

## FIRST SCHEDULE

### SECTION II

#### GENERAL

#### **Application of Rules to aircraft**

2. These Rules, in so far as they are applicable in relation to aircraft, shall, subject to the provisions of rule 33, apply in relation to:

- (a) all aircraft within the United Kingdom and, for the purposes of rule 5, in the neighbourhood of an offshore installation; and
- (b) all aircraft registered in the United Kingdom, wherever they may be.

#### **Misuse of signals and markings**

3.—(1) A signal or marking to which a meaning is given by these Rules, or which is required by these Rules to be used in circumstances, or for a purpose therein specified, shall not be used except with that meaning, or for that purpose.

(2) A person in an aircraft or on an aerodrome or at any place at which an aircraft is taking off or landing shall not make any signal which may be confused with a signal specified in these Rules, and, except with lawful authority, shall not make any signal which he knows or ought reasonably to know to be a signal in use for signalling to or from any of Her Majesty's naval, military or air force aircraft.

#### **Reporting hazardous conditions**

4. The commander of an aircraft shall, on meeting with hazardous conditions in the course of a flight, or as soon as possible thereafter, send to the appropriate air traffic control unit by the quickest means available information containing such particulars of the hazardous conditions as may be pertinent to the safety of other aircraft.

#### **Low flying**

5.—(1) Subject to the provisions of paragraphs (2) and (3):

- (a) an aircraft other than a helicopter shall not fly over any congested area of a city, town or settlement below:
  - (i) such height as would enable the aircraft to alight clear of the area and without danger to persons or property on the surface, in the event of failure of a power unit and if such an aircraft is towing a banner such height shall be calculated on the basis that the banner shall not be dropped within the congested area; or
  - (ii) a height of 1500 feet above the highest fixed object within 600 metres of the aircraft: whichever is the higher;
- (b) a helicopter shall not fly below such height as would enable it to alight without danger to persons or property on the surface, in the event of failure of a power unit;
- (c) except with the permission in writing of the Authority and in accordance with any conditions therein specified a helicopter shall not fly:
  - (i) over a congested area of a city, town or settlement below a height of 1500 feet above the highest fixed object within 600 metres of the helicopter; or

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- (ii) over the area hereinafter specified, below such height as would enable it to alight clear of the area in the event of failure of a power unit, that is to say the area bounded by straight lines joining successively the following points:

Kew Bridge (N5129.18 W00017.17);  
The Eastern extremity of Brent Reservoir (N5134.30 W00014.02);  
Gospel Oak Station (N5133.27 W00008.97);  
The South East corner of Springfield Park (N5134.12 W00003.20);  
Bromley-by-Bow Station (N5131.47 W00000.65);  
The South West corner of Hither Green (N5126.72 W00000.63);  
Herne Hill Station (N5127.18 W00006.07);  
Wimbledon Station (N5125.23 W00012.27);  
The North West corner of Castelnau Reservoir (N5128.87 W00014.03);  
Kew Bridge (N5129.18 W00017.17):

excluding so much of the bed of the River Thames as lies within that area between the ordinary high water marks on each of its banks;

- (d) (i) subject to paragraph (ii) an aircraft shall not fly:
- (aa) over, or within 1000 metres of, any assembly in the open air of more than 1000 persons assembled for the purpose of witnessing or participating in any organised event, except with the permission in writing of the Authority and in accordance with any conditions therein specified and with the consent in writing of the organisers of the event; or
  - (bb) below such height as would enable it to alight clear of the assembly in the event of the failure of a power unit and if such an aircraft is towing a banner such height shall be calculated on the basis that the banner shall not be dropped within 1000 metres of the assembly;
- (ii) where a person is charged with an offence under the Order by reason of a contravention of sub-paragraph (d)(i), it shall be a good defence to prove that the flight of the aircraft over, or within 1000 metres of, the assembly was made at a reasonable height and for a reason not connected with the assembly or with the event which was the occasion for the assembly;
- (e) an aircraft shall not fly closer than 500 feet to any person, vessel, vehicle or structure.
- (a) (2) (a) The provisions of paragraphs (1)(a)(ii) and (1)(c)(i) shall not apply to an aircraft flying:
- (i) on a route notified for the purposes of this rule; or
  - (ii) on a special VFR flight;
- unless the aircraft is landing or taking off.
- (b) Paragraphs (1)(a)(ii), (1)(c), (1)(d) and (1)(e) shall not apply to an aircraft flying under and in accordance with the terms of a police air operator's certificate.
- (c) Paragraphs (1)(d)(i)(aa) and (1)(e) shall not apply to the flight of an aircraft over or within 1000 metres of an assembly of persons gathered for the purposes of witnessing or participating in an event which consists:
- (i) wholly or partly of an aircraft race or contest if the aircraft is taking part in such race or contest or is engaged on a flight arranged by, or made with the consent in writing of, the organisers of the event;

