

(b) over the high seas that aircraft shall comply with the provisions of Annex 2 to the Chicago Convention.

Rule 3

Choice of Rules

(1) Aircraft shall be flown at all times in compliance with the requirement of Part III or these Rules and in addition shall comply with either the Visual Flight Rules in Part IV or the Instrument Flight Rules in Part V of these Rules: Provided that a flight or part of a flight conducted between the hours of sunset and sunrise shall be in accordance with Instrument Flight Rules.

(2) Before commencing a flight, the pilot-in-command shall ascertain whether conditions permit the flight to be conducted in accordance with the Visual Flight Rules or require compliance with the Instrument Flight Rules.

(3) A pilot-in-command may elect to fly in accordance with Instrument Flight Rules in VFR weather conditions or he may be required to do so by the air traffic control service.

Rule 4

Responsibility for compliance with Rules of the Air

(1) 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 he may depart from these Rules in circumstances that render such departure absolutely necessary in the interests of safety.

(2) Nothing in these Rules shall be construed so as to make the pilot-in-command solely responsible for avoiding collisions with aircraft during IFR flights and he shall not be held responsible for such collisions unless there is evidence of negligence on his part.

Rule 5

Pre-flight action

Before commencing a flight, the pilot-in-command of an aircraft shall study all available information which might affect the intended operation, and in the case of flights away from the vicinity of an aerodrome, and all IFR flights, shall make a careful study of current weather reports and forecasts, and he shall plan the flight in relation to the information obtained, taking into consideration fuel requirements and an alternative course of action if the flight cannot be completed as planned.

Rule 6

Authority of pilot-in-command

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

Rule 7

Use of intoxicating liquor, narcotics or drugs

A person shall not pilot an aircraft, or act as a flight crew member of an aircraft, while under the influence of intoxicating liquor or any narcotic or drug, by reason of which his capacity so to act is impaired.