instructions shall be issued as to the place and time of inspection or examination and as to further -information or evidence required for the purpose of the issue of the certificate or licence.
2. The detailed syllabus of examination for ground engineers shall be :supplied by the Director of Civil Aviation, Myanmar, Rangoon, on demand.

SCHEDULE IV.

DIAGRAMS.

Figure 1: Navigation Lights.—Angular limits prescribed in Rule 89.

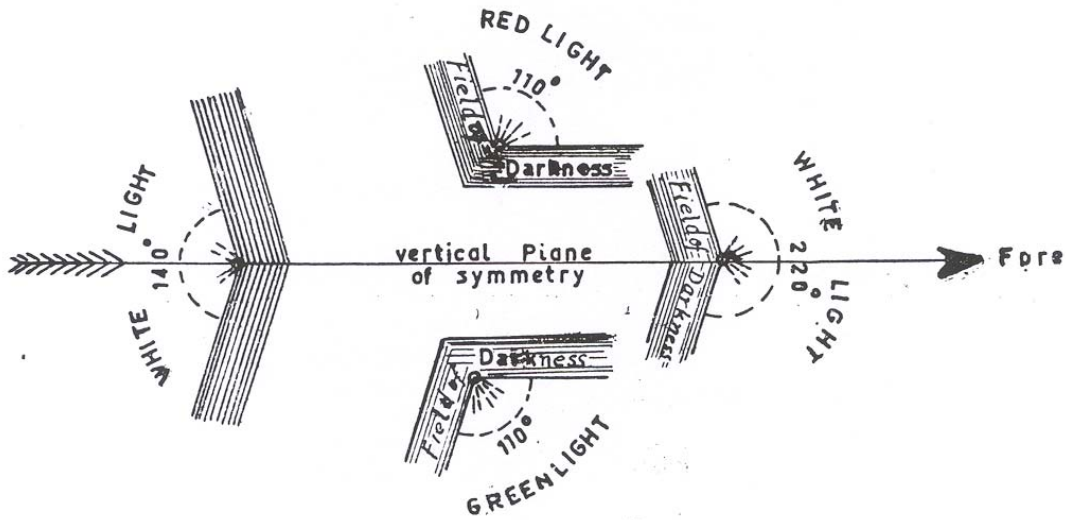


Figure 2: Star of five points prescribed in sub-rule (2) of Rule 105.

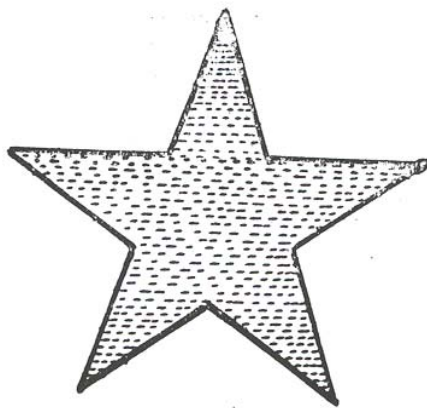
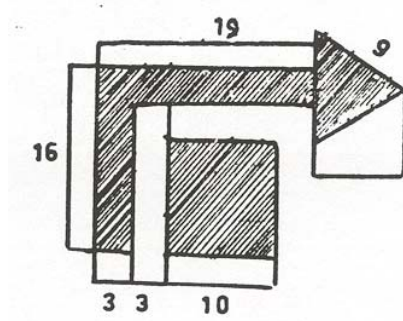


Figure 3: Red square panel prescribed in sub-rule (3) of Rule 105



*Figure 4 : Red square panel and red rectangular panel prescribed in sub-rule (4) of Rule 105.*



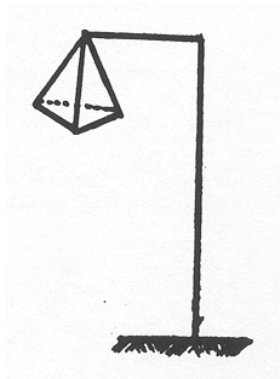
*Figure 5 : Red square prescribed in sub-rule (5) of Rule 105.*



*Figure 6 : Red square panel prescribed in sub-rule (6) of Rule 105.*



*Figure 7 : Mast and triangular equilateral pyramid prescribed in sub-rule (7) of Rule 105.*



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## SCHEDULE V.

### AERODROMES.

#### SECTION A.—REQUISITES TO GRANT OF LICENCE.

(See Rule 86.)

1. The landing area shall be of adequate dimensions for the type of aircraft in respect of which the licence is required, having regard to the altitude of the ground and the nature of surrounding obstructions.
2. The landing area shall be sufficiently level and smooth to present no danger to aircraft landing or taking off, and sufficiently firm in the conditions in which it is to be used to withstand the weight of the aircraft to be used.
3. The landing area shall be adequately marked with boundary marks and such bad ground, or other, markings as may be considered necessary by the Director of Civil Aviation, Myanmar.
4. For an aerodrome to be used for night flying, the following equipment shall be provided, namely-boundary lights, obstruction lights, illuminated wind indicator, and either flares or floodlight.
5. The direction of the wind shall be clearly indicated by one or more of the recognized methods approved by the Director of Civil Aviation, Myanmar.
6. For an aerodrome open to public use such international signals shall be displayed as may be specified by the Director of Civil Aviation, Myanmar.

SECTION B.—TARIFF OF LANDING AND HOUSING CHARGES AT  
GOVERNMENT AERODROMES.

(See Rule 82.)

1. The charges for landing and housing of aircraft, other than airships at Government aerodromes shall be as follows

Type of Aircraft class	Total weight	Landing charge for single landing	Housing charges (excluding Landing charges)		
			Up to 24 hours	Monthly rate	Quarterly rate
		K	K	K	K
A	Up to 2,500 lbs.	1	2	40	80
B	2,501—7,500 lbs	5	10	200	400
C	7,501—15,000 lbs	10	25	500	1,000
D	15,001—25,000 lbs	25	40	800	1,600
E	25,001—50,000 lbs	50	60	1,200	2,400
F	50,001—100,000 lbs	150	100	2,000	4,000
G	100,001—200,000 lbs.	300	200	4,000	8,000
H	Above—200,000 lbs.	750	300	6,000	12,000

2. For purposes of assessing landing and/or housing charges, the total weight of an aircraft shall be the maximum permissible weight as specified under the regulations of the State in which the aircraft is registered.
3. The payment of the landing charge shall entitle aircraft to
- (i) the use of the aerodrome for alighting and departure,
  - (ii) the use of radio and night lighting installations at the aerodrome,
  - (iii) the supply of all available information as to routes and weather conditions, and
  - (iv) the services of the aerodrome personnel, if available, for manual assistance in guiding, housing or picketing the aircraft.
4. Any flight during the hours of daylight of which prior notice is given to the Aerodrome Officer and which is undertaken solely for the purposes of ascertaining the serviceability in the air of the aircraft and its equipment, shall be deemed to be a test flight and shall be exempt from the levy of at landing charge.
5. When an aerodrome is used during the hours of daylight for repeated landings a daily charge equivalent to five times the charge for a single landing for the class of aircraft concerned shall be levied in respect of each aircraft.

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6. Fifty per cent of the standard housing charges at daily, monthly or quarterly rates shall be charged for aircraft parked in the open. The daily parking charge will be levied for any period exceeding 12 hours, up to 24 hours and thereafter periods above 12 hours will be charged at full daily rates.
7. The charges will be due for payment at the times stated below:—
- |   |   |
|---|---|
| (i) Landing charges.....  | At the time of using the aerodrome, or, in the case of approved regular users, on demand at the end of each calendar month in respect of charges accruing in the month. |
| (ii) Charges for housing or parking at daily rates.....                 | Ditto   |
| (iii) Charges for housing or parking at monthly or quarterly rates..... | In advance, at the beginning of the month or quarter. If not, paid, charges will be recovered at daily rates.   |
8. When housing space which has been paid for in advance is not used, the space may be used for the housing of other aircraft and no refund shall be made to the lessee unless he is prevented by the housing of other aircraft from obtaining accommodation for his aircraft.
9. No housing charge shall be levied in respect of an aircraft housed in a Government hanger for the purpose of inspection by a Government Aircraft Inspector during the period certified as necessary for the inspection by the Aircraft Inspector including such period not exceeding 3 days after the conclusion of the actual inspection as may be necessary for re-assembly consequent on the inspection.

## SCHEDULE VI.

## PENALTIES.

(See Rule 161.)

Nature of offence	Relevant Rule or Rules	Penalty
1. Registration and marking of aircraft.— Contravention of rules relating to the registration and marking of aircraft	Rule 5 and the rules in Part IV	Imprisonment for a term not exceeding one month or a fine not exceeding K 12,500 or both.
2. Documents.—Contravention of the rules relating to carriage and production of documents.	7, 17, 19	
3. Radio-telegraphy. —Contravention of the rules relating to the use of radio-telegraph apparatus.	Rule 9 and the rules in Part VII	
4. Mails. —Contravention of the rule relating to the carriage of mails.	10	
5. Aerial work and public transport. — Unauthorized use of aircraft for aerial work for public transport.	14	
6. Log Books.—Contravention of the rules governing the issue and maintenance of log books.	67	
7. Aircraft accidents. —Failure to notify or submit reports on accidents.	69, 70	
8. Aerodrome.—Contravention of the rules relating to aerodromes.	Rule II and the rules in Part XI	
9. Conditions under which aircraft may be flown.—		
9A. Personnel.—Contravention of the rules relating to personnel.	Rule 6 and the rules in Part V	
9B. Airworthiness.—Contravention of rules relating to airworthiness.	Rule 15 and the rules in Part VI	
10. Rules of the air. —Contravention of the rules of the air.	Rule 16 and the rules in Part XII	
11. Detention of aircraft. —Acts in contravention of any authorized direction given for the detention of an aircraft.	18 (2)	
12. General safety conditions.—Contravention of the rules relating to General safety conditions.	The rules in Part III	Imprisonment for a term not exceeding 2 months or a fine not exceeding K 25,000 or both.
13. <i>Air Route beacons, etc.</i> —Contravention of the rules relating to the supply, supervision and control of air rules beacons, aerodrome lights and lights at or in the neighborhood of aerodromes or air routes.	The rules in Part VIII	
13A. <i>Unauthorized disclosure.</i> —Unauthorized	154 (3)	



Nature of offence	Relevant Rule or Rules	Penalty
publication or disclosure of financial information furnished relating to a licensed Air Transport Service.		
14. <i>Prohibited Carriage.</i> —Unauthorized carriage on aircraft of certain articles.	8	} Imprisonment for a term not exceeding 3 months or a fine not exceeding Kyat 50,00 or both
15. <i>Prohibited areas.</i> —Unauthorized flight over or photography of areas prohibited to aircraft.	12, 13	
16. <i>Entry and departure of aircraft.</i> — Contravention of the conditions under which aircraft may enter or leave the Union of Myanmar.	The rules in Part IX of the Union of Myanmar Aircraft Rules, 1920	
17. <i>Aircraft accidents.</i> —Removal of or interference with aircraft to which an accident has occurred.	71	} Imprisonment for a term not exceeding 3 months or a fine not exceeding Kyat 50,00 or both
18. <i>Investigation of accidents.</i> —Obstruction of proceedings.	76	
18A. <i>Recall of Aircraft in Flight.</i> —Contravention of the directions for the recall of aircraft in flight.	133B	
19. <i>Documents.</i> —Loan of or allowance of use of any licence or certificate issued under the rules.	157	
20. <i>Foreign military aircraft.</i> —Unauthorized flight or assistance in such flight.	158	
21. <i>Obstruction of authorized persons</i> in the performance of their duties, under the rules.	159	}
22. The doing of any act prohibited by or under any rule not specified elsewhere in this schedule.	...	
23. Contravention of the rules relating to the custody, production and surrender of licences.	152	} Fine not exceeding Kyats 50,000.
24. Contravention of the rules relating to submission of periodical returns and particulars of information.		

## SCHEDULE VII.

### LICENSING OF AIR TRANSPORT.

#### SECTION A.

Particulars of applications published in pursuance of Rule 138 of the Union of Myanmar Aircraft Rules, 1937.

The Air Transport Licensing Board gives notice that it has received applications for licences for the operation of the following air transport services :—

- (i) Air Route and stopping places ;
- (ii) Frequency of service ;
- (iii) Period of operation applied for ;
- (iv) Name and address of applicant(s).

