

SCHEDULE 1

SECTION 3

LOW FLYING RULE

Low flying prohibitions

5.—(1) Subject to paragraph (2), an aircraft shall comply with the low flying prohibitions in paragraph (3) unless exempted by rule 6.

(2) If an aircraft is flying in circumstances such that more than one of the low flying prohibitions apply, it shall fly at the greatest height required by any of the applicable prohibitions.

(3) The low flying prohibitions are as follows—

(a) Failure of power unit

An aircraft shall not be flown below such height as would enable it to make an emergency landing without causing danger to persons or property on the surface in the event of a power unit failure.

(b) The 500 feet rule

Except with the written permission of the CAA, an aircraft shall not be flown closer than 500 feet to any person, vessel, vehicle or structure.

(c) The 1,000 feet rule

Except with the written permission of the CAA, an aircraft flying over a congested area of a city town or settlement shall not fly below a height of 1,000 feet above the highest fixed obstacle within a horizontal radius of 600 metres of the aircraft.

(d) The land clear rule

An aircraft flying over a congested area of a city, town or settlement shall not fly below such height as would permit the aircraft to land clear of the congested area in the event of a power unit failure.

(e) Flying over open air assemblies

Except with the written permission of the CAA, an aircraft shall not fly over an organised open-air assembly of more than 1,000 persons below the higher of the following heights—

(i) 1,000 feet; or

(ii) such height as would permit the aircraft to land clear of the assembly in the event of a power unit failure.

(f) Landing and taking off near open air assemblies

An aircraft shall not land or take-off within 1,000 metres of an organised, open-air assembly of more than 1,000 persons except—

(i) at an aerodrome, in accordance with procedures notified by the CAA; or

(ii) at a landing site which is not an aerodrome, in accordance with procedures notified by the CAA and with the written permission of the organiser of the assembly.

Exemptions from the low flying prohibitions

6. The exemptions from the low flying prohibitions are as follows—

(a) Landing and taking off

Status: This is the original version (as it was originally made).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

- (i) Any aircraft shall be exempt from the low flying prohibitions in so far as it is flying in accordance with normal aviation practice for the purpose of—
 - (aa) taking off from, landing at or practising approaches to landing at; or
 - (bb) checking navigational aids or procedures at,
a Government or licensed aerodrome.
- (ii) Any aircraft shall be exempt from the 500 feet rule when landing and taking-off in accordance with normal aviation practice or air-taxiing.
- (b) Captive balloons and kites
None of the low flying prohibitions shall apply to any captive balloon or kite.
- (c) Special VFR flight and notified routes
 - (i) Subject to paragraph (ii), any aircraft shall be exempt from the 1,000 feet rule if—
 - (aa) it is flying on a special VFR flight; or
 - (bb) it is operating in accordance with the procedures notified for the route being flown.
 - (ii) Unless the written permission of the CAA has been obtained, landings may only be made by an aircraft flying under this exemption at a licensed or Government aerodrome.
- (d) Balloons and helicopters over congested areas
 - (i) A balloon shall be exempt from the 1,000 feet rule if it is landing because it is becalmed.
 - (ii) Any helicopter flying over a congested area shall be exempt from the land clear rule.
- (e) Police air operator's certificate
Any aircraft flying in accordance with the terms of a police air operator's certificate shall be exempt from the 500 feet rule, the 1,000 feet rule and the prohibitions on flying over open air assemblies and on landing and taking off near open air assemblies.
- (f) Flying displays etc
An aircraft taking part in a flying display, air race or contest shall be exempt from the 500 feet rule if it is within a horizontal distance of 1,000 metres of the gathering of persons assembled to witness the event.
- (g) Glider hill-soaring
A glider shall be exempt from the 500 feet rule if it is hill-soaring.
- (h) Picking up and dropping at an aerodrome
Any aircraft picking up or dropping tow ropes, banners or similar articles at an aerodrome shall be exempt from the 500 feet rule.
- (i) Manoeuvring helicopters
 - (i) Subject to paragraph (ii), a helicopter shall be exempt from the 500 feet rule if it is conducting manoeuvres, in accordance with normal aviation practice, within the boundaries of a licensed or Government aerodrome or, with the written permission of the CAA, at other sites.
 - (ii) When flying in accordance with this exemption the helicopter must not be operated closer than 60 metres to any persons, vessels, vehicles or structures located outside the aerodrome or site.
- (j) Dropping articles with CAA permission

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Any aircraft shall be exempt from the 500 feet rule if it is flying in accordance with—

- (i) article 66(3)(f) of the Order (dropping of articles for the purposes of public health or as a measure against weather conditions etcetera, with the permission of the CAA);
or
- (ii) an aerial application certificate granted by the CAA under article 68(2) of the Order.