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## ENR 1. GENERAL RULES AND PROCEDURES

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The air traffic rules and procedure applicable to air traffic over Bhutan territory confirm to Annex 2 and Annex 11 to the Convention on International Civil Aviation and to those portion of the *Procedures for Air Navigation Service – Air Traffic Management (PANS-ATM)* to the aircraft and of the Regional Supplementary Procedures applicable to the South East Asia Region.

#### 1.1 Application of Rules to Aircraft. These Rules shall apply to :

- a) All aircraft within the boundaries of Bhutan, and
- b) All aircraft registered in Bhutan wherever they may be to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory over flown.

#### 1.2 Compliance with the Rules of the air : The operation of an aircraft either in flight or on the movement area of an aerodrome shall be in compliance with the general rules and, in addition, when in flight, either with:

- a) The visual flight rules; or
- b) The instrument flight rules.

#### 2.1 Responsibility for compliance with the Rules of the Air

##### 2.1.1 Responsibility of the pilot-in-command

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

##### 2.1.2 Pre-flight action

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

#### 3. Authority of Pilot-in-command of an Aircraft.

The pilot-in-command of an aircraft shall have final authority as to the disposition of the aircraft while in command

#### 4. Reporting hazardous condition.

The commander of an aircraft shall, on meeting with hazardous condition in the course of a flight, or as soon as possible thereafter, send to the appropriate air traffic control unit by quickest means available, information containing such particulars of hazardous conditions as may be pertinent to the safety of other aircraft.

#### 5. Misuse of signal and markings.

- 5.1 A signal or marking to which a meaning is given by these Rules, or which is required by these Rules to be used in circumstances, or for a purpose therein specified, shall not be used except with that meaning, or for that purpose.
- 5.2 A person in an aircraft or on an aerodrome or at any place at which an aircraft is taking off or landing shall not make any signal which may be confused with a signal specified in these Rules.

#### 6. Problematic use of Psychoactive Substance.

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

#### 7. Protection of Persons and Property

##### 7.1 Negligent or reckless operation of aircraft

An aircraft shall not be operated in a negligent or reckless manner so as to endanger life or property of others.

- 7.2 *Minimum Heights.*  
Except when necessary for take-off or landing, or except by permission from the Director General of BCAA, aircraft shall not be flown over the congested areas of cities, towns or settlements or over an open-air assembly of persons unless:
- a) At such a height as will permit, in the event of an emergency arising, a landing to be made without undue hazard to persons or property on the surface; or
  - b) At a height of 1500ft above the highest fixed object within 2000ft of the aircraft, whichever is higher.
- 7.2.1 An aircraft shall not fly, except with the permission in writing of the HoA, BCAA and in accordance with any conditions therein specified:
- a) Over, or within 3000ft of, any assembly in the open air of persons assembled for the purpose of witnessing or participating in any organised event, and with the consent in writing of the organisers of the event; or
  - b) Below such height as would enable it to alight clear of the assembly in the event of failure of a power unit and if such an aircraft is towing a banner such height shall be calculated on the basis that the banner shall not be dropped within 3000ft of the assembly;
  - c) Closer than 500ft to any person, vessel, vehicle or structure;
  - d) Below 3000ft over the yellow or red roofs, heritage and archaeological sites.
- 7.2.2 A helicopter shall not fly, except with the permission in writing of the HoA, BCAA and in accordance with any conditions therein specified,:
- a) Below such height as would enable it to alight without danger to persons or property on the surface, in the event of failure of a power unit;
  - b) Over a congested area of a city, town or settlement below a height of 1500ft above the highest fixed object within 2000ft of the helicopter;
  - c) Over the yellow or roof, heritage and archaeological sites.
- 7.2.3 Nothing in this Rule shall prohibit an aircraft from flying in such a manner as is necessary for the purpose of saving life.
- 7.2.4 Nothing in this Rule shall prohibit an aircraft from flying in accordance with normal aviation practice, for the purpose of taking off from, landing at or practising approaches to landing at, or checking the navigational aids or procedures at an aerodrome owned or managed by DoAT or a licensed aerodrome in Bhutan.
- 7.2.5 Nothing in this Rule shall apply to any captive balloon or kite.
- 7.3 *Cruising Levels.*  
The cruising levels at which a flight or portion of a flight is to be conducted shall be in terms of:
- a) Flight levels, for flights at or above the lowest usable flight level or, where applicable, above the transition altitude;
  - d) Altitudes, for flights below the lowest usable flight level or, where applicable, at or below the transition altitude.
- 7.4 *Dropping or Spraying.*  
Nothing shall be dropped or sprayed from an aircraft in flight except under conditions prescribed by HoA, BCAA and as indicated by relevant information, advice and/or clearance from the appropriate air traffic services unit.
- 7.5 *Towing*  
No aircraft or other object shall be towed by an aircraft, except in accordance with requirements prescribed by the HoA, BCAA and as indicated by relevant information, advice and/or clearance from the appropriate air traffic services unit.
- 7.6 *Parachute Descents.*  
Parachute descents, other than emergency descents, shall not be made except under conditions prescribed by the HoA, BCAA and as indicated by relevant information, advice and/or clearance from the appropriate air traffic services unit.

