Civil Aeronautics Administration

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REGULATIONS OF THE ADMINISTRATOR

PART 405 – Effective December 30, 1950

General Procedures

AMENDMENT 1

Amdt. 1..Effective April 16, 1953
(18 Federal Register 2143)

SUBPART C—CIVIL-MILITARY PROCEDURES

MILITARY NON-COMPLIANCE WITH AIR TRAFFIC RULES

The purpose of this amendment is to advise interested persons of the course and method by which military notices of non-compliance with Part 60 of this title are processed. A new Subpart C is added to read:

SUBPART C—CIVIL-MILITARY PROCEDURES

§ 405.21 *Military non-compliance with air traffic rules.* The following procedures have been concurred in by the United States Air Force, Navy, Coast Guard, and Civil Aeronautics Administration for processing military notices of non-compliance with Part 60 of this title:

(a) Military Departments will advise their subordinate Commands that:

(1) Notices of non-compliance required by § 60.1 (a) of this title will be forwarded to the appropriate Regional Administrator unless specific military instructions require that certain notices of non-compliance be addressed to the Administrator of Civil Aeronautics, Washington, D. C. The military recognizes the need for advance coordination by the Civil Aeronautics Administration in those cases where non-compliance will affect other civil and military operations. The military has agreed to state in special instructions that at least ten days' advance notice must be received by the Regional Administrator or Administrator, in order to establish a danger area or take other appropriate action in the interest of safety.

(2) Repeated notices of non-compliance will not be required for each operation of a type for which a standard procedure for the non-compliance has been established by the military, and the Administrator or, if appropriate, the Regional Administrator concerned has made continuing arrangements for handling the operation and so notified the military agency concerned.

(b) The Administrator of Civil Aeronautics will be responsible for the decision as to whether Airspace Subcommittee consideration is required and the promulgation of instructions to his Regional Administrators with respect to Airspace Subcommittee coordination at the regional level.

(c) The procedures in this section shall apply in normal circumstances. However, it is recognized that conditions may arise which are of such military exigency as to preclude the minimum of ten days' notice. Under these conditions and whenever military security dictates, coordination by the CAA with all other interested agencies may be impossible.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

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AVIATION INFORMATION