

COVER SHEET TO AMENDMENT 45

INTERNATIONAL STANDARDS

RULES OF THE AIR

ANNEX 2

**TO THE CONVENTION ON INTERNATIONAL CIVIL
AVIATION**

TENTH EDITION — JULY 2005

INTERNATIONAL CIVIL AVIATION ORGANIZATION

Checklist of Amendments to Annex 2		
	<i>Effective date</i>	<i>Date of applicability</i>
Tenth Edition (incorporates Amendments 1 to 38)	11 July 2005	24 November 2005
Amendment 39 (adopted by the Council on 20 February 2006)	17 July 2006	23 November 2006
Amendment 40 (adopted by the Council on 26 February 2007)	16 July 2007	22 November 2007
Amendment 41 (adopted by the Council on 10 March 2008)	20 July 2008	20 November 2008
Amendment 42 (adopted by the Council on 4 March 2009)	20 July 2009	19 November 2009
Amendment 43 (adopted by the Council on 7 March 2012)	16 July 2012	15 November 2012
Amendment 44 (adopted by the Council on 25 February 2013)	15 July 2013	13 November 2014
Amendment 45 (adopted by the Council on 22 February 2016) Replacement pages (xii), 3-11.	11 July 2016	10 November 2016

Amendment
45 to the
International Standards

RULES OF THE AIR

(Annex 2 to the Convention on International Civil Aviation)

1. Insert the following replacement pages in Annex 2 (Tenth Edition) to incorporate Amendment 45 which becomes applicable on 10 November 2016:

a) Page (xii) — Foreword

b) Page 3-11 — Chapter 3

2. Record the entry of this amendment on page (ii).

11/7/16

<i>Amendment</i>	<i>Source(s)</i>	<i>Subject(s)</i>	<i>Adopted/approved Effective Applicable</i>
32	Air Navigation Commission	Note related to carriage requirements of airborne collision avoidance systems.	19 February 1996 19 February 1996 —
33	Air Navigation Commission	Communication failure procedures.	26 February 1997 21 July 1997 6 November 1997
34	Automatic Dependent Surveillance Panel, Fourth Meeting (1996); Review of the General Concept of Separation Panel, Ninth Meeting (1996); consequential to Amendment 162 to Annex 1	Definitions; automatic dependent surveillance systems and procedures; data interchange between automated ATS systems; ATS applications for air-ground data links; problematic use of psychoactive substances.	19 March 1998 20 July 1998 5 November 1998
35	Air Navigation Commission; Visual Aids Panel, Thirteenth Meeting (1997)	ATS airspace classifications; visual meteorological conditions clearance; runway-holding position.	10 March 1999 19 July 1999 4 November 1999
36	Consequential as a result of Amendment 40 to Annex 11; Amendments 23 and 25 to Annex 6, Part I; Amendments 20 and 7 to Annex 6, Parts II and III, respectively; and Amendment 72 to Annex 3	Revised definitions of “air traffic control unit”, “approach control unit”, “alternate aerodrome” “flight crew member”, “pilot-in-command” and “visibility”; editorial amendments.	12 March 2001 16 July 2001 1 November 2001
37	Separation and Airspace Safety Panel (SASP)	Pilot procedures in the event of unlawful interference; editorial amendments.	28 February 2003 — —
38 (10th Edition)	Secretariat	Definitions; marshalling signals; communication failure procedures; interception manoeuvres; editorial amendments.	23 February 2005 11 July 2005 24 November 2005
39	Secretariat	Restructuring of text to emphasize the responsibility of the pilot-in-command for the avoidance of collisions.	20 February 2006 17 July 2006 23 November 2006
40	Air Navigation Commission	Definitions and associated procedures for ADS-B, ADS-C and ADS-C agreement; pilot procedures in the event of unlawful interference.	26 February 2007 16 July 2007 22 November 2007
41	Secretariat with the assistance of the Required Navigation Performance and Special Operational Requirements (RNPSOR) Study Group	Amendment to a definition and Standard to align required navigation performance (RNP) and area navigation (RNAV) terminology with the performance-based navigation (PBN) concept.	10 March 2008 20 July 2008 20 November 2008

<i>Amendment</i>	<i>Source(s)</i>	<i>Subject(s)</i>	<i>Adopted/approved Effective Applicable</i>
42	Recommendation 8/1 of the seventh meeting of the Operations Panel (OPSP/7); Secretariat with the assistance of the APANPIRG task force on RVSM	Amendments to standard emergency hand signals for emergency communications between aircraft rescue and firefighting personnel and flight and/or cabin crews; and harmonization of cruising levels.	4 March 2009 20 July 2009 19 November 2009
43	Secretariat; Separation and Airspace Safety Panel (SASP); Unmanned Aircraft Systems Study Group (UASSG)	Amendment to definitions; speed variations; and remotely piloted aircraft.	7 March 2012 16 July 2012 15 November 2012
44	Secretariat; Approach Classification Task Force (ACTF)	Definitions related to instrument approach operations.	25 February 2013 15 July 2013 13 November 2014
45	Separation and Airspace Safety Panel (SASP)	Speed variation procedures	22 February 2016 11 July 2016 10 November 2016

3.6.2 Adherence to current flight plan

3.6.2.1 Except as provided for in 3.6.2.4, an aircraft shall adhere to the current flight plan or the applicable portion of a current flight plan for a controlled flight within the tolerances defined in paragraphs 3.6.2.1.1 to 3.6.2.2 unless a request for a change has been made and clearance obtained from the appropriate air traffic control unit, or unless an emergency situation arises which necessitates immediate action by the aircraft, in which event as soon as circumstances permit, after such emergency authority is exercised, the appropriate air traffic services unit shall be notified of the action taken and that this action has been taken under emergency authority.

