
STATUTORY INSTRUMENTS

2001 No. 2128

The Air Navigation (Overseas Territories) Order 2001

PART VIII

Movement of Aircraft

Power to prohibit or restrict flying

(a) **85.** (1) (a) Where the Governor deems it necessary in the public interest to restrict or prohibit flying by reason of:

- (i) the intended gathering or movement of a large number of persons;
- (ii) the intended holding of an aircraft race or contest or of a flying display; or
- (iii) national defence or any other reason affecting the public interest;

the Governor may make regulations prohibiting, restricting or imposing conditions on flight:

- (aa) by any aircraft, whether or not registered in the Territory, in any airspace over the Territory; and
- (bb) by aircraft registered in the Territory, in any other airspace, being airspace in respect of which the Government of the Territory has in pursuance of international arrangements undertaken to provide navigation services for aircraft.

(b) Regulations made under this article may apply either generally or in relation to any class of aircraft.

(2) It shall be an offence to contravene or permit the contravention of or fail to comply with any regulations made hereunder.

(3) If the commander of an aircraft becomes aware that the aircraft is flying in contravention of any regulations which have been made for any of the reasons referred to in paragraph (1)(a)(iii) he shall, unless otherwise instructed pursuant to paragraph (4), cause the aircraft to leave the area to which the regulations relate by flying to the least possible extent over such area and the aircraft shall not begin to descend while over such an area.

(4) The commander of an aircraft flying either within an area for which regulations have been made for any of the reasons referred to in paragraph (1)(a)(iii) or within airspace notified as a Danger Area shall forthwith comply with instructions given by radio by the appropriate air traffic control unit or by, or on behalf of, the person responsible for safety within the relevant airspace.