

(a) that it appears to the commander—

(i) that arrangements had been made for the flight to be made with such a crew and so as to begin and end at such times that if the flight had been made in accordance with those arrangements each member of the crew would have observed the limits and have had the minimum rest periods established by the operator and applicable to them as aforesaid, and that since those arrangements were made the flight has been or will be prevented from being made in accordance with those arrangements by reason of exceptional circumstances or by reason of circumstances which were not foreseen as likely to prevent that flight from being so made, or

(ii) that the flight is one which ought to be carried out in the interests of the safety or health of any person, and

(b) that the commander is satisfied that the safety of the aircraft on that flight will not be endangered if he or that other person makes that flight.

(7) Every operator of an aircraft to which this Article applies shall include in every operations manual to be provided under Article 21 of this Order for the use and guidance of the members of the flight crew of that aircraft, or, in any case where no such manual is required to be provided by that Article, in a document which shall be provided for the use and guidance of those members, full particulars of all limits and minimum rest periods for the time being established under the foregoing provisions of this Article which may affect any of those members, and of any discretion conferred upon the commander of that aircraft under paragraph (6) of this Article and (without prejudice to the provisions of Article 21 of this Order) every such operator shall, whenever requested to do so by a person authorised in that behalf by the Governor, furnish that person with a copy of all particulars from time to time included in any such operations manual or document in accordance with the requirements of this paragraph.

(8) In this Article the expression "flying duty period", in relation to any person, means the time, reckoned from the beginning of each duty period of that person, in the course of which he is permitted to make any flight to which this Article applies and after expiration of which he is not in the course of the same duty period, to make any such flight.

*Maximum flying duty periods for pilots and flight engineers*

46.—(1) Without prejudice to the provisions of Article 44 of this Order a person shall not fly in an aircraft to which this Article applies as a pilot or flight engineer thereof in the course of any duty period of that person after more than the specified time has elapsed since the beginning of that duty period.

(2) In paragraph (1) of this Article the expression "the specified time" means—

(a) in relation to a person who flies in an aircraft as the only pilot thereof, 12 hours:

Provided that if before the commencement of that flight and during the duty period in the course of which he makes that flight, there has been a period of not less than seven continuous hours throughout which that person has not flown in any air-