3.6.2.1.1 Unless otherwise authorized by the appropriate ATS authority, or directed by the appropriate air traffic control unit, controlled flights shall, in so far as practicable:

- a) when on an established ATS route, operate along the defined centre line of that route; or
- b) when on any other route, operate directly between the navigation facilities and/or points defining that route.

3.6.2.1.2 Subject to the overriding requirement in 3.6.2.1.1, an aircraft operating along an ATS route segment defined by reference to very high frequency omnidirectional radio ranges shall change over for its primary navigation guidance from the facility behind the aircraft to that ahead of it at, or as close as operationally feasible to, the changeover point, where established.

3.6.2.1.3 Deviation from the requirements in 3.6.2.1.1 shall be notified to the appropriate air traffic services unit.

3.6.2.2 Deviations from the current flight plan. In the event that a controlled flight deviates from its current flight plan, the following action shall be taken:

- a) *Deviation from track:* if the aircraft is off track, action shall be taken forthwith to adjust the heading of the aircraft to regain track as soon as practicable.
- b) *Deviation from ATC assigned Mach number/indicated airspeed:* the appropriate air traffic services unit shall be informed immediately.
- c) *Deviation from Mach number/true airspeed:* if the sustained Mach number/true airspeed at cruising level varies by plus or minus Mach 0.02 or more, or plus or minus 19 km/h (10 kt) true airspeed or more from the current flight plan, the appropriate air traffic services unit shall be so informed.

- d) *Change in time estimate:* except where ADS-C is activated and serviceable in airspace where ADS-C services are provided, if the time estimate for the next applicable reporting point, flight information region boundary or destination aerodrome, whichever comes first, changes in excess of 2 minutes from that previously notified to air traffic services, or such other period of time as is prescribed by the appropriate ATS authority or on the basis of regional air navigation agreements, the flight crew shall notify the appropriate air traffic services unit as soon as possible.

3.6.2.2.1 When ADS-C services are provided and ADS-C is activated, the air traffic services unit shall be informed automatically via data link whenever changes occur beyond the threshold values stipulated by the ADS event contract.

3.6.2.3 *Change Requests.* Requests for current flight plan changes shall include information as indicated hereunder:

- a) *Change of cruising level:* aircraft identification; requested new cruising level and cruising Mach number/true airspeed at this level; revised time estimates (when applicable) at subsequent reporting points or flight information region boundaries.
- b) *Change of Mach number/true airspeed:* aircraft identification; requested Mach number/true airspeed.
- c) *Change of route:*
 - 1) *Destination unchanged:* aircraft identification; flight rules; description of new route of flight including related flight plan data beginning with the position from which requested change of route is to commence; revised time estimates; any other pertinent information.

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

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

- a) request an amended clearance enabling the aircraft to continue in VMC to destination or to an alternative aerodrome, or to leave the airspace within which an ATC clearance is required; or
- b) if no clearance in accordance with a) can be obtained, continue to operate in VMC and notify the appropriate ATC unit of the action being taken either to leave the airspace concerned or to land at the nearest suitable aerodrome; or
- c) if operated within a control zone, request authorization to operate as a special VFR flight; or
- d) request clearance to operate in accordance with the instrument flight rules.

3.6.3 Position reports

3.6.3.1 Unless exempted by the appropriate ATS authority or by the appropriate air traffic services unit under conditions specified by that authority, a controlled flight shall report to the appropriate air traffic services unit, as soon as possible, the time and level of passing each designated compulsory reporting point, together with any other required information. Position reports shall similarly be made in relation to additional points when requested by the appropriate air traffic services unit. In the absence of designated reporting points, position reports shall be made at intervals prescribed by the appropriate ATS authority or specified by the appropriate air traffic services unit.

3.6.3.1.1 Controlled flights providing position information to the appropriate air traffic services unit via data link communications shall only provide voice position reports when requested.

Note.— The conditions and circumstances in which ADS-B or SSR Mode C transmission of pressure-altitude satisfies the requirement for level information in position reports are indicated in the PANS-ATM (Doc 4444).

3.6.4 Termination of control

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

3.6.5 Communications

3.6.5.1 An aircraft operated as a controlled flight shall maintain continuous air-ground voice communication watch on the appropriate communication channel of, and establish two-way communication as necessary with, the appropriate air traffic control unit, except as may be prescribed by the appropriate ATS authority in respect of aircraft forming part of aerodrome traffic at a controlled aerodrome.

Note 1.— SELCAL or similar automatic signalling devices satisfy the requirement to maintain an air-ground voice communication watch.

Note 2.— The requirement for an aircraft to maintain an air-ground voice communication watch remains in effect after CPDLC has been established.