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- (ii) wholly or partly of an exhibition of flying for which a permission under article 61 of the Order is required, if the aircraft is taking part in such exhibition or is engaged on a flight arranged by or made with the consent of the organisers of the event and the flight is made:
  - (aa) in accordance with the terms of a permission granted to the organiser of the exhibition of flying under article 61 of the Order; and
  - (bb) in accordance with the conditions of a display authorisation granted to the pilot under article 61 of the Order; or
- (iii) wholly or principally of an exhibition of flying for which a permission under article 61 of the Order is not required, if the aircraft is taking part in such exhibition or is engaged on a flight arranged by or made with the consent of the organisers of the event.
- (d) Paragraph (1)(e) shall not apply to:
  - (i) any aircraft while it is landing or taking off in accordance with normal aviation practice;
  - (ii) any glider while it is hill-soaring;
  - (iii) any aircraft while it is flying in accordance with article 48(3)(f) of the Order;
  - (iv) any aircraft while it is flying under and in accordance with the terms of an aerial application certificate granted to the operator thereof under article 50 of the Order; or
  - (v) any aircraft while it is flying for the purpose of picking up or dropping tow ropes, banners or similar articles at an aerodrome.
- (3) Nothing in this rule shall prohibit an aircraft from flying in such a manner as is necessary for the purpose of saving life.
  - (a) (4) (a) Subject to sub-paragraph (b), nothing in this rule shall prohibit any aircraft from flying in accordance with normal aviation practice, for the purpose of taking off from, landing at or practising approaches to landing at, or checking navigational aids or procedures at, a Government aerodrome, an aerodrome owned or managed by the Authority or a licensed aerodrome in the United Kingdom or at any aerodrome in any other country.
  - (b) The practising of approaches to landing shall be confined to the airspace customarily used by aircraft when landing or taking off in accordance with normal aviation practice at the aerodrome concerned.
- (5) Nothing in this rule shall apply to any captive balloon or kite.

### **Simulated instrument flight**

- 6.—(1) An aircraft shall not be flown in simulated instrument flight conditions unless:
- (a) the aircraft is fitted with dual controls which are functioning properly;
  - (b) an additional pilot (in this rule called a “safety pilot”) is carried in a second control seat of the aircraft for the purpose of rendering such assistance as may be necessary to the pilot flying the aircraft; and
  - (c) if the safety pilot’s field of vision is not adequate both forward and to each side of the aircraft, a third person, being a competent observer, occupies a position in the aircraft which from his field of vision makes good the deficiencies in that of the safety pilot, and from which he can readily communicate with the safety pilot.

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(2) For the purposes of this rule the expression “simulated instrument flight” means a flight during which mechanical or optical devices are used in order to reduce the field of vision or the range of visibility from the cockpit of the aircraft.

**Practice instrument approaches**

7.—(1) Within the United Kingdom an aircraft shall not carry out instrument approach practice when flying in Visual Meteorological Conditions unless:

- (a) the appropriate air traffic control unit has previously been informed that the flight is to be made for the purpose of instrument approach practice; and
- (b) if the flight is not being carried out in simulated instrument flight conditions, a competent observer is carried in such a position in the aircraft that he has an adequate field of vision and can readily communicate with the pilot flying the aircraft.

(2) For the purposes of this rule the expression “simulated instrument flight” shall have the same meaning as in rule 6.