Any representation which may be made in regard to these applications must be deposited with the Director of Civil Aviation not later than.....

The application (s) will be taken into consideration on .....

#### SECTION B.

Particulars of decisions of the Licensing Authority, published in pursuance of Rule 149 of the Union of Myanmar Aircraft Rules, 1937.

The Air Transport Licensing Authority has considered the applications detailed below for a licence to operate the air transport service specified, and its decision is published for information.

- (i) Air Route and stopping places ;
- (ii) Name and address of licensee ;
- (iii) Number and date of licence ;
- (iv) Period of validity of licence ;
- (v) Frequency of service to be operated ;
- (vi) Class of aircraft to be used.

Names of applicants to whom a licence has not been granted..

#### SECTION C.

Particulars of licence amended, suspended or revoked, published in pursuance of Rule 199 of the Union of Myanmar Aircraft Rules, 1937.

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The Air Transport Licensing Authority has amended/suspended/ revoked the Licence to operate the air transport service de-tailed below:—

- (i) Air Route ;
- (ii) Number and date of Licence ;
- (iii) Name and address of Licensee ;
- (iv) Details of amendment ;
- (v) Reasons for amendment ;
- (vi) Period of suspension ;
- (vii) Reason for suspension ;
- (viii) Date from which revocation takes effect ;
- (ix) Reasons for revocation.

SECTION D.

Particulars of a licence to be displayed in pursuance of Rule 151 (2) :—

- (i) Number and date of Licence.
- (ii) Name and address of the Licensee.
- (iii) Air route and stopping places.
- (iv) Frequency of service.
- (v) Class of aircraft operated.
- (vi) Period of validity of licence.

## SCHEDULE VIII.

## LICENSING OF AIR TRANSPORT.

## MINIMUM CONDITIONS TO BE FULFILLED.

(See Rule 40.)

**A. Air Route.**1. *Day Operation*—

- (a) *Aerodromes.*—The terminal and intermediate scheduled aerodromes shall be licensed or approved in accordance with Part XI of the Rules and equipped with approved refueling apparatus and storage telephone communication and (in the case of passenger air service-) satisfactory passenger shelter and conveniences with adequate personnel and equipment for the control of passengers, and the public in the interests of their safety.
- (b) *Emergency landing grounds.*—For single engined aircraft operation there shall be emergency landing grounds providing in at least one direction safe landing and take off dimensions for the type of aircraft proposed at intervals of not more than 150 nautical miles. For multi-engined aircraft operation there shall be similar emergency landing- grounds at such intervals as the President of the Union of Myanmar, having regard to the type of aircraft and the nature of the route, may require.
- (c) *Radio.*—When otherwise required by these Rules or when the nature of the terrain along the route or climatic conditions in the season during which operations will take place, in the opinion of the President of the Union of Myanmar, render visual contact flying unsafe, the route shall be equipped with radio communication and radio direction finders or radio beacons of approved type. At such aerodromes as the President of the Union of Myanmar may require there shall be installed suitable radio telephone apparatus for communication between the aerodrome control and aircraft operating on or in the vicinity of the aerodrome.
- (d) *Meteorology.*—The terminal and intermediate scheduled aerodromes shall be provided with means for communicating to pilots weather forecasts and weather reports for the route : Provided that the President of the Union of Myanmar may dispense with such part of this requirement as appears to be suitable in the case of aircraft equipped with radio apparatus.

2. *Night operation*—

- (a) The route shall comply with all the conditions prescribed in paragraph I of this Section and in addition.

- (b) *Lighting.*—The route shall be equipped with approved air route beacons at every terminal and intermediate aerodrome and at such emergency landing grounds and other places along the route as to provide beacons at intervals of not more than 100 nautical miles. All terminal and intermediate aerodromes and the emergency landing grounds provided in accordance with clause (b) of paragraph I shall be equipped with approved aerodrome lighting.

## B. Aircraft.

### 1. *Day Operation*—

- (a) *Single-engined Aircraft.*—Single-engined aircraft shall not be operated in passenger air service over water at a greater distance from land than will permit the aircraft to reach land suitable for safe landing in the event of failure of the power plant, nor on any route which in the opinion of the President does not permit the aircraft to be flown with safety by visual contact methods. The President may permit such relaxation of these conditions as he thinks fit in the case of air services carrying mails or goods only.
- (b) *Multi-engined Aircraft.*—The aircraft when loaded to the maximum gross weight permitted by its certificate of airworthiness shall be capable of maintaining level flight with one engine inoperative at an altitude not less than 1,000 feet above the valley level at the highest point on the air route or if flown over water, at an altitude of not less than 3,000 feet above the water.
- (c) *Flight over water equipment.*—If the air route crosses water at a distance from land greater than will permit the aircraft to reach land in the event of complete power failure, it shall be equipped with retractable landing gear, with one or more suitable emergency exits, with life belts for each person on board and with apparatus for making the distress signals prescribed in these rules.
- (d) *Radio.*—When operating at aerodromes equipped with radio telephone communication apparatus in accordance with clause (c) of paragraph I of section A, the aircraft shall be equipped with suitable radio telephone apparatus for communication between the pilot and the aerodrome control, and except on air services approved for visual contact flying, the aircraft shall be equipped with radio apparatus suitable for the transmission and reception of all radio signals to and from the radio stations established on the air route and in addition with a direction finding receiver or other receiving apparatus suitable for operating with the radio aids to navigation established on the route.

- (e) *Passenger equipment.*—There shall be provided a supply of drinking water and except on aircraft carrying less than six passengers, an approved lavatory.
2. *Night operation.*—
- (a) *Single-engined Aircraft.*—No single-engined aircraft shall be approved for operation of a passenger air service by night.
- (b) *Multi-engined Aircraft.*—All the conditions prescribed in paragraph I of section B shall be complied with, and the radio requirements shall be complied with in all cases.

### C. Aircrews.

1. No aircraft may be flown on a licensed air transport service -without the full number of members of the crew required for its safe operation as designated in the licence. Each member of the crew shall be in possession of the appropriate licence issued or rendered valid in accordance with the provisions of Part V and Schedule 11 of these Rules, and in addition shall fulfill and comply with the requirements and conditions for the operation in scheduled air transport services of aircraft of the classes defined and in the conditions defined in this Section.
2. Pilot shall have had not less than the following flying experience :—

- |   |   |
|---|---|
| A. Aircraft Authorised to be operated with one pilot. | 300 hours within the proceeding three years, including the following :—<br><br>200 hours as solo or first pilot;<br>100 hours cross country flying<br>20 hours instrument flying, of which not more than 10 hours may be under simulated conditions ; and for the operation of multi-engined aircraft; So hours flying of multi-engined aircraft as first or second pilot, including at least 10 take offs and 10 landings effected as pilot ; and for operation by night ;<br>50 hours night flying as first or second pilot, including at least 10 take-offs and 10 landings effected as pilot. |
|---|---|

#### *First Pilot*

#### *Second and other Pilots*

- |  |   |   |
|--|---|---|
| B. Aircraft not exceeding 10,000 lbs. gross weight requiring two or more pilots. | 300 hours within the preceding five years, including the following :—<br><br>300 hours as solo or first pilot;<br>300 hours cross country flying; 40 hours instrument flying of which not more than 20 hours may be under simulated conditions; and for the operation of multi-engined aircraft ; | The qualification prescribed for a commercial pilot (B. Licence) of the type of aircraft operated as prescribed in Part V and Schedule II of these rules. |
|--|---|---|

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- |   |   |                    |
|---|---|--------------------|
| <p>50 hours flying as first or second pilot of multi-engined aircraft including at least 10 take-offs and 10 landings effected as pilot;</p> <p>and for operation by night 50 hours night flying as first or second pilot, including at least 10 take-offs and 10 landings effected as pilot.</p> | <p>The Pilot shall demonstrate his ability by making three take-offs and three landings in the type of aircraft in which he is to serve.</p>  |                    |
| <p>C. Aircraft between 10,000 and 35,000 lbs.</p>   | <p>750 hours within the preceding five years, including the following :—</p> <p>500 hours as solo or first pilot.</p> <p>500 hours cross country flying :</p> <p>200 hours flying as first or second pilot of multi-engined aircraft, including at least 10 take-offs and 10 landings effected as pilot and 100 hours in aircraft in this class ;</p> <p>50 hours instrument flying, of which not more than 25 hours may be under simulated conditions ; and for operation by night ;</p> <p>100 hours night flying as first or second pilot, including at least 10 take-offs and 10 landings effected as pilot :</p> | <p>(As above).</p> |
| <p>D. Aircraft of gross weight exceeding 35,000 lbs. requiring two or more Pilots.</p>  | <p>1500 hours within the preceding seven years, including the following:—</p> <p>1,000 hours as solo or first pilot</p> <p>1,000 hours cross country flying</p> <p>500 hours flying as solo or first pilot in Pilots multi-engined air craft and 25 hours as second pilot in aircraft in this class ;</p> <p>100 hours instrument flying of which not more than 50 hours may be under simulated conditions, and for operation by night ;</p> <p>250 hours night flying including at least 100 hours as first or solo pilot and at least 10 take-offs and 10 landings effected as pilot.</p>                           | <p>(As above).</p> |
3. All pilots shall demonstrate to a check pilot or inspector approved by the Director of Civil Aviation, Myanmar, that they are familiar with the aircraft, its instruments, equipment, fuel and other installations, and its loading and operation in the conditions peculiar to the air route.
  4. All pilots shall demonstrate to an Examiner appointed or approved by the Director of Civil Aviation, Myanmar, that they are familiar with all air navigation facilities and procedures, air traffic control system, airway lighting systems and aircraft distress procedures currently in use.

5. The first pilot shall have made at least two flights either as first pilot without passengers or as second pilot along the route over which he is required to fly in condition permitting visual contact flying and shall himself have landed and taken off at each of the scheduled aerodromes on the route.
6. All pilots while engaged on a licensed air transport service shall, every three months, undergo not less than two hours of practice, instruction and check in instrument flying under approved simulated conditions or actual flight under the supervision of a check pilot approved by the Director of Civil Aviation, Myanmar.



## SCHEDULE IX.

### LICENSING OF AIR TRANSPORT.

(See Rule 154.)

#### SECTION A.

Particulars of information regarding air transport service operations to be supplied by licence holders, monthly,;—

1. The places to and from which the licensed air transport service is operated including intermediate stops.
2. The number and types of aircraft operated on the licensed air transport service, with such particulars of the aircraft and engines as may be required.
3. Number of pilots, wireless operators and other members of air crew employed on the service and numbers of licensed ground engineers and other technical personnel employed.
4. The following information relating to services operated and load carried shall be supplied separately in relation to such separate stages of the route as may be specified in the licence:—

(1) *Services operated*—

- (a) Number scheduled.
- (b) Number and percentage completed without interruption.
- (c) Number and percentage interrupted en route and the cause and extent of delay.
- (d) Number and percentage not commenced and the causes.
- (e) Number of unpremeditated landings, the services affected and the reasons.

(2) *Load carried*—

- (a) Mean pay load capacity operated, i.e.,  

$$\frac{\text{Sum of pay loads for each stage} \times \text{Mileage of stage}}{\text{(Total mileage of route)}}$$
- (b) Number of passengers carried.
- (c) Passenger miles effected.
- (d) Mean percentage of passenger seats occupied.
- (e) Weight of passenger baggage carried.
- (f) Weight of mails carried.
- (g) Mail-ton miles effected.

- (h) weight of freight carried.
- (i) Freight-ton miles effected.
- (j) Mean percentage of total pay load capacity filled.

## SECTION B.

Particulars of financial information to be supplied by licence holder annually:—

1. Cost of operation per mile and per ton mile flown OD the licensed service under the following heads :—
  - (1) *Flying operations*—
    - (a) Pay of First Pilots.
    - (b) Pay of Second Pilots.
    - (c) Pay of Wireless Operators.
    - (d) Pay of other members of the crew.
    - (e) Fuel.
    - (f) Oil.
  - (2) *Depreciation of Flying Equipment*—
    - (a) Depreciation of aircraft.
    - (b) Depreciation of aero-engines.
    - (c) Depreciation of aircraft propellers.
    - (d) Depreciation of aircraft radio equipment.
    - (e) Depreciation of aircraft instruments.
  - (3) *Accidents and Insurance of Flying equipment*—
    - (a) Insurance premium.
    - (b) Cost of material, spares and other direct expenses of accidents not covered by insurance.
  - (4) *Aerodrome Operations*—
    - (a) Landing fees.
    - (b) Housing fees, rent of hangars, lighting of hangars.
    - (c) Depreciation and repair of hangars.
    - (d) Rent, lighting and other expenses of aerodrome buildings other than hangars, workshops and stores.
    - (e) Depreciation and repair of other aerodrome buildings.
    - (f) Pay of traffic and other aerodrome personnel other than engineering.
    - (g) Operation of motor cars and miscellaneous expenses.

