

passing each reporting point, together with any other required information, including meteorological observations, are reported by radio as soon as possible to the appropriate unit of the air traffic control service.

Rule 38

**Communication
failure**

If a radio failure precludes compliance with Rule 37 the aircraft shall—

(a) if in VFR weather conditions continue to fly in those conditions and land at the most suitable aerodrome; or

(b) if in IFR weather conditions or when weather conditions are such that it is unlikely that the flight can be completed in VFR weather conditions—

(i) proceed according to the current flight plan, maintaining the last acknowledged assigned cruising level for the portion of the route which has received clearance and thereafter at the cruising level indicated in the current flight plan;

(ii) arrange the flight so as to arrive as closely as possible to the estimated time of arrival; and

(iii) commence the descent as closely as possible to the expected approach time last received and acknowledged, or if no approach time has been received and acknowledged, as nearly as possible to the estimated time of arrival specified in the flight plan.