
STATUTORY INSTRUMENTS

2013 No. 2870

The Air Navigation (Overseas Territories) Order 2013

PART 13

AERIAL WORK AND SPECIALISED OPERATIONS

Aerial work

126.—(1) Aerial work means any purpose (other than commercial air transport) for which an aircraft is flown if valuable consideration is given or promised in respect of the flight or the purpose of the flight.

(2) If the only such valuable consideration consists of remuneration for the services of the pilot the flight is deemed to be a private flight for the purposes of Part 3.

Aerial work operations

127.—(1) Subject to articles 128, 129 and 130, an aircraft must not be used for the purpose of aerial work (in this article, an “aerial work operation”) otherwise than in accordance with the Governor’s instructions given under article 74 and with the specified requirements.

(2) Before commencing any aerial work operation, the operator of the aircraft must carry out a risk assessment and must develop appropriate standard operating procedures to provide guidance to operating staff to ensure a safe means of carrying out the aerial task.

(3) In complying with paragraph (2) the operator must have regard to—

- (a) the type of aerial work activity; and
- (b) the operating environment.

(4) The operator must make the standard operating procedures referred to in paragraph (2) available to every employee or person who is engaged or may engage in any aerial work operations conducted by the operator.

(5) The operator must ensure that the risk assessment is reviewed and guidance to operating staff kept up to date, taking into account any changes affecting the operation.

Aerial application permission for purposes of agriculture etc

128.—(1) Subject to article 129, an aircraft must not be used for the dropping of articles or animals for the purposes of agriculture, horticulture, forestry or conservation or for training for the dropping of articles for any of such purposes, otherwise than under and in accordance with the terms of a written permission granted by the Governor under this article (in this article, an “aerial application permission”).

(2) Every applicant for and holder of an aerial application permission must make available to the Governor if requested an operations manual containing such information and instructions as may be necessary to enable employees and persons engaged in the operation to perform their duties.

(3) The operations manual must include standard operating procedures as described in article 127(2).

(4) The holder of an aerial application permission must make such amendments or additions to the operations manual as the Governor may require.

Towing, picking up, raising and lowering of persons, animals and articles

129.—(1) An aircraft in flight must not, by means external to the aircraft tow any article or pick up, raise or lower any person, animal or article—

(a) unless there is a certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered and that certificate or the flight manual for the aircraft includes an express provision that it may be used for that purpose; and

(b) if it is a helicopter, otherwise than under and in accordance with the terms of a written permission granted by the Governor under this article or article 128.

(2) An aircraft in flight must not tow any article, other than a glider, at night or when flight visibility is less than one nautical mile.

(3) The length of the combination of towing aircraft, tow rope, and article in tow, must not exceed 150 metres.

(4) An aeroplane must not launch or pick up tow ropes, banners or similar articles other than at an aerodrome.

(5) Every applicant for, and holder of, a permission required under paragraph (1) must make available to the Governor if requested an operations manual containing such information and instructions as may be necessary to enable employees and persons engaged in the operation to perform their duties.

(6) The operations manual must include standard operating procedures as described in article 127(2) of this Order.

(7) The holder of the permission must make such amendments or additions to the operations manual as the Governor may require.

(8) A helicopter must not fly at any height over a congested area of a city, town or settlement at any time when any article, person or animal is suspended from the helicopter.

(9) A person who is not a member of the flight crew must not be carried in a helicopter at any time when an article, person or animal is suspended from the helicopter, other than—

(a) a task specialist who has duties to perform in connection with the article, person or animal; or

(b) a person who has been picked up or raised by means external to the helicopter; or

(c) a person who it is intended must be lowered to the surface by means external to the helicopter.

(10) Nothing in this article—

(a) prohibits the towing in a reasonable manner by an aircraft in flight of any radio aerial, any instrument which is being used for experimental purposes, or any signal, apparatus or article required or permitted by or under this Order to be towed or displayed by an aircraft in flight; or

(b) prohibits the picking up, raising or lowering of any person, animal or article in an emergency or for the purpose of saving life.

Dropping of articles and animals

130.—(1) Articles and animals (whether or not attached to a parachute) must not be dropped, or be permitted to drop, from an aircraft in flight so as to endanger persons or property.

(2) Subject to paragraphs (3) and (4), articles and animals (whether or not attached to a parachute) must not be dropped, or be permitted to drop, to the surface from an aircraft flying over the Territory except under and in accordance with the terms of an aerial application permission granted under article 128.

(3) Paragraph (2) does not apply to the dropping of articles by, or with the authority of, the pilot-in-command of the aircraft in any of the following circumstances—

- (a) the dropping of articles for the purpose of saving life;
- (b) the jettisoning, in case of emergency, of fuel or other articles in the aircraft;
- (c) the dropping of ballast in the form of fine sand or water;
- (d) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of this Order;
- (e) the dropping at an aerodrome of tow ropes, banners, or similar articles towed by aircraft;
- (f) the dropping of articles for the purposes of public health or as a measure against weather conditions, surface icing or oil pollution, or for training for the dropping of articles for any such purposes, if the articles are dropped with the permission of the Governor; or
- (g) the dropping of wind drift indicators for the purpose of enabling parachute descents to be made if the wind drift indicators are dropped with the permission of the Governor.

(4) Paragraph (2) does not apply to the lowering of any article or animal from a helicopter to the surface in accordance with article 129.

Dropping of persons

131.—(1) Subject to paragraph (7), a person must not drop, be dropped or be permitted to drop to the surface or jump from an aircraft flying over the Territory except under and in accordance with the terms of a written permission granted by the Governor under this article.

(2) A person must not drop, be dropped or be permitted to drop from an aircraft in flight so as to endanger persons or property.

(3) An aircraft must not be used for the purpose of dropping persons unless—

- (a) there is a certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered; and
- (b) that certificate or the flight manual includes an express provision that it may be used for that purpose; and
- (c) the aircraft is operated in accordance with a written permission granted by the Governor under this article.

(4) Every applicant for, and holder of, a parachuting permission must make available to the Governor if requested a parachuting operations manual containing such information and instructions as may be necessary to enable employees and persons engaged in the operation to perform their duties.

(5) The operations manual must include standard operating procedures as described in article 127.

(6) The holder of a parachuting permission must make such amendments or additions to the operations manual as the Governor may require.

(7) Nothing in this article—

- (a) applies to the descent of persons by parachute from an aircraft in an emergency;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) prohibits the lowering of any person in an emergency or for the purpose of saving life;
- (c) prohibits the disembarkation of any person from a helicopter hovering in ground effect in accordance with normal aviation practice; or
- (d) prohibits the lowering of any person from a helicopter to the surface in accordance with article 129.