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- (5) *Flying Equipment-Maintenance and Overhaul—Direct—*
- (a) Aircraft-labour.
  - (b) Aircraft-material and parts.
  - (c) Aero-engines-labour.
  - (d) Aero-engines-material and parts.
  - (e) Aircraft propellers-labour.
  - (f) Aircraft propellers-material and parts.
  - (g) Aircraft radio-labour.
  - (h) Aircraft radio-material and parts.
  - (i) Aircraft instruments-labour.
  - (j) Aircraft instruments-material and parts.
- (6) *Ground Equipment-Maintenance and Overhaul—Direct—*
- (a) Aerodrome equipment-labour, material and parts.
  - (b) Workshop equipment-labour, material and parts.
  - (c) Mechanical Transport-labour, material and parts.
  - (d) Ground Radio-labour, material. and parts.
- (7) *Flying and Ground Equipment—Maintenance and Overhaul—Indirect—*
- (a) Pay of supervisory staff.
  - (b) Pay of stores and other general staff.
  - (c) Rent, lighting, etc., workshops and stores buildings.
  - (d) Depreciation and repair of workshops and stores, buildings.
  - (e) Office supplies and other general expenses of engineering department.
- (8) *Depreciation of Ground Equipment—*
- (a) Machinery, tools and mechanical equipment.
  - (b) Mechanical transport.
  - (c) Ground radio equipment.
  - (d) Aerodrome equipment.
  - (e) Other equipment.
- (9) *Traffic and sales—*
- (a) Pay of traffic staff and agents.
  - (b) Agency commission on bookings.
  - (c) Other traffic expenses.
- (10) *Advertising and publicity—*

All advertising and publicity costs including the publication of time tables and pamphlets.

(11) *Passenger service*—

- (a) Pay of cabin attendants.
- (b) Food service for passengers.
- (c) Passenger insurance.
- (d) Ground transport of passengers.
- (e) Other costs of caring for passengers.

(12) *Administrative and General*—

- (a) Pay of managerial staff.
- (b) Pay of office and general staff.
- (c) Personnel-Welfare.
- (d) General taxes.
- (e) Other expenses.

2. *Revenue earned* per mile flown and per ton-mile of load carried under the following heads:—

- (1) Passengers.
- (2) Passenger baggage.
- (3) Mails.
- (4) Freight.

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**CHAPTER III**

THE UNION OF MYANMAR AIRCRAFT RULES,  
1920 (PART IX)

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**CHAPTER III****RULES AS TO AIRCRAFT ARRIVING IN OR DEPARTING FROM THE UNION OF MYANMAR**

53. **Customs aerodromes and Customs officers** - The President of the Union may for the purposes of this Part-
- (a) by notification in the Myanmar Gazette declare any aerodrome to be customs aerodrome; and
  - (b) appoint persons to be Chief Customs authorities, Chief Customs Officers and Customs Collectors and define the areas within which each such person shall exercise the powers and perform the duties conferred and imposed upon him hereunder.
54. **Arrival and departure** – (1) No person in charge of an aircraft entering the Union of Myanmar shall cause it to be landed in the Union of Myanmar for the first time in any journey except at a customs aerodrome, unless the aircraft is compelled to land before arriving at a customs aerodrome by accident, stress of weather or other unavoidable cause.
- (2) No person in charge of an aircraft shall fly the same or allow it to be flown to a place outside the Union of Myanmar save from a customs aerodrome unless compelled to land after departure from a customs aerodrome by accident, stress of weather or other unavoidable cause.
55. **Import and export of goods** – (1) No person in any aircraft entering or departing from the Union of Myanmar shall carry or allow to be carried in the aircraft any goods of which the import or export by sea or by land is prohibited by or under any law for the time being in force.
- (2) No person in any aircraft entering the Union of Myanmar shall break or alter any seal placed upon any part of the aircraft or upon any goods therein by an officer of customs at the aerodrome at which such aircraft departed for the Union of Burma.
56. **Procedure on arrival in the Union of Myanmar**– (1) The person in charge of any aircraft arriving at a customs aerodrome from a place outside the Union of Myanmar shall, on landing forthwith cause the aircraft to be taken to the examination station at that aerodrome or, if, owing to circumstances over which he has no control, he is unable so to do shall deliver the documents required by such rule(2) and thereafter remove all goods carried in the aircraft to the examination station in the presence of a Customs Collector or some person duly authorized by the Customs Collector in that behalf.
- (2) Within twenty-four hours after the landing at any customs aerodrome of an aircraft from a place outside the Union of Burma, the person in charge thereof shall-
    - (a) deliver to the Customs Collector his journey log book and a manifest, list of passengers and their baggage and declaration of the goods and stores on board the aircraft signed by the proper officer of customs at the aerodrome from which he departed for the Union of Myanmar; and
    - (b) land at such aerodrome for examination all passengers and their baggage carried in such aircraft, and produce, and, if required to do so, unload all goods in such aircraft for examination.
57. The person in charge of an aircraft proceeding to any place outside the Union of Myanmar shall deliver to the Customs Collector at the customs aerodrome of departure his journey log book, and, if the aircraft carries any goods, a manifest and declaration in duplicate in such form as may be approved by the Chief Customs Officer declaring the goods and stores on such aircraft, and shall truly state therein the particulars required by such form. The journey log book and if the aircraft carries any goods, one copy of the manifest and declaration will be signed by the Customs Collector and returned to the person in charge of the aircraft and such documents when so signed and returned shall constitute the necessary authority for the aircraft to proceed to its destination.
58. **Unloading of goods on import** –(1) No person importing goods shall land the goods at any place in the Union of Myanmar other than a customs aerodrome, or shall, save as provided in sub-rule (1) of Rule 56, unload the goods from any aircraft except at an examination station, or shall unload the goods except between such hours as the Chief Customs authority by general, or special order directs or shall remove the goods from an examination station unless the same have first been duly entered in the manner provided in this rule and produced to the Customs Collector and duly passed by him.
- (2) No person shall remove from any aircraft any goods imported therein until the authority of the Customs Collector has been obtained.
  - (3) Any person importing goods shall deliver to the Customs Collector at the customs aerodrome of importation a bill of entry of such goods in the manner provided in section 29 of the Sea Customs Act, 1878 (VIII of 1878) and shall truly furnish therein the several particulars required in a bill of entry under that section, and shall pay to such Collector duties thereon as if such goods were chargeable to duties under that Act.
  - (4) All goods imported into a customs aerodrome shall be duly entered and unloaded within seven days from the time of the arrival of such aircraft at that aerodrome or within such further period as the Customs Collector or Chief Customs Officer may allow.

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- (5) All goods imported which have not been examined and passed by the Customs Collector shall be stored in a transit shed at the customs aerodrome, and no person shall remove such goods from the transit shed before they have been examined and passed by such Collector.  
For the purpose of this rule, the word "goods" shall be deemed to include aircraft imported by flight in so far as provisions of the rule are applicable thereof.
- (6) (a) No customs duty shall be levied on an aircraft not registered in the Union of Myanmar which is brought into the Union of Myanmar for the purpose of a flight to or across the Union of Myanmar which it is not intended to register in the Union of Myanmar and which it is intended to remove from the Union of Myanmar within six months from the date of entry, provided that the person in charge makes a written declaration to that effect to the Customs Collector on arrival.  
(b) In the case of an aircraft in respect of which such a declaration has been made and which is not removed from the Union of Myanmar within six months the duty livable in respect of it shall be paid to the Customs Collector before the aircraft is again flown.
- (7) A full refund of the customs duty, if any, paid on the import of an aircraft by air into the Union of Myanmar shall be granted if the same is exported by air within six months of the date of its arrival:  
Provided-
- (a) that the claim for such refund is made at the time of export from a customs-aerodrome.  
(b) that the identity of the aircraft is established to the satisfaction of the Customs Collector and  
(c) that payment is demanded within six months from the date of export.
59. **Procedure on export** – (1) The exporter of any goods shall deliver to the Customs Collector at the customs-aerodrome of departure a shipping bill in the manner provided in section 29 of the Sea Customs Act, 1878 (VIII of 1878) and shall truly furnish therein the several particulars required in a shipping bill under that section, and shall pay to such Collector duties thereon as if such goods were chargeable to duties under that Act, and such bill when signed by the Customs Collector shall be the clearance and authority for the exportation of such goods.  
(2) No persons shall without the consent of the Customs Collector unload from any aircraft any goods loaded thereon for export which have been cleared under sub-rule(1), or open, alter, or break any lock, mark or seal placed by any Customs Collector on any goods in any aircraft about to depart from the Union of Burma.
60. **Prohibition of signals in certain cases** – No person shall for the purpose of evading, or assisting the evasion, of the provision of this Part make any signal from an aircraft entering or leaving the Union of Burma.
61. **Forced Landings** – If any aircraft arriving from a place outside the Union of Myanmar shall be forced to land in any place other than a customs-aerodrome, or if any aircraft is so forced after departure from a customs-aerodrome for a foreign destination, the person in charge of the aircraft shall, if the place of landing is not an aerodrome, forth with report to a Customs Collector or Police officer and shall on demand produce to such Collector or officer the journey log book belonging to the aircraft, and shall not allow any goods to be unloaded there from without the consent of such officers, and no passenger or member of the personnel thereof shall leave the immediate vicinity without the consent of such Collector or Police officer. When the locality is one in which no Customs Collector or Police officer is available, the person in charge shall not allow any goods to be unloaded without his consent and no passenger or member of the personnel shall leave the immediate vicinity without his consent. The person in charge shall make in his journey log book a full statement of the action taken and shall forthwith report the occurrence to the Customs Collector at the nearest customs-aerodrome. If the place of landing is an aerodrome, such person shall forthwith report the arrival of the aircraft and the place whence it came to the proprietor of the aerodrome, and the proprietor of the aerodrome shall forthwith report the arrival of the aircraft to a Customs Collector, and shall not allow any goods to be unloaded therefrom or any passenger thereof to leave the aerodrome, without the consent of such Collector.
62. **Examination** – (1) The person in charge of any aircraft shall permit any Customs Collector or other officer authorized in this behalf by the Customs Collector at any time to board and examine the aircraft and any goods laden thereon.  
(2) The importer or exporter of any goods shall produce such goods to the Customs-Collector at the customs aerodrome of importation or exportation, as the case may be and permit him to examine such goods.



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63. **Provisions of Sea Customs Act VIII of 1878 to be deemed to apply to import and export** – All persons importing or exporting or concerned in importing or exporting goods or passengers into or from the Union of Myanmar and all persons in charge of aircraft arriving in or departing from the Union of Myanmar, shall so far as may be observed comply with and be bound by the provisions of the Sea Customs Act 1878 (VIII of 1878), as if any references in such provision to ships or vessels and the masters or captains thereof and to the loading and unloading of goods thereon or therefrom, included references to aircraft and the persons in charge thereof, and to the loading unloading of goods thereon or therefrom, and as if references in such provisions to a port or quay included references to a customs-aerodrome or an examination station.
64. **Deleted by the Ministry of Transport Notification No 79/2010 dated March 31<sup>st</sup>, 2010**
- 64(A) These rules extend to the whole of the Union of Myanmar.

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**CHAPTER IV**

THE UNION OF MYANMAR CARRIAGE BY AIR ACT,  
1934  
(XX OF 1934)

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**CHAPTER IV**  
**ACT No. XX OF 1934**

AN ACT TO GIVE EFFECT IN THE UNION OF MYANMAR TO A CONVENTION FOR THE UNIFICATION OF CERTAIN RULES RELATING TO INTERNATIONAL

CARRIAGE BY AIR

Whereas a Convention for the unification of certain rules relating to international carriage by air (hereinafter referred to as the Convention) was, on the 12<sup>th</sup> day of October 1929, signed at Warsaw:

And whereas it is expedient that the Union of Myanmar should accede to the Convention and should make provision for giving effect to the said Convention in Union of Myanmar:

And whereas it is also expedient to make provision for applying the rules contained in the Convention (subject to exceptions, adaptations and modifications) to carriage by air in the Union of Myanmar which is not international carriage within the meaning of the Convention;

It is hereby enacted as follow :-

1. **Short title, extent and commencement** – (1) This Act may be called the Union of Myanmar Carriage by Air Act.
2. **Application of the Convention to the Union of Myanmar** – (1) The rules contained in the First Schedules, being the provisions of the Convention relating to the rights and liabilities of carriers, passengers consignors, consignees and other persons shall, subject to the provisions of this Act, have the force of law in the Union of Myanmar in relation to any carriage by air to which those rules apply, irrespective of the nationality of the aircraft performing the carriage.
  - (2) The President of the Union may, by notification in the Myanmar Gazette certify who are the High Contracting Parties to the Convention, in respect of what territories they are parties, and to what extent they have availed themselves of the Additional Protocol to the Convention, and any such notification shall be conclusive of the matters certified therein.
  - (3) Any reference in the First Schedule to the territory of any High Contracting Party to the Convention shall be construed as a reference to all the territories in respect of which he is a party.
  - (3A) Any reference in the First Schedule to the agents of the carrier shall be construed as including a reference to the servants of the carrier.
  - (4) Notwithstanding anything contained in the Indian Fatal Accidents Act, 1885 (XIII of 1855), or any other enactment or rule of law in force in any part of the Union of Myanmar, the rules contained in the First Schedule shall in all cases to which those rules apply, determine the liability of a carrier in respect of the death of a passenger, and the rules contained in the Second Schedule shall determine the persons by whom and for whose benefit and the manner in which such liability may be enforced.
  - (5) Any sum in francs mentioned in Rule 22 of the First Schedule shall, for the purpose of any action against a carrier, be converted into Kyats the rate of exchange prevailing on the date on which the amount of damages to be paid by the carrier is ascertained by the Court.
3. **Provisions regarding suits against High Contracting Parties who undertake carriage by air** – (1) Every High Contracting Party to the Convention who has not availed himself of the provisions of the Additional Protocol thereto shall, for the purposes of any suit brought in a Court in the Union of Myanmar in accordance with the provisions of Rule 28 of the First Schedule to enforce a claim in respect of carriage undertaken by him, be deemed to have submitted to the jurisdiction of that Court and to be a person for the purposes of the Code of Civil Procedure 1908 (V of 1908).
  - (2) The High Court may make rules of procedure providing for all matters which may be expedient to enable such suits to be instituted and carried on.
  - (3) Nothing in this section shall authorize any Court to attach or sell any property of a High Contracting Party to the Convention.
4. **Application of Act to carriage by air which is not international** – The President of the Union may be notification in the Myanmar Gazette apply the rules contained in the First Schedule and any provision of section 2 to such carriage by air, not being international carriage by air as defined in the First Schedule, as may be specified in the notification, subject however to such exceptions, adaptations and modifications if any, as may be so specified.

**FIRST SCHEDULE**

(See section 2)

**RULES****Chapter I****Scope-Definitions**

1. (1) These rules apply to all international carriage of persons, luggage or goods performed by aircraft for reward. They apply also to such carriage when performed gratuitously by an air transport under taking.
  - (2) In these rules "High Contracting Party" means a High Contracting Party to the Convention.
  - (3) For the purpose of these rules the expression "international carriage" means any carriage in which according to the contract made by the parties, the place of departure and the place of destination, whether or not there be a break in the carriage or a transshipment, are situated either within the territories of two High Contracting Parties, or within the territory of a single High Contracting Party, if there is an agreed stopping place within a territory subject to the sovereignty suzerainty, mandate or authority of another power, even though that power is not a party to the Convention. A carriage without such an agreed stopping place between territories subject to the sovereignty suzerainty, mandate or authority of the same High Contracting Party is not deemed to be international for the purposes of these rules.
  - (4) A carriage to be performed by several successive air carriers is deemed for the purposes of these rules, to be one undivided carriage, if it has been regarded by the parties as a single operation, whether it has been agreed upon under the form of a single contract or of a series of contracts and it does not lose its international character merely because one contract or a series of contracts is to be performed entirely within a territory subject to the sovereignty, suzerainty, mandate or authority of the same High Contracting Party.
2. (1) These rules apply to carriage performed by the State or by legally constituted public bodies provided it falls within the conditions laid down in Rule 1.
  - (2) These rules do not apply to carriage performed under the terms of any international postal Convention.

**Chapter II****Documents of Carriage****Part I Passenger Ticket**

3. (1) For the carriage of passengers the carrier must deliver a passenger ticket which shall contain the following particulars:-
  - (a) the place and date of issue;
  - (b) the place of departure and of destination;
  - (c) the agreed stopping places, provided that the carrier may reserve the right to alter the stopping places in case of necessity, and that if he exercise that right, the alteration shall not have the effect of depriving the carriage of its international character;
  - (d) the name and address of the carrier or carriers;
  - (e) a statement that the carriage is subject to the rules relating to liability contained in this Schedule.
- (2) The absence, irregularity or loss of the passenger ticket does not affect the existence or the validity of the contract of carriage, which shall none the less be subject to these rules. Nevertheless, if the carrier accepts a passenger without a passenger ticket having been delivered he shall not be entitled to avail himself of those provisions of this Schedule which exclude or limit his liability.

**Part II Luggage Ticket**

4. (1) For the carriage of luggage, other than small personal objects of which the passenger takes charge himself, the carrier must deliver a luggage ticket.
- (2) The luggage ticket shall be made out in duplicate, one part for the passenger and the other part for the carrier.
- (3) The luggage ticket shall contain the following particulars:-
  - (a) the place and date of issue;
  - (b) the place of departure and destination;
  - (c) the name and address of the carrier or carriers;
  - (d) the number of the passenger ticket;
  - (e) a statement that delivery of the luggage will be made to the bearer of the luggage ticket;
  - (f) the number and weight of the packages;
  - (g) the amount of the value declared in accordance with Rule 22(2);

- (h) a statement that the carriage is subject to the rules relating to liability contained in this Schedule.
- (4) The absence, irregularity or loss of the luggage ticket does not affect the existence or the validity of the contract of carriage which shall none the less be subject to the rules. Nevertheless, if the carrier accepts luggage without a luggage ticket having been delivered, or if the luggage ticket does not contain the particulars set out at(d), (f) and (h) of sub-rule(3), the carrier shall not be entitled to avail himself of those provisions of this Schedule which exclude or limit his liability.

### Part III- Air Consignment Note

- (5) (1) Every carrier of goods has the right to require the consignor to make out and hand over to him a document called an "air consignment note" every consignor has the right to require the carrier to accept this document.
- (2) The absence, irregularity or loss of this document does not affect the existence or the validity of the contract of carriage which shall, subject to the provisions of Rule 9, be none the less governed by these rules.
- (6) (1) The air consignment note shall be made out by the consignor in three original parts and be handed over with the goods.
- (2) The first part shall be marked "for the carrier", and shall be signed by the consignor. The second part shall be marked "for the consignee", it shall be signed by the consignor and by the carrier and shall accompany the goods. The third part shall be signed by the carrier and handed by him to the consignor after the goods have been accepted.
- (3) The carrier shall sign an acceptance of the goods.
- (4) The signature of the carrier may be stamped; that of the consignor may be printed or stamped.
- (5) If, at the request of the consignor, the carrier makes out the air consignment notes, he shall be deemed subject to proof to the contrary, to have done so on behalf of the consignor.
- (7) The carrier of goods has the right to require the consignor to make out separate consignment notes when there is more than one package.
- (8) The air consignment note shall contain the following particulars;-
- (a) the place and date of its execution;
  - (b) the place of departure and of destination;
  - (c) the agreed stopping places, provided that the carrier may reserve the right to alter the stopping places in case of necessity, and that if he exercises that right the alteration shall not have the effect of depriving the carriage of its international character;
  - (d) the name and address of the consignor;
  - (e) the name and address of the first carrier;
  - (f) the name and address of the consignee, if the case so requires;
  - (g) the nature of the goods;
  - (h) the number of the packages, the method of packing and the particular marks or numbers upon them;
  - (i) the weight, the quantity and the volume or dimensions of the goods;
  - (j) the apparent condition of the goods and of the packing;
  - (k) the freight if it has been agreed upon the date and place of payment and the person who is to pay it;
  - (l) if the goods are sent for payment on delivery, the price of the goods and if the case so requires the amount of expense incurred;
  - (m) the amount of the value declared in accordance with Rule 22(2);
  - (n) the number of parts of the air consignment note;
  - (o) the documents handed to the carrier to accompany the air consignment note;
  - (p) the time fixed for the completion of the carriage and a brief note of the route to be followed if these matters have been agreed upon;
  - (q) a statement that the carriage is subject to the rules relating to liability contained in this Schedule.
- (9) If the carrier accepts goods without an air consignment note having been made out or if the air consignment note does not contain all the particulars set out in Rule 8(a) to (i) inclusive and (b) the carrier shall not be entitled to avail himself of the provisions of this Schedule which exclude or limit his liability.
- (10) (1) The consignor is responsible for the correctness of the particulars and statement relating to the goods which he inserts in the air consignment note.

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- (2) The statements in the air consignment note relating to the weight, dimensions and person by reason of the irregularity, incorrectness or incompleteness of the said particulars and statements.
11. (1) The air consignment note is prima facie evidence of the conclusion of the contract of the receipt of the goods and of the conditions of carriage.
- (2) The statement in the air consignment note relating to the weight, dimensions and packing of the goods, as well as those relating to the number of packages, are prima facie evidence of the facts stated; those relating to the quantity, volume and condition of the goods do not constitute evidence against the carrier except so far as they both have been, and are stated in the air consignment note to have been checked by him in the presence of the consignor or relate to the apparent condition of the goods.
12. (1) Subject to his liability to carry out all his obligations under the contract of carriage the consignor has the right to dispose of the goods by withdrawing them at the aerodromes of departure or destination or by stopping them in the course of the journey on any landing or by calling for them to be delivered at the place of destination or in the course of the journey to a person other than the consignee named in the air consignment note or by requiring them to be returned to the aerodrome of departure. He must not exercise this right of disposition in such a way as to prejudice the carrier or other consignors and he must repay any expenses occasioned by the exercise of this right.
- (2) If it is impossible to carry out the orders of the consignor the carrier must so inform him forthwith.
- (3) If the carrier obeys the orders of the consignor for the disposition of the goods without requiring the production of the part of the air consignment note delivered to the latter, he will be liable, without prejudice to his right of recovery from the consignor, for any damage which may be caused thereby to any person who is lawfully in possession of that part of the air consignment note.
- (4) The right conferred on the consignor ceases at the moment when what of the consignee begins in accordance with Rule 13. Nevertheless, if the consignee declines to accept the consignment note or the goods, or if he cannot be communicated with, the consignor resumes his right of disposition.
13. (1) Except in the circumstances set out in Rule 12, the consignee is entitled, on arrival of the goods at the place of destination, to require the carrier to hand over to him the air consignment note and to deliver the goods to him, on payment of the charges due and on complying with the conditions of carriage set out in the air consignment note.
- (2) Unless it is otherwise agreed, it is the duty of the carrier to give notice to the consignee as soon as the goods arrive.
- (3) If the carrier admits the loss of the goods, or if the goods have not arrived at the expiration of seven days after the date on which they ought to have arrived the consignee is entitled to put into force against the carrier the rights which flow from the contract of carriage.
14. The consignor and the consignee can respectively enforce all the rights given them by Rules 12 and 13 each in his own name, whether he is acting in his own interest or in the interest of another, provided that he carries out the obligations imposed by the contract.
15. (1) Rules 12, 13 and 14 do not effect either the relations of the consignor or the consignee with each other or the mutual relations of third parties whose rights are derived either from the consignor or from the consignee.
- (2) The provisions of Rules 12, 13 and 14 can only be varied by express provision in the air consignment note.
16. (1) The consignor must furnish such information and attach to the air consignment note such documents as are necessary to meet the formalities of customs, octroi or police before the goods can be delivered to the consignee. The consignor is liable to the carrier for any damage occasioned by the absence, insufficiency or irregularity of any such information or documents, unless the damage is due to the fault of the carrier or his agents.
- (2) The carrier is under no obligation to enquire into the correctness or sufficiency of such information or documents.

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**CHAPTER III**  
**Liability of the Carrier**

17. The carrier is liable for damage sustained in the event of the death or wounding of a passenger or any other bodily injury suffered by a passenger, if the accident which caused the damage so sustained took place on board the aircraft or in the course of any of the operations of embarking or disembarking.
18. (1) The carrier is liable for damage sustained in the event of the destruction or loss of or of damage to any registered luggage or any goods, if the occurrence which caused the damage so sustained took place during the carriage by air.  
(2) The carriage by air within the meaning of the preceding paragraph comprises the period during which the luggage or goods are in charge of the carrier, whether in an aerodrome or on board an aircraft, or in the case of a landing outside an aerodrome, in any place whatsoever.  
(3) The period of the carriage by air does not extend to any carriage by land, by sea or by river performed outside an aerodrome. If, however, such a carriage takes place in the performance of a contract for carriage by air, for the purpose of loading, delivery or transshipment, any damage is presumed, subject to proof to the contrary, to have been the result of an event which took place during the carriage by air.
19. The carrier is liable for damage occasioned by delay in the carriage by air of passengers, luggage or goods.
20. (1) The carrier is not liable if he proves that he and his agents have taken all necessary measures to avoid the damage or that it was impossible for him or them to take such measures.  
(2) In the carriage of goods and luggage the carrier is not liable if he proves that the damage was occasioned by negligent pilotage or negligence in the handling of the aircraft or in navigation and that in all other respects, he and his agents have taken all necessary measures to avoid the damage.
21. If the carrier proves that the damage was caused by or contributed to by the negligence of the injured person the Court may exonerate the carrier wholly or partly from his liability.
22. (1) In the carriage of passengers the liability of the carrier for each passenger is limited to the sum of 125,000 francs. Where damages may be awarded in the form of periodical payments, the equivalent capital value of the said payments shall not exceed 125,000 francs. Nevertheless, by special contract the carrier and the passenger may agree to a higher limit of liability.  
(2) In the carriage of registered luggage and of goods the liability of the carrier is limited to a sum of 250 francs per kilogram, unless the consignor has made at the time when the package was handed over to the carrier, a special declaration of the value at delivery and has paid be liable to pay a supplementary sum if the case so requires. In that case the carrier will be liable to pay a sum if the case so requires. In that case the carrier will be liable to pay a sum not exceeding the declared sum, unless he proves that, that sum is greater than the actual value to the consignor at delivery.  
(3) As regards objects of which the passenger takes charge himself the liability of the carrier is limited to 5,000 francs per passenger.  
(4) The sums mentioned in this rule shall be deemed to refer to the French franc consisting of 65<sup>1/2</sup> milligrams gold of millesimal fineness 900.
23. Any provision tending to relieve the carrier of liability or to fix a lower limit than that which is laid down in the rules shall be null and void, but the nullity of any such provision does not involve the nullity of the whole contract, which shall remain subject to the provision of this Schedule.
24. (1) In the case covered by Rules 18 and 19 any action for damages however founded, can only be brought subject to the conditions and limits set out in this Schedule.  
(2) In the cases covered by Rule 17 the provisions of sub-rule(1) also apply, without prejudice to the questions as to who are the persons who have the rights to bring suit and what are their respective rights.

25. (1) The carrier shall not be entitled to avail himself of the provisions of this Schedule which exclude or limit his liability, if the damage is caused by his wilful misconduct or by such default on his part as is in the opinion of the Court equivalent to wilful misconduct.
- (2) Similarly the carrier shall not be entitled to avail himself of the said provisions if the damage is caused as aforesaid by any agent of the carrier acting within the scope of his employment.
26. (1) Receipt by the person entitled to delivery of luggage or good without complaint is prima facie evidence that the same have been delivered in good condition and in accordance with the document of carriage.
- (2) In the case of damage the person entitled to delivery must complain to the carrier forthwith after the discovery of the damage, and at the latest within three days from the date of receipt in the case of luggage and seven days from the date of receipt in the case of goods. In the case of delay the complaint must be made at the latest within fourteen days from the date on which the luggage or goods have been placed at his disposal.
- (3) Every complaint must be made in writing upon the document of carriage or by separate notice in writing despatched within the times aforesaid.
- (4) Failing complaint within the times aforesaid, no action shall lie against the carrier save in the case of fraud on his part.
27. In the case of the death of the person liable, an action for damage lies in accordance with these rules against those legally representing his estate.
28. An action for damages must be brought at the option of the plaintiff either before the Court having jurisdiction where the carrier is ordinarily resident, or has his principal place of business, or has an establishment by which the contract has been made or before the Court having jurisdiction at the place of destination.
29. The right of damages shall be extinguished if an action is not brought within two years, reckoned from the date of arrival at the destination, or from the date on which the aircraft ought to have arrived or from the date on which the carriage stopped.
30. (1) In the case of carriage to be performed by various successive carriers and falling within the definition set out in sub-rule (4) of Rule 1, each carrier who accepts passengers, luggage or goods is subjected to the rules set out in this Schedule, and is deemed to be one of the contracting parties to the contract of carriage in so far as the contract deals with that part of the carriage which is performed under his supervision.
- (2) In the case of carriage of this nature, the passenger or his representative can take action only against the carrier who performed the carriage during which the accident or the delay occurred, save in the case where, by express agreement the first carrier has assumed liability for the whole journey.
- (3) As regards luggage or goods, the passenger or consignor will have a right of action against the first carrier and the passenger or consignee who is entitled to delivery will have a right of action against the last carrier and further each may take action against the carrier who performed the carriage during which the destruction, loss, damage or delay took place. These carriers will be jointly and severally liable to the passenger or to the consignor or consignee.

#### **CHAPTER IV**

##### **Provisions Relating to Combined Carriage**

31. (1) In the case of combined carriage performed partly by air and partly by any other mode of carriage, the provisions of this Schedule apply only to the carriage by air, provided that the carriage by air falls within the terms of Rule 1.
- (2) Nothing in this Schedule shall prevent the parties in the case of combined carriage from inserting in the document of air carriage conditions relating to other modes of carriage, provided that the provisions of this Schedule are observed as regards the carriage by air.

#### **CHAPTER V**



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**General and Final Provisions**

32. Any clause contained in the contract and all special agreement entered into before the damage occurred by which the parties purport to infringe the rules laid down by this Schedule, whether by deciding the law to be applied, or by altering the rules as to jurisdiction, shall be null and void. Nevertheless for the carriage of goods arbitration clauses are allowed, subject to these rules, if the arbitration is to take place in the territory of one of the High Contracting Parties within one of the jurisdictions referred to in Rule 28.
33. Nothing contained in this Schedule shall prevent the carrier either from refusing to enter into any contract of carriage, or from making regulations which do not conflict with the provisions of this Schedule.
34. This Schedule does not apply to international carriage by air performed by way of experimental trial by air navigation undertakings with the view to the establishment of a regular line or air navigation, not does it apply to carriage performed in extraordinary circumstances outside the normal scope of an air carrier's business.
35. The expression "days" when used in these rules means current days, not working days.
36. When a High Contracting Party has declared at the time of ratification of or of accession to the Convention that the first paragraph of Article 2 of the Convention shall not apply to international carriage by air performed directly by the State, its colonies, protectorates or mandated territories or by any other territory under its sovereignty, suzerainty or authority, these rules shall not apply to international carriage by air so performed.

**SECOND SCHEDULE**

(See section 2)

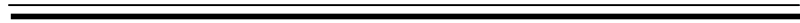
**PROVISIONS AS TO LIABILITY OF CARRIERS IN THE EVENT  
OF THE DEATH OF A PASSENGER**

1. The liability shall be enforceable for the benefit of such of the members of the passenger's family as sustained damage by reason of his death.  
In this rule the expression "member of a family" means wife or husband, parent step-parent, grandparent, brother, sister, half-brother, half-sister, child, step-child, grand-child :  
Provided that in deducing any such relationship as aforesaid any illegitimate person and any adopted person shall be treated as being, or as having been the legitimate child of his mother and reputed father or as the case may be of his adopters.
2. An action to enforce the liability may be brought by the personal representative of the passenger or by any person for whose benefit the liability is under the last preceding rule enforceable, but only one action shall be brought in the Union of Myanmar in respect of the death of any one passenger, and every such action by whomsoever brought shall be for the benefit of all such persons so entitled as aforesaid as either are domiciled in the Union of Myanmar or, not being domiciled there, express a desire to take the benefit of the action.
3. Subject to the provisions of the next succeeding rule the amount recovered in any such action, after deducting any costs not recovered from the defendant shall be divided between the persons entitled in such proportions as the Court may direct.
4. The Court before which any such action is brought may at any stage of the proceedings make any such order as appears to the Court to be just and equitable in view of the provisions of the First Schedule to this Act limiting the liability of a carrier and of any proceedings which have been, or are likely to be, commenced outside the Union of Myanmar, in respect of the death of the passenger in question.



**CHAPTER V**

**THE UNION OF MYANMAR AIRCRAFT (PUBLIC HEALTH) RULES**



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**CHAPTER V.**

**THE UNION OF MYANMAR AIRCRAFT (PUBLIC HEALTH) RULES.**

**PART I.- - Introductory.**

1. These Rules may be called the Union of Myanmar Aircraft (Public Health) Rules, 1946.
2. In these Rules, unless there is anything repugnant in the subject or context:- - -
  - (1) “ Commander” means any person for the time being in chart or in command of an aircraft;
  - (2) “ crew” includes any person having duties on board in connection with flying, or the safety of the flight, of an aircraft, or employed on board in any way in the service of the aircraft, the passengers or the cargo;
  - (3) “customs aerodrome” means and aerodrome declared under Rule 53 of the Union of Myanmar Aircraft Rules, 1920, to be a customs aerodrome;
  - (4) “ days” means a period of twenty-four hours;
  - (5) “ Health Officer” means any person appointed by the President of the Union to be the Health Officer of an aerodrome, and includes an Additional, Deputy or Assistant Health Officer appointed by the President of the Union to perform the function, of a Health Officer;
  - (6) “ infected aircraft” means an aircraft which under Rule 10,17,20,23,26 or 29 is regarded as an aircraft infected with an infectious disease;
  - (7) “ infected area” in relation to infection disease means any area outside the Union of Myanmar, declared by the President of the Union; by notification in the *Myanmar Gazette*, to be infected with that disease;
  - (8) “ infectious disease” means yellow fever, plague, cholera, typhus(louse-borne), small-pox, cerebrospinal meningitis, diphtheria, relapsing fever or influenza pneumonia and includes any other disease declared by the President of the Union by notification in the *Myanmar Gazette* to be an infectious disease;
  - (9) “ isolation” means the segregation of any person suffering from an infectious disease in such a manner as to ensure that such person were not convey infection to other person;
  - (10) “ observation” means the segregation of any person suspected of suffering from an infectious disease for the purpose of ascertaining whether or not he is suffering from an infectious disease;
  - (11) “ period of incubation” means (a) in respect of an infectious disease mentioned below, the period specified against it:- - -
 

Yellow fever	...	...	...	...	9 days.
Plague	...	...	...	...	6 days.
Cholera	...	...	...	...	5 days.
Typhus(louse-borne)	...	...	...	...	12 days.
Small-pox	...	...	...	...	14 days.
Chicken-pox	...	...	...	...	14 days.
Cerebrospinal meningitis	...	...	...	...	10 days.
Diphtheria	...	...	...	...	7 days.
Relapsing fever ...	...	...	...	...	14 days.
Influenza pneumonia	...	...	...	...	5 days.

 and (b) in respect of any other infectious disease such period as may be declared by the President of the Union by notification in the official Gazette to be the period of incubation of that disease;
  - (12) a person under “ surveillance” is not isolated and may move about freely but the sanitary authorities of the place or places to which he proceeds are notified of his coming. He may be subjected in the places of arrival to a medical examination and such inquiries as are necessary with a view to ascertaining his state of health and required to report on arrival and afterwards to the Health Officer of the city town, district, or place to which he proceeds at such intervals during the continuance of surveillance as may be directed by that officer;
  - (13) “ suspected aircraft” means an aircraft which under Rule 11,17,20,23,26 or 29 is regarded as an aircraft suspected of infection from an infectious disease.
3. The proof of inoculation against yellow fever, or immunity against yellow fever, of inoculation against cholera, or inoculation against typhus and of vaccination against small-pox shall consist in certificates which shall conform as closely as possible to the *performed* show in Schedules III .IV,V,VI and VII to these Rules.

**PART II.- - Aircraft arriving.****GENERAL PROVISIONS**

4. (1) The Commander of an aircraft, which is on its way to the Union of Myanmar from any place outside the Union of Myanmar shall send to the officer in charge of the aerodrome where he proposes to land in the Union of Myanmar, a health report stating- - -

- (a) whether any person on board the aircraft is suffering from any illness and, if so what that illness is, or is suspected to be, and
- (b) whether at any time during voyage there has occurred on board any case, on suspected case of an infectious disease, and if so, what that case was.

(2) The report referred to in sub-rule (1) shall be sent- - -

- (a) if the aircraft is not equipped with radio, by means of a cablegram from the last place of landing before entering the Union of Myanmar, and
- (b) if the aircraft is equipped with radio, by means of a message when it is not less than two hours out from the aerodrome in the Union of Myanmar, where it is proposed to land the aircraft.

5. The President of the Union may, by notification in the *Myanmar Gazette*, direct that aircraft infected, or suspected to be infected with a specified infectious disease shall, on entering the Union of Myanmar, from a place outside the Union of Myanmar land only at such aerodrome or aerodrome as may be specified in the notification.

6. (1) When an aircraft infected or suspected to be infected, with an infectious disease enters the Union of Myanmar from a place outside the Union of Myanmar, and lands elsewhere than at an aerodrome specified under Rule 5 or, where no such aerodrome has been specified, lands elsewhere than at a customs aerodrome, it shall proceed as soon as possible, without discharging any passenger, crew or cargo, to an aerodrome specified under Rule 5, or, as the case may be, to a customs aerodrome.

(2) If it is impracticable for the aircraft to comply with the provisions of sub-rule (1), the Commander shall forthwith notify the Health Officer of the nearest customs aerodrome, and also the nearest Magistrate, Officer in Charge of a Police Station or Government Medical Officer, who shall take such measures to prevent the spread of infection as he may consider necessary or expedient. The Commander shall prevent any cargo being removed from, or any passenger or member of the crew leaving the vicinity of, the aircraft, except to such extent as may be necessary to conform to, or facilitate the measures taken under this sub-rule. The Commander shall record the circumstances of the landing in the journey log book and shall, on his arrival at an aerodrome specified under Rule 5, or, as the case may be, a customs aerodrome, report the relevant facts to the Health Officer of that aerodrome.

7. The Commander of an aircraft coming from any place outside the Union of Myanmar shall –

- (a) arrange for all passengers on board to complete a Personal Declaration of Origin and Health in the form shown in Schedule I to these Rules ; and
- (b) on or just before the arrival of the aircraft at an aerodrome specified under Rule 5, or where no such aerodrome has been specified, at the first customs aerodrome in the Union of Myanmar, complete an Aircraft Declaration of Health, in the form shown in Schedule II to these Rules, to be handed to the Health Officer, and may be required to produce certificates concerning sanitary measures which such Declaration states were undergone by the aircraft before departure or at stopping places.

8. When an infected or suspected aircraft, coming from a place outside the Union of Myanmar arrives at a customs aerodrome, the Health Officer may, until such time as the appropriate measures prescribed in the case of such aircraft have been taken, require that the passengers and crew of the aircraft shall not go beyond such limits within the aerodrome as may be specified by him.

9. The Health Officer of an aerodrome may, whenever he considers it desirable, inspect any aircraft and its passengers and crew on its arrival at the aerodrome, and may require the Commander to produce for examination the relevant papers of the aircraft.

**SPECIAL PROVISIONS RELATING TO YELLOW FEVER**

10. An aircraft shall be regarded as infected with yellow fever- - -

- (i) if there is a case of yellow fever on board, or
- (ii) if there has been on board a case of yellow fever, and subsequent to the occurrence of that case all the measures specified in clause (a) of sub-rule (1) of Rule 15 have not been taken to the satisfaction of the Health Officer before arriving in Union of Myanmar or
- (iii) if it has started from or alighted in any yellow fever infected area and subsequent to such starting or alighting has not obtained a certificate of disinsectisation from such officer or body as may be approved from time to time by the President of the Union for this purpose, stating that the aircraft, after leaving or alighting in the yellow fever infected area and before arriving in Union of Myanmar, has been disinsectised in accordance with the procedure prescribed in the Schedule VIII to these Rules, or
- (iv) if there is on board any person who within nine days of arrival in Union of Myanmar, has been in a yellow fever infected area:

Provided that an aircraft shall not be regarded as infected under clause (iv) if the said person has been protected against the disease by a previous attack or by satisfactory inoculation performed-

(1) not less than ten days before his arrival in the yellow fever infected area or not less than 15 days before his arrival in the Union of Myanmar and

(2) not more than four years before departure from the yellow fever infected area:

Provided further that an aircraft shall not be regarded as infected under clause (iv) if the said person was already inoculated not less than 10 days before his arrival in the yellow fever infected area or not less than 15 days before his arrival in the Union of Myanmar and was reinoculated at any time within the period of 4 years specified in clause (2) of the preceding proviso even though the periods of 10 days or 15 days specified in clause (i) of the said proviso have not expired after date of reinoculation.

11. An aircraft shall be regarded as suspected of yellow fever infection if, not being infected with yellow fever, it arrives in Union of Myanmar from the West.

12. (1) Where an aircraft, having started from, or during the course of the voyage alighted in a yellow fever infected area, is on its way to the Union of Myanmar the report referred to in sub-rule (1) of Rule 4 shall also state-

(a) the date of departure of the aircraft from the yellow fever infected area and

(b) whether the aircraft has been disinsectised since leaving the yellow fever infected area and if so the place at which and the authority by which the disinsectisation was performed.

(2) Where an aircraft has on board any persons coming from a yellow fever infected area, the report referred to in sub-rule(1) of Rule 4 shall also state the number of such persons the dates of their respective departure from such area, and the dates on which each of such persons has been inoculated against yellow fever.

13. No person shall bring into the Union of Myanmar an aircraft infected with yellow fever.

14. Any aircraft which being infected with yellow fever, attempts to enter to Union of Myanmar may be refused entry.

15. (1) If any aircraft enters the Union of Myanmar in contravention of Rule 13 or Rule 14, then without prejudice to any other proceedings that may be taken against any person on board, the aircraft and all persons and cargo thereon shall be subjected to the following measures;

(a) If the aircraft is infected in the manner specified in clause (i) of Rule 10-

(i) the aircraft and cargo shall be disinsectised,

(ii) all persons suffering from yellow fever shall be disembarked and isolated for such period as the Health Officer may consider necessary;

(iii) all person on board shall be medically examined either before disembarkation or under such arrangements as may be made by the Health Officer of the aerodrome to reduce to a minimum the risk of spread of infection; and

(iv) any persons suspected to be suffering from yellow fever shall be disembarked and placed under observation for such period as the Health Officer may consider necessary.

(b) If the aircraft is infected in the manner specified in clause (ii) or clause (iii) of Rule 10 the measures specified in sub-clauses (i) and (iii) of clause (a) shall be taken and in addition all persons on board other than persons who have been protected against the disease in the manner specified in either of the provisions to Rule 10, shall be disembarked and placed under observation of a period not exceeding nine days from the time of the aircraft.

(c) If the aircraft is infected in the manner specified in clause (iv) of Rule 10, the measures specified in sub-clauses (i), (iii) and (iv) of clause (a) shall be taken, and in addition, all persons on board who within nine days of arrival of the aircraft have been in a yellow fever infected area, other than persons who have been protected against the disease in the manner specified in clause (b) of the proviso to Rule 10, shall be disembarked and placed under observation for a period not exceeding nine days reckoned from the time at which they departed from such area.

(2) All isolation and observation prescribed by sub-rule (1) shall be carried out in such manner as to preclude the access of mosquitoes to the persons under isolation or observation.

16. On the arrival of an aircraft suspected of yellow fever infection-

(1) the aircraft and cargo may be disinsectised and

(2) all persons on board shall be medically examined either before disembarkation or under such arrangements as may be made by the Health Officer to reduce to a minimum the risk of spread of infection.

#### SPECIAL PROVISIONS RELATING TO PLAGUE

17.(1) An aircraft shall be regarded as infected with plague-

(i) if there is a case of plague on board, or

(ii) if there has been a case of plague on board and subsequent to the occurrence of that case all the measures prescribed in Rule 18 have not been taken or

(iii) if plague-infected rats are found on board.

- (2) An aircraft shall be regarded as suspected of plague infection-
  - (i) if there is on board any person who within six days of arrival has been in contact with a case of plague or otherwise exposed to plague infection,
  - (ii) if there is on board any person who within six days of his arrival has been in a plague infected area or
  - (iii) if the Health Officer has reason to suspect the presence on board of plague infected rats.
18. On the arrival of an aircraft infected with plague-
  - (1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;
  - (2) all persons suffering from plague shall be disembarked and isolated for such period as the Health Officer may consider necessary;
  - (3) all persons suspected to be suffering from plague shall be disembarked and placed under observation for such period as the Health Officer may consider necessary;
  - (4) persons on board who have been in contact with a case of plague or who in the opinion of the Health Officer, have otherwise been exposed to infection shall be placed under surveillance for a period not exceeding six days from the time of arrival of the aircraft;
  - (5) bedding soiled linen, wearing apparel and other articles which, in the opinion of the Health Officer are infected shall be disinfected and if necessary disinfected;
  - (6) those parts of the aircraft which have been occupied by persons suffering from plague or which in the opinion of the Health Officer are infected shall be disinfected and if necessary disinfected;
  - (7) if the Health Officer has reason to believe that there are rats on board the aircraft, he shall deratise the aircraft;
  - (8) any merchandise which it is proposed to discharge and which in the opinion of the Health Officer may harbour rats or fleas, may be deratised or as the case may be disinfected;
  - (9) any unloading shall be carried out under the control of the Health Officer, who shall take all measures which in his opinion are necessary to prevent the infection of the staff engaged on this work, and may for that purpose subject the staff to surveillance for a period not exceeding six days from the time they have ceased to work at the unloading of the aircraft.
19. On the arrival of an aircraft suspected of plague infection-
  - (1) the aircraft shall be inspected all persons on board shall be medically examined by the Health Officer;
  - (2) persons who have been in contact with a case of plague or who in the opinion of the Health Officer have been exposed to infection shall if not already under surveillance be placed under surveillance for a period not exceeding six days from the time of such contact or such exposure to infection; and
  - (3) all or any of the measures specified in clauses (5) to (9) of Rule 18 and not already taken, may be taken the discretion of the Health Officer.

#### SPECIAL PROVISIONS RELATING TO CHOLERA

20. (1) An aircraft shall be regarded as infected with cholera-
  - (i) if there is a case of cholera on board or
  - (ii) if there has been a case of cholera on board and subsequent to the occurrence of that case all the measures prescribed in Rule 21 have not been taken.
- (2) An aircraft shall be regarded as suspected of cholera infection-
  - (i) if there is on board any person, who within five days of arrival has been in contact with a case of cholera or otherwise exposed to cholera infection,
  - (ii) if there is on board any person who within five days of his arrival has been in a cholera infected area, or
  - (iii) if there are on board any fresh foods from a cholera infected area.
21. On the arrival of an aircraft infected with cholera-
  - (1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;
  - (2) all persons suffering from cholera shall be disembarked and isolated for such period as the Health Officer may consider necessary;
  - (3) all persons suspected to be suffering from cholera shall be disembarked and placed under observation for such period as the Health Officer may consider necessary;
  - (4) the members of the crew and the passengers shall be placed under surveillance for a period not exceeding five days reckoned from the time of arrival of the aircraft, provided that persons satisfying the Health Officer that they have been protected against cholera by inoculation effected not more than six months and not less than six days prior to the time of arrival may be exempted from such surveillance;
  - (5) bedding, soiled linen, wearing apparel and other articles including foodstuffs which in the opinion of the Health Officer, are infected shall be disinfected, provided that in special circumstances the Health Officer may for reasons to be recorded in writing, order the destruction of foodstuffs which in his opinion are infected;
  - (6) those parts of the aircraft which have been occupied by persons suffering from cholera or which in the opinion of the Health Officer, are infected shall be disinfected;

- (7) if in the opinion of the Health Officer, the drinking water stored on board is infected he shall cause it to be emptied out after it has been disinfected and to be replaced after disinfection of the tanks and filters by a supply of wholesome drinking water;
  - (8) the Health Officer may require human dejecta and the waste water of the aircraft to be disinfected before they are discharged from the aircraft;
  - (9) any unloading shall be carried out under the control of the Health Officer who shall take all measures which in his opinion are necessary to prevent the infection of the staff engaged on this work and may for that purpose subject the staff to surveillance for a period not exceeding five days from the time they have ceased to work at the unloading of the aircraft.
22. On the arrival of an aircraft suspected of cholera infection-
- (1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;
  - (2) persons who within five days of arrival have been exposed to infection, whether by virtue of having been in an infected area or having been in contact with a case of cholera, shall be subjected to surveillance for a period not exceeding five days from the time of the last exposure to infection:  
Provided that persons satisfying the Health Officer that they have been protected against cholera by inoculation effected not more than six months and not less than six days prior to the date of arrival may be exempted from such surveillance; and
  - (3) all or any of the measures specified in clauses (5) to (9) of Rule 21 and not already taken may be taken at the discretion of the Health Officer.

#### SPECIAL PROVISIONS RELATING TO TYPHUS

23. (1) An aircraft shall be regarded as infected with typhus-
- (i) if there is a case of typhus on board or
  - (ii) if there has been a case of typhus on board and subsequent to the occurrence of that case all the measures prescribed in Rule 24 have not been taken.
- (2) An aircraft shall be regarded as suspected of typhus infection-
- (i) if there is on board any person who within twelve days of arrival has been in contact with a case of typhus or otherwise exposed to typhus infection or
  - (ii) if there is on board any person who within twelve days of his arrival has been in an area where typhus was epidemic at the time of his leaving that area.

*Explanation* – Typhus shall be regarded as being epidemic in an area in respect of which a notification to that effect has been issued by the President of the Union in the Myanmar Gazette.

24. On the arrival of an aircraft infected with typhus-
- (1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;
  - (2) all persons suffering from typhus shall be disembarked isolated for such period as the Health Officer may consider necessary and deloused;
  - (3) all person suspected by the Health Officer to be suffering from typhus shall be disembarked, placed under observation for such period as the Health Officer may consider necessary and deloused;
  - (4) other persons suspected by the Health Officer to harbour lice or to have been exposed to infection shall be deloused and may be subjected to surveillance for a period not exceeding twelve days reckoned from the time of delousing; provided that persons satisfying the Health Officer that they have been protected against typhus fever by inoculation effected not more than one year and not less than seven days prior to the time of arrive may be exempted from such surveillance;
  - (5) bedding linen, wearing apparel and other articles which in the opinion of the Health Officer are infected shall be disinfected;
  - (6) those parts of the aircraft which have been occupied by persons suffering from typhus or which in the opinion of the Health Officer are infected shall be disinfected.
25. On the arrival of an aircraft suspected of typhus infection-
- (a) the measures specified in clause (1) of Rule 24 shall be taken and
  - (b) those specified in clauses (4), (5) and (6) of Rule 24, and not already taken may be taken at the discretion of the Health Officer.

#### SPECIAL PROVISIONS RELATING TO SMALL-POX

26. (1) An aircraft shall be regarded as infected with small-pox-
- (i) if there is a case of small-pox on board or
  - (ii) if there has been a case of small-pox on board and subsequent to the occurrence of that case all the measures prescribed in Rule 27 have not been taken.
- (2) An aircraft shall be regarded as suspected of small-pox infection-



- (i) if there is on board any person who within fourteen days of arrival has been in contact with a case of small-pox or otherwise exposed to small-pox infection or
- (ii) if there is on board any person who within fourteen days of arrival has been in an area where small-pox was epidemic at the time of his leaving that area.

*Explanation* – Small-pox shall be regarded as being epidemic in an area in respect of which a notification to that effect has been issued by the President of the Union in the Myanmar Gazette.

27. On the arrival of an aircraft infected with small-pox-
- (1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;
  - (2) all persons suffering from small-pox shall be disembarked and isolated for such period as the Health Officer may consider necessary;
  - (3) all persons suspected to be suffering from small-pox shall be disembarked and placed under observation for such period as the Health Officer may consider necessary;
  - (4) other persons suspected by the Health Officer to have been exposed to infection and who in this opinion are not sufficiently protected by vaccination effected not more than three years and not less than fourteen days prior to the time arrival or by a previous attack of small-pox,-
    - (a) if they are willing to be vaccinated or in the case of minors if their guardians or those in charge of them consent to their vaccination may be subjected to vaccination free of charge, and also to observation or surveillance for a period not exceeding fourteen days reckoned from the time of arrival of the aircraft and
    - (b) if they are not willing to be vaccinated and in the case of minors if their guardians or those in charge of them do not consent to their vaccination, shall be subjected to observation or surveillance for the aforesaid period;
  - (5) bedding soiled linen, wearing apparel and other articles which in the opinion of the Health Officer are infected shall be disinfected;
  - (6) those parts of the aircraft which have been occupied by persons suffering from small-pox or which in the opinion of the Health Officer are infected shall be disinfected.
28. On the arrival of an aircraft suspected of small-pox infection-
- (1) the measures specified in clauses (1) and (4) of Rule 27 shall be taken, subject to the modification that any surveillance shall be for a period not exceeding fourteen days from the time of last exposure to infection and
  - (2) the measures specified in clauses (5) and (6) of Rule 27 and not already taken may be taken at the discretion of the Health Officer.

#### SPECIAL PROVISIONS RELATING TO OTHER INFECTIOUS DISEASES

29. (1) An aircraft shall be regarded as infected with an infectious disease other than yellow fever, plague, cholera, typhus or small-pox-
- (i) if there is on board a case of any such infectious disease or
  - (ii) if there has been a case of any such infectious disease on board and subsequent to the occurrence of that case all the measures prescribed in Rule 30 have not been taken.
- (2) An aircraft shall be regarded as suspected of infection from an infectious disease other than yellow fever, plague, cholera, typhus or small-pox, if there is on board any person who within the incubation period in respect of such infectious disease has been in contact with a case of that disease or has been otherwise exposed to infection from that disease.
30. On the arrival of an aircraft infected with an infectious disease other than yellow fever, plague, cholera, typhus or small-pox,-
- (1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;
  - (2) any person suffering from an infectious disease may be disembarked and if the Health Officer considers it desirable may be isolated for such period as he may consider necessary;
  - (3) any person suspected to be suffering from an infectious disease may be disembarked and if the Health Officer considers it desirable placed under observation for such period as he may consider necessary;
  - (4) persons who have been exposed to infection may be placed under surveillance for a period not exceeding the incubation period of the infectious disease to which they have been exposed such period being reckoned from the time of last exposure to infection;
  - (5) those parts of the aircraft and any goods or personal effects on board with in the opinion of the Health Officer, are infected may be disinfected.
31. On the arrival of an aircraft suspected of infection from an infectious disease other than yellow fever, plague, cholera, typhus or small-pox-
- (1) the measures specified in sub-rule (1) of Rule 30 shall taken;
  - (2) the measures specified in sub rule (4) and (5) of Rule 30 and not already taken may be taken at the discretion of the Health Officer.

**PART III – Aircraft Departing****GENERAL**

32. The provisions of this part shall apply to all aircraft leaving the Union of Myanmar for any place outside the Union of Myanmar.
33. All persons leaving the Union of Myanmar by air for a place outside the Union of Myanmar shall be medically examined by the Health Officer of the aerodrome.
34. The Health Officer shall prohibit the embarkation in any aircraft of-
- (a) any person showing symptoms of any infectious disease and
  - (b) any person whom the Health Officer considers likely to transmit infection because of his close relation with a person showing symptoms of an infectious disease;
- Provided that nothing in this rule shall apply where a person suffering from an infectious disease is to be transported in an aircraft specially allocated for the purpose.
35. The Health Officer may require any person whom he suspects of being infested with lice capable of transmitting any infectious disease to be deloused before embarking on an aircraft.
36. (1) The Health Officer may prohibit the taking on board an aircraft of any cargo or personal effect which in his opinion are infected with any infectious disease.
- (2) The Health Officer may take such measures including, cleansing disinfection, disinsectisation and deratisation as he consider necessary to ensure that the aircraft and all cargo and personal effects thereon are not infected with any infectious disease.
37. The Health Officer shall before the departure of any aircraft enter over his signature in the journey log book particulars of the sanitary measures applied to the aircraft, particulars of the occurrence during the previous fifteen days of any infectious disease in the local area in which the aerodrome is situated and any other relevant information necessary to enable the Health Officer at the next aerodrome to determine the health condition of the aircraft on its arrival at that aerodrome.

**SPECIAL PROVISIONS RELATING TO PILARIM AIRCRAFT**

38. No person shall be permitted by the Health Officer to embark on an aircraft with a view to proceeding by air to the Hedjaz on pilgrimage unless such person produces two medical certificates signed by persons who, in the opinion of the Health Officer conducting the medical examination under Rule 33 are duly qualified to grant such certificates, one showing that such person has been inoculated against cholera not more than six months and not less than six days prior to the date of medical inspection and the other showing that such person has been vaccinated against small-pox not more than three years and not less than twelve days prior to the date of medical inspection:
- Provided that the Health Officer making the inspection may dispense with the certificate of vaccination if in his opinion the person has marks of a previous attack of small-pox.

**PART IV – Miscellaneous**

39. Save as expressly provided in these Rules no aircraft shall be detained for reasons of public health.
40. In deciding whether any and if so, what public health measures should be applied to an aircraft to its cargo and personal effects or to the passengers and crew the Health Officer shall where any discretion is left to him under these Rules take into account-
- (a) the need for detaining the aircraft for as short a time as possible and
  - (b) any public health measures which have been applied else-where and are noted in the journey log book.
41. In applying sanitary measures which have been applied from any place outside the Union of Myanmar the Health Officer shall to the greatest possible extent take into account all measures which have already been applied to the aircraft and which are duly noted in the Aircraft Declaration of Health referred to in Rule 7 of these Rules.
42. The Commander of an aircraft coming from a place outside the Union of Myanmar and proceeding to a place outside the Union of Myanmar may if he so desires notify the Health Officer of the aerodrome in the Union of Myanmar where the aircraft first arrives that he does not wish to submit to any of the provisions, except the special provisions relating to yellow fever described in Part II or Part III of these Rules; and the aircraft shall thereupon be at liberty to continue its voyage without such submission provided that-

- (a) the aircraft shall not land at any aerodrome in the Union of Myanmar except for the purpose of taking in supplies and shall when taking in supplies be so isolated as to preclude any possibility of its communicating any infectious disease to the area where it has landed;
- (b) persons, personal effects and goods shall not be disembarked or landed unless such persons undertake to submit and such personal effects and goods are subjected to the appropriate measures prescribed by these Rules.

43. The Commander of an aircraft shall answer truthfully all questions as to health conditions on board put to him by the Health Officer, produce the journey log book and other relevant papers of the aircraft on the Health Officer's request and furnish the Health Officer with all such information and assistance as he may reasonably require for the purpose of these Rules.

44. Where any public health measures have been applied to an aircraft, the Health Officer shall on the request of the Commander or any other interested person furnished the Commander or such other person free of charge with a certificate specifying the nature of the measures applied the methods employed the parts of the aircraft to which the measures were applied and reasons for their application.

45. The Health Officer shall on the request of any person arriving by an aircraft which on arrival was considered to be an infected or suspected aircraft furnish such person free of charge with a certificate showing the date of arrival and any public health measures to which he or any articles in his possession have been subjected.

46. Where any person is required under these Rules to be disembarked and isolated for any period or to be disembarked and kept under observation for any period the Health Officer may remove or cause to be removed, that person to a hospital or other place approved by the Health Officer and detain him therein for that period. Persons who are under observation for a disease other than yellow fever may, however in exceptional circumstances at the discretion of the Health Officer be allowed to continue their voyage before the expiry of the incubation period with the approval of the sanitary authorities of the next stopping place.

47. Whenever surveillance is required or permitted by these Rules and
- (a) it is not possible to carry out surveillance with sufficient thoroughness or
  - (b) the person liable to surveillance cannot furnish a public health guarantee to the satisfaction of the Health Officer, or
  - (c) the risk of the introduction of infection into the country is considered to be exceptionally serious, the Health Officer may direct that observation shall be substituted for surveillance.

48. Persons who are under surveillance, or placed under surveillance under these Rules shall be permitted to continue their journey after medical inspection and if necessary the carrying out of the appropriate measures including cleansing provided that the health authorities at subsequent landing places and at the place of destination are informed of the relevant facts by some method sufficient to ensure that they can be subjected to medical inspection in any subsequent aerodrome on the route.

49. Persons subjected to observation or surveillance shall submit to and comply with all directions as to medical supervision or otherwise which may be given by written order of a Medical Officer authorized in this behalf by the President of the Union.

50. Every person shall comply with all directions lawfully given and all conditions lawfully imposed by the Health Officer in pursuance of these Rules, and shall give that Officer all reasonable facilities for the discharge of any duty imposed on him by these Rules.

#### **PART V – Offences and Penalties**

51. No person shall throw or let fall from any aircraft any matter capable of producing an outbreak of infectious disease.

52. Whoever contravenes any provision of these Rules, or disobeys or fails to comply with, any order given in pursuance of these Rules shall be punishable with imprisonment for a term not exceeding three months or with fine which may extend to one thousand Kyat or with both.

## SHCHEDULE I

(See Rule 7)

PERSONAL DECLARATION OF ORIGIN AND HEALTH  
(For Passengers on aircraft)

Port of arrival

1. Name in full \_\_\_\_\_
2. Nationality :
3. Passport number :
4. Permanent (home) address :
5. Precise address to which immediately proceeding ;
6. State where you spent the fourteen nights prior to arrival in this country:  
Last night.  
2 nights ago  
3 nights ago  
4 nights ago  
5 nights ago  
6 nights ago  
7 nights ago  
8 nights ago  
9 nights ago  
10 nights ago  
11 nights ago  
12 nights ago  
13 nights ago  
14 nights ago
7. I am in possession of a certificate of inoculation or vaccination against;  
Cholera  
Yellow fever  
Typhus  
Small-pox
8. I declare that I have had no illness within the past fourteen days except as follows ;  
I declare that the information given above is correct to the best of my knowledge and belief.

Signature \_\_\_\_\_

Date \_\_\_\_\_

SCHEDULE II

(See Rule 7)

AIRCRAFT DECLARATION OF HEALTH

(To be completed by the Commander of an arriving aircraft and handed to the Health Officer of the aerodrome)

AIRPORT OF ENTRY NATIONALITY

- (1) Aircraft Licence No.  
or Registration Mark
- (2) Aerodrome and Date of Dearture
- (3) Aerodromes at which the aircraft alighted during the voyage and date of departure from each:-

Aerodrome	Date	Aerodrome	Date

- (4) Number of crew
  - (5) Number of passengers
  - (6) Number of passengers disembarking
  - (7) Has any person left the aircraft during the voyage on account of illness?
  - (8) Has there been any case of illness (other than air sickness) during the voyage?
  - (9) Has the aircraft been disinfected?
- Give particulars of last three disinfection.

By whom	Place	Method	Date

- (10) Have any other sanitary measures been carried out on the aircraft during the voyage?
- (11) Have you on board any living animals, birds, insects, bacteria cultures, or viruses?

I declare that the foregoing statements are true and correct to the best of my knowledge and belief.

Date \_\_\_\_\_ Signature of Commander \_\_\_\_\_

*Note – The reverse side of this form may be used by the Health Officer for the record of the disposition of aircraft and passengers.*

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SCHEDULE III

(See Rules 3 and 10)

CERTIFICATE OF INOCULATION AGAINST YELLOW FEVER

This is to certify that \_\_\_\_\_ (Age \_\_\_\_\_ Sex \_\_\_\_\_) whose signature  
appears below has this day been inoculated by me against yellow fever.

Origin and batch Number of vaccine \_\_\_\_\_

Signature of inoculating officer \_\_\_\_\_

Official position \_\_\_\_\_

Place \_\_\_\_\_ Date \_\_\_\_\_

---

(Home Address)

(Signature of person inoculated)

FOOTNOTE-

This certificate is not valid:

- (a) unless the vaccine and the method employed have been approved by the Government of the Union of Myanmar;
- (b) unless it complies with the maximum and minimum periods prescribed in the first proviso to Rule 10.

## SCHEDULE IV

(See Rules 3 and 10)

## CERTIFICATE OF IMMUNITY AGAINST YELLOW FEVER

This is to certify that \_\_\_\_\_ (Age \_\_\_\_\_ Sex \_\_\_\_\_) whose signature appears below is immune to yellow fever as the result of an attack of the disease. This immunity has been demonstrated by the mouse protection test.

Date of bleeding \_\_\_\_\_ Place of bleeding \_\_\_\_\_

Name of laboratory performing test \_\_\_\_\_

Location of laboratory \_\_\_\_\_

Date of test \_\_\_\_\_

Result of test \_\_\_\_\_

Signature of Laboratory Director \_\_\_\_\_

\_\_\_\_\_  
(Home Address)

(Signature of person inoculated)

Official Stamp of  
Laboratory

## FOOTNOTE-

This certificate is not valid:

- (a) unless the Laboratory performing the blood test and the method employed have been approved by the Government of the Union of Myanmar;
- (b) for more than ten years from the date of blood test.

SCHEDULE V

(See Rules 3, 21 and 22)

CERTIFICATE OF INOCULATION AGAINST CHOLERA

This is to certify that \_\_\_\_\_ (Age \_\_\_\_\_ Sex \_\_\_\_\_) whose signature appears below was on the dates indicated inoculated against cholera.

Date	Material		Inoculating Officer	
	Origin	Batch No. Type	Signature	Official Title

\_\_\_\_\_  
( Home Address) Date

\_\_\_\_\_  
(Signature of person inoculated)

Official Stamp of Inoculating Officer
--

**(The certificate is not valid for more than 6 months from date of issue)**



**SCHEDULE VI**

(See Rules 3 and 24)

**CERTIFICATE OF INOCULATION AGAINST TYPHUS FEVER**

This is to certify that \_\_\_\_\_ (Age \_\_\_\_\_ Sex \_\_\_\_\_) whose signature appears below was on the dates indicated inoculated against typhus fever.

Date	Material		Inoculating Officer	
	Origin	Batch No. Type	Signature	Official Title

\_\_\_\_\_  
( Home Address) Date

\_\_\_\_\_  
( Date )

\_\_\_\_\_  
(Signature of person inoculated)

Official Stamp of Inoculating Officer
--

**(The certificate is not valid for more than 6 months from date of issue)**

**SCHEDULE VII**

(See Rules 3 and 27)

**CERTIFICATE OF VACCINATION AGAINST SMALL-POX**

This is to certify that \_\_\_\_\_ (Age \_\_\_\_\_ Sex \_\_\_\_\_) whose signature appears below has this day been vaccinated by me against small-pox.

Origin and batch Number of vaccine \_\_\_\_\_  
 Signature of Vaccinator \_\_\_\_\_  
 Official position \_\_\_\_\_  
 Place \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of person vaccinated \_\_\_\_\_  
 Home Address \_\_\_\_\_

Important Note – In the case of primary vaccination the person vaccinated should be warned to reported to a medical practitioner between the 8<sup>th</sup> 14<sup>th</sup> day, in order that the result of the vaccination may be recorded on this certificate. In the case of revaccination the person should report within 48 hours for first inspection in order that any immune reaction which has developed may be recorded.

This is to certify that the above vaccination was inspected by me on date(s) and with the result (s) shown hereunder;

Date of Inspection	Result

Official Stamp

Signature of Vaccinator \_\_\_\_\_  
 Official position \_\_\_\_\_  
 Place \_\_\_\_\_ Date \_\_\_\_\_

Use one or other of the following terms in stating the result, viz.: "Reaction of immunity", "Accelerated reaction (vaccinoid)", "Typical primary vaccinia", A certificate of "No reaction" will not be accepted.

Signature of person vaccinated \_\_\_\_\_.

**(The certificate is not valid for more than 3 years from date of issue)**

Explanatory note regarding the interpretation of results of vaccination-

- (1) Reaction of Immunity - A papule appears on the first day, does not develop into vesicle and rapidly fades away.
- (2) Accelerated reaction (vaccinoid) – A papule appears on the second day, a vesicle on the third, pustule (if present) on the fourth day, scabbing starts on the fifth days and the scab is off by the eight day.
- (3) *Typical Primary Vaccinia* – A papule appears on the fourth day becomes a vesicle on the fifth day and a pustule on the eighth day, Scabbing starts on the eleventh day the scab is off between the sixteenth and twenty-first day.

**SCHEDULE VIII**

(See Rule 10)

**PROCEDURE FOR DISINSECTISATION OF AIRCRAFT**

The interior of the aircraft shall be sprayed with-

- (a) a pyrethrum freon aerosol containing not less than 0.4 per cent pyrethrum applied from an aerosol dispenser at a rate of not less than 15 second per 1,000 cubic feet of free air space; the stopcock in the case of an aerosol bomb other than the Westinghouse type being kept open not less than half a turn during the operation and in the Westinghouse type the cap being removed completely. All openings into the aircraft shall be kept tightly closed during the spraying and for a period of not less than three minutes thereafter; or
- (b) pyrethrum extract either in the form of an oil/water emulsion or diluted with a non-staining completely volatile kerosence oil having a flash point not lower than 120 degree Fahrenheit when taken by the official Tagliabue Cup Method. The final spray in each case shall contain not less than 0.1 percent pyprethrins and the amount applied shall be not less than 1 oz.per. 1,000 cubic feet of free air space. The spray shall be applied from an atomiser working at a pressure not less than 25lbs. per square inch. This may be operated either by a power driven compressor or by one pumped up by hand or filled from a pressure cylinder. All openings into the aircraft shall remain rightly closed during its operation and for 20 minutes thereafter. If a kerosene solution is used it shall not be applied when the engines of the aircraft are running and if a pertol-driven compressor is used this shall be kept at a safe distance from the aircraft to avoid risk of fire.

LIST OF AGENTS FROM WHOM GOVERNMENT OF MYANMAR PUBLICATIONS ARE AVAILABLE

IN MYANMAR

1. City Book Club, 98, Phayre Street, Rangoon.
2. Proprietor, Thu-Dhama-Wadi Press, 55-56. Tsee Kai Maung Khine Street, Rangoon.
3. Proprietor, Myanmar, News Agency, 135, Anawrahta Street, Rangoon.
4. Manager, Union Publishing House, 94, "C" Block, Bogyoke, Market Rangoon.
5. The Secretary, People's Literature Committee and House, 546, Merchant Street, Rangoon.
6. The Myanmar Translation Society, 520, Merchant Street, Rangoon.
7. Messrs.K. Bin Hoon & Sons, Nyaunglebin, Pegu District.
8. U Lu Gale, Government Law Book Agent, 34th Road, Nyaungzindan Quarter, Mandalay.
9. The National Book Depot and Stationery Supply House, North Godown, Zegyo, Mandaly.
10. Knowledge Book House, 130, Bogyoke Street, Rangoon.
11. Ava House, 232, Sule Pagoda Road, Rangoon.
12. S.K. Dey, Book Supplier & News Agents (In Strand Hotel), 92, Strand Road, Rangoon.
13. Agawall Bookshop, Lanmadaw, Myitkyina.
14. Shwe Ou Daung Stores, Book Sellers & Stationers No. 267, South Bogyoke Road, Moulmein.
15. U Aung Tin, Youth Stationery Stores, Main Road, Thaton.
16. U Maung Gyi, Aung Brother Book Stall, Minmu Road, Monywa.
17. Shwenintha Stores, Bogyoke Road, Lashio, N.S.S.
18. L. C. Barua, Proprietor, National Stores, No. 16-17, Zegyaung Road, Bassein.
19. Daw Aye Kyi, No. 42-44 (in Bazaar) Book Stall, Myaungmya.
20. Dobama U Thein, Proprietor, Dobama Book Stall, No. 6, Bogyoke, Street, Henzada.
21. Smart and Mookerdum, No. 221, Sule Pagoda Road, Rangoon.
22. Daw Kyi Kyi Sint, Stationery Mart, Bo Aung Road (E-Road), Pyinmana.
23. Zwe Literary Bower, No. 195 (B-I), 33<sup>rd</sup> Street, Rangoon.
24. B. B. Bower, News Myanmar Book Stall, 28-29, Merchant Street, Bassein.

IN INDIA

1. MESSRS. HIGGINBOTHAMS LTD., Post Box, No. 311, Madras (India)
2. MESSRS. THACKER SPINK & Co. (1933) Ltd, Post Box No. 54-3 Esplanade, East Calcutta (West Bengal)