- 7.7 *Aerobatic Flight.*  
No aircraft shall be flown aerobatically except under conditions prescribed by the HoA, BCAA and as indicated by relevant information, advice, and/or clearance from the appropriate air traffic services unit.
- 7.8 *Formation Flights.*  
Aircraft shall not be flown in formation except under conditions prescribed by the HoA, BCAA and by pre-arrangement among the pilots-in-command of the aircraft taking part in the flight.
- 7.9 *Unmanned Free Balloons.*  
An unmanned free balloon shall be operated in such a manner as to minimise hazards to persons, property or other aircraft and in accordance with the conditions specified in Appendix A to Annex 2 to the Convention on International Civil Aviation.
- 7.10 *Prohibited and Restricted Areas.*  
Aircraft shall not be flown in a prohibited area, or in a restricted area, the particulars of which have been duly published, except in accordance with the conditions of the restrictions or by permission of the State over whose territory the areas are established.
- 8. Avoidance of Collisions.**  
Notwithstanding that the flight is being made with air traffic control clearance it shall remain the duty of the commander for an aircraft to take all possible measures to ensure that this aircraft does not collide with any other aircraft.
- 8.1 *Proximity.*  
An aircraft shall not be flown in such proximity to other aircraft as to create a collision hazard.
- 8.2 *Right of Way.*  
The aircraft that has the right-of-way shall maintain its heading and speed but nothing in these rules shall relieve the pilot-in-command of an aircraft from the responsibility of taking such action, including collision avoidance manoeuvres based on resolution advisories provided by ACAS equipment, as will best avert collision.
- 8.3 An aircraft that is obliged by these Rules to keep out of the way of another shall avoid passing over, under or in front of the other, unless it passes well clear and takes into account the effect of aircraft wake turbulence.
- 8.4 *Approaching head-on.*  
When two aircraft are approaching head-on or approximately so in air and there is danger of collision, each shall alter its heading to the right.
- 8.5 *Converging.*  
When two aircraft are converging at approximately the same level, the aircraft that has the other on its right shall give way, except as follows:
- a) Power-driven heavier-than-air aircraft shall give way to airships, gliders and balloons;
  - b) Airships shall give way to gliders and balloons;
  - c) Gliders shall give way to balloons;
  - d) Power-driven aircraft shall give way to aircraft which are seen to be towing other aircraft or objects.
- 8.6.1 *Overtaking.*  
An overtaking aircraft is an aircraft which approaches another from the rear on a line forming an angle of less than 70 degrees with the plane of symmetry of the latter, i.e. is in such a position with reference to the other aircraft that at night it should be unable to see either of the aircraft's left (port) or right (starboard) navigation lights. An aircraft that is being overtaken has the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering its heading to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the overtaking aircraft from this obligation until it is entirely past and clear.

- 8.7 *Landing.*
- 8.7.1 An aircraft in flight, or operating on the ground or water, shall give way to aircraft landing or in the final stages of an approach to land.
- 8.7.2 When two or more heavier-than-air aircraft are approaching an aerodrome for the purpose of landing, aircraft at the higher level shall give way to aircraft at the lower level, but the latter shall not take advantage of this rule to cut in in front of another which is in the final stages of an approach to land, or to overtake that aircraft. Nevertheless, power-driven heavier-than-air aircraft shall give way to gliders.
- 8.8 *Emergency Landing.*  
An aircraft that is aware that another is compelled to land shall give way to that aircraft.
- 8.9 *Taking Off.*  
An aircraft taxiing on the manoeuvring area of an aerodrome shall give way to aircraft taking off or about to take off.
- 8.10 *Right-hand Traffic Rule.*  
An aircraft which is flying in sight of the ground and is following a line feature shall keep such line feature on its left.
- 8.11 *Surface Movement of Aircraft.*
- 8.11.1 In case of danger of collision between two aircraft taxiing on the movement area of an aerodrome the following shall apply:
- When two aircraft are approaching head on, or approximately so, each shall stop or, where practicable, alter its course to the right so as to keep well clear;
  - When two aircraft are on a converging course, the one which has the other on its right shall give way;
  - An aircraft which is being overtaken by another aircraft shall have the right-of-way and the overtaking aircraft shall keep well clear of the other aircraft.
- 8.11.2 An aircraft taxiing on the manoeuvring area shall stop and hold at all taxi-holding positions unless otherwise authorised by the aerodrome control tower.
- 8.11.3 An aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may proceed further only when the lights are switched off.
- 9. Lights to be displayed by Aircraft**
- 9.1 By day or night an aircraft fitted with an anti-collision light shall display such a light from immediately before engine start to immediately after engine shut-down.
- 9.2 From sunset to sunrise, or during any other period which may be prescribed by the appropriate authority, all aircraft in flight shall display:
- Anti-collision lights intended to attract attention to the aircraft; and
  - Navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights;
  - Lights fitted for other purposes, such as landing lights and airframe floodlights, may be used in addition to the lights specified above to enhance aircraft conspicuity.
- 9.4 From sunrise to sunset, or during any other period prescribed by the appropriate authority:
- All aircraft moving on the movement area of an aerodrome shall display navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights;
  - Unless stationary and otherwise adequately illuminated, all aircraft on the movement area of an aerodrome shall display lights intended to indicate the extremities of their structure;
  - All aircraft operating on the movement area of an aerodrome shall display lights intended to attract attention to the aircraft; and