
STATUTORY INSTRUMENTS

1995 No. 1038

The Air Navigation Order 1995

PART XI

GENERAL

Aircraft in transit over certain United Kingdom territorial waters

113.—(1) Where an aircraft, not being an aircraft registered in the United Kingdom, is flying over the territorial waters adjacent to the United Kingdom within part of a strait referred to in paragraph (4) solely for the purpose of continuous and expeditious transit of the strait, only the following articles of and Schedules to this Order shall apply to that aircraft:

article 15 and Schedule 5, to the extent necessary for the monitoring of the appropriate distress radio frequency, article 74(1)(a), (b) and (e), article 74(2), (3) and (4), together with the regulations made thereunder, article 116 and Part A of Schedule 12.

(2) The powers conferred by the provisions referred to in paragraph (1) shall not be exercised in a way which would hamper the transit of the strait by an aircraft not registered in the United Kingdom, but without prejudice to action needed to secure the safety of aircraft.

(3) In this article “transit of the strait” means overflight of the strait from an area of high seas at one end of the strait to an area of high seas at the other end, or flight to or from an area of high seas over some part of the strait for the purpose of entering, leaving or returning from a State bordering the strait and “an area of high seas” means any area outside the territorial waters of any State.

(4) The parts of the straits to which this article applies are specified in Schedule 13 to this Order.