

STATUTORY INSTRUMENTS

2018 No. 623

The Air Navigation (Amendment) Order 2018

Additional provisions relating to small unmanned aircraft

7. After article 94 insert—

“Small unmanned aircraft: height restrictions on flights

94A.—(1) The SUA operator must not cause or permit a small unmanned aircraft to be flown at a height of more than 400 feet above the surface, and the remote pilot of a small unmanned aircraft must not fly it at a height of more than 400 feet above the surface, unless the permission of the CAA has been obtained.

(2) This article does not apply to any flight within the flight restriction zone of a protected aerodrome (within the meaning given in article 94B).

Small unmanned aircraft: restrictions on flights that are over or near aerodromes

94B.—(1) This article applies to a flight by a small unmanned aircraft within the flight restriction zone of a protected aerodrome.

(2) The “flight restriction zone” of a protected aerodrome consists of the following two zones—

- (a) the “Inner Zone”, which is the area within, and including, the boundary of the aerodrome;
- (b) the “Outer Zone”, which is the area between—
 - (i) the boundary of the aerodrome, and
 - (ii) a line that is 1 km from the boundary of the aerodrome (the “1 km line”).

(3) In the circumstances set out in an entry in column 1 of the following table—

- (a) the SUA operator must not cause or permit the small unmanned aircraft to be flown in the Inner Zone or the Outer Zone, and
- (b) the remote pilot of the small unmanned aircraft must not fly it in the Inner Zone or the Outer Zone,

if the flight breaches a flight restriction set out in the entry in column 3 of the table which relates to that zone in those circumstances.

<i>Circumstances</i>	<i>Zone</i>	<i>Flight restriction(s)</i>
There is an air traffic control unit or a flight information service unit (or both) at the protected aerodrome, and the flight takes place during the notified hours of watch of the air traffic control unit	Inner Zone or Outer Zone	A flight at any height is prohibited unless the permission of the air traffic control unit or flight information service unit has been obtained.

Status: This is the original version (as it was originally made).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

<i>Circumstances</i>	<i>Zone</i>	<i>Flight restriction(s)</i>
or flight information service unit.		
(a) There is neither an air traffic control unit nor a flight information service unit at the protected aerodrome; or (b) there is either an air traffic control unit or a flight information service unit at the protected aerodrome, and the flight takes place outside the notified hours of watch of the air traffic control unit or flight information service unit; or (c) there are both an air traffic control unit and a flight information service unit at the protected aerodrome, and the flight takes place outside the notified hours of watch of the air traffic control unit and outside the notified hours of watch of the flight information service unit.	Inner Zone	(1) A flight at a height up to and including 400 feet above the surface is prohibited unless the permission of the operator of the aerodrome has been obtained. (2) A flight at a height of more than 400 feet above the surface is prohibited unless both— (a) the permission of the operator of the aerodrome has been obtained, and (b) the permission of the CAA has been obtained.
	Outer Zone	A flight at a height of more than 400 feet above the surface is prohibited unless the permission of the CAA has been obtained.

(4) The 1 km line is to be drawn so that the area which is bounded by it includes every location that is 1 km from the boundary of the aerodrome, measured in any direction from any point on the boundary.

(5) In this article, “protected aerodrome” means—

- (a) an EASA certified aerodrome,
- (b) a Government aerodrome,
- (c) a national licensed aerodrome, or
- (d) an aerodrome that is prescribed or of a prescribed description.

Certain small unmanned aircraft: registration as an SUA operator

94C.—(1) Subject to the following provisions of this article, the CAA must issue a certificate of registration as an SUA operator to a person, or renew that person’s certificate of registration as an SUA operator, if the person—

- (a) has applied to the CAA, in such manner as the CAA may require, to be registered as an SUA operator,
- (b) has supplied such information and evidence as the CAA may require, and
- (c) has, in the case of an individual, attained the age (if any) that is prescribed.

- (2) Subject to paragraph (3), a certificate of registration may relate—
 - (a) to a particular description of small unmanned aircraft;
 - (b) to a particular description of flights by small unmanned aircraft.
- (3) No certificate of registration is to be issued in relation to—
 - (a) small unmanned aircraft with a mass of less than 250 grams without their fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of their flight, or
 - (b) flights by small unmanned aircraft of that description.
- (4) A certificate of registration issued, or renewed, under this article is valid for the period shown on the certificate, subject to—
 - (a) article 253, or
 - (b) the SUA operator notifying the CAA, in such manner as the CAA may require, that the SUA operator surrenders the certificate.
- (5) The CAA is not required to accept applications for certificates of registration under this article before 1st October 2019.

Certain small unmanned aircraft: requirement for registration as SUA operator

94D.—(1) This article applies to a flight by a small unmanned aircraft only if it has a mass of 250 grams or more without its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight.

(2) The SUA operator must not cause or permit the small unmanned aircraft to be flown unless—

- (a) the CAA has issued the SUA operator with a certificate of registration which is valid for that flight at the time of the flight, and
- (b) the SUA operator’s registration number is displayed on the aircraft in the manner (if any) that is prescribed.

(3) The remote pilot of the small unmanned aircraft must not fly it unless the remote pilot has reasonably formed the view that the SUA operator complies with the requirements in paragraph (2) in relation to that flight.

(4) In this article—

“certificate of registration” means a certificate issued under article 94C;

“registration number” means the ten digit registration number assigned by the CAA in relation to an SUA operator’s registration under article 94C.

Certain small unmanned aircraft: competency of remote pilots

94E.—(1) Subject to the following provisions of this article, the CAA must issue an acknowledgement of competency to an individual, or renew that individual’s acknowledgement of competency, if the individual—

- (a) has applied to the CAA, in such manner as the CAA may require, for an acknowledgement of competency,
- (b) has supplied such information and evidence as the CAA may require,
- (c) has undertaken such training as the CAA may require, and
- (d) has undergone such tests as the CAA may require.

(2) That training or those tests may relate to matters which include—

- (a) the practical operation of small unmanned aircraft;
- (b) matters connected with the operation of small unmanned aircraft (such as respect for privacy, data protection, safety, security and environmental protection).
- (3) Subject to paragraph (4), an acknowledgement of competency may relