

GOVERNMENT NOTICE No. 370 published on 26/5/2023

THE CIVIL AVIATION ACT  
(CAP. 80)

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**REGULATIONS**

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*(Made under section 4)*

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THE CIVIL AVIATION (RULES OF AIR) (AMENDMENT) REGULATIONS, 2023

Citation  
GN. No.  
54 of 2017

1. These Regulations may be cited as the Civil Aviation (Rules of Air) (Amendment) Regulations, 2023 and shall be read as one with the Civil Aviation (Rules of Air) Regulations, 2017 here in after referred to as “the principal Regulations”.

Amendme  
nt of  
regulation  
10

2. The principal Regulations are amended by deleting regulation 10 and substituting for it the following:

“Minimum  
height

10.-(1) A person shall not fly an aircraft or helicopter over a congested area of a city, town, settlement or over an open air assembly of persons below the height of 1,000 feet above the highest fixed object within 600 metres of the aircraft or helicopter without the permission in writing of the Authority.

(2) A person shall not operate an aircraft below the height of 1500 feet above ground level when operating the aircraft over game parks, game reserves or national parks except for the purpose of take-off or landing.

(3) A person shall not fly an aircraft-

(a) over, or within 1,000 metres of any assembly in the open air of more

than one thousand persons assembled for the purpose of witnessing or participating in any organised event, except with the permission in writing of the and with the consent in writing of the organizers of the event; or

(b) below 1,000 metres, except where the aircraft is towing a banner in which cause the height shall be calculated on the basis that the banner and such banner shall not be dropped within one thousand metres of assembly:

(c) Provided that, where a person is charged with an offence under these Regulations by reason of a contravention of this subregulation,.

(4) An aircraft shall not fly less than 500 feet above ground or water.

(5) Subregulations (1) and (4) shall not apply to an aircraft which is being used for police patrol purposes.

(6) Subregulation (4) shall not apply to an aircraft which is being used for aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating provisions of the Civil Aviation (Aerial Work) Regulations

(7) Subregulation(3) and (4) shall not apply to the flight of an aircraft over or within 1,000 metres of an assembly of persons gathered for the purpose of witnessing an event which consists wholly or principally of an aircraft race contest or an exhibition of flying, where the aircraft is taking part in such a race, contest or exhibition or is engaged in a flight arranged by, or made with the consent in writing of, the organizers of the event, and the races, contest, exhibition or flight is

approved by the Authority;

(8) Subregulation (1) shall not apply to-

(a) an aircraft while it is landing or taking-off in accordance with normal aviation practice; or

(b) a glider while it is hill-soaring.

(9) This regulation shall not prohibit any aircraft from-

(a) taking off, landing or practising approaches to landing; or

(b) flying for the purpose of checking navigational aids or procedures in accordance with normal aviation practice at a licensed or certificated aerodrome in the United Republic or at any aerodrome in any other state; or

(c) flying in such a manner as may be necessary for the purpose of saving life,

Provided that, in the case of practising approaches to landing, such practising shall be confined to the airspace customarily used by aircraft when landing or taking off in accordance with normal aviation practice at the aerodrome concerned.

(10) The provisions of this regulation shall not apply to any captive balloon or kite.

Additional  
Regulation  
s 64A and  
64B

3. The principal Regulations are amended by Adding immediately after regulation 64 the following new regulation:

“Departur  
e from  
Regulatio  
ns

64A.-(1) Where any departure from these Regulations is made for the purpose of avoiding immediate danger or in an emergency situation, the pilot-

in-command shall cause written particulars of the departure, and of the circumstances giving rise to it, to be given without delay, and in any case within ten days thereafter, to the competent authority of the State in whose territory the departure was made with a copy of it to the Authority and the State of the operator, and in the case of a State aircraft, if the departure was made over the high seas, to the Authority.

(2) Nothing in these Regulations shall exonerate any person from the consequences of any neglect in the use of lights or signals or of the neglect of any precautions required by ordinary aviation practice or by the special circumstances of the case.

64B.-(1) A person who contravenes these Regulations commits an offence.

(2) Where a person is charged Provided that, where a person is charged with an offence under these Regulations by reason of a contravention of this subregulation,.

Dodoma,  
11<sup>th</sup> May, 2023

MAKAME M. MBARAWA,  
*Minister for Works and Transport*