

CHAPTER II. RULES OF AIR TRAFFIC

Section 1. Preliminary provisions

Art. 76. Scope of application. Any aircraft on Moroccan territory or flying over such territory must observe the rules of air traffic specified in this chapter and the system of lights and signals specified therein.

Moroccan aircraft outside Morocco also must observe such rules and system of lights and signals unless the State over which they fly has other provisions.

Art. 77. Responsibility of the commander. The pilot-flight commander, whether or not he is at the controls, shall be responsible for the direction of the aircraft according to the general rules defined in Articles 78 to 92; subject to contrary instructions by the services of air traffic control, he shall decide, after checking meteorological and other conditions, to fly either under visual flight rules (V.F.R.) or under instrument flight rules (I.F.R.). He may diverge from the various rules only when he considers it absolutely necessary for safety reasons.

The pilot-flight commander shall have the responsibility to comply with the instructions received from the respective services of air traffic control.

No provision of this chapter shall exonerate the pilot-flight commander, any member of the crew, the owner, or lessee of an aircraft from the consequences of negligence in the care and the precautions required in aviation, or particularly in any specific case.

Section 2. Flight preparation

Art. 78. Preparation by the commander. Before leaving on a flight the pilot-flight commander shall take notice of all available and useful information for the flight planned. For a flight beyond the immediate area of the airdrome and for any instrument flight (I.F.R.), he must study the meteorological bulletins and forecasts concerning the route to be followed and the stops, the aids to navigation and the condition of the facilities and airdromes, the rules and procedures of control regarding, the flight planned.

Whenever this decree so provides, the pilot-flight commander shall furnish to the competent agency of air traffic control, all information concerning all or a part of a planned flight, in form of a flight plan, either before departure or during flight.

Art. 79. Flight plan. A flight plan must be deposited prior to any instrument flight (I.F.R.) made within a controlled part of the airspace, on routes or in regions where there is consulting service or in other parts of the airspace where the air traffic services require it.

In order to facilitate the alerting service and search and rescue operations or as a means of identification, the Minister of Public Works may also require deposit of a flight plan before any flight over certain areas, along certain routes or in the case of crossing of borders. Such rule shall be dealt with in an aviation information bulletin or an N.O.T.A.M.

The contents of a flight plan, its establishment, modifications and closure shall be determined by ordinance of the Minister of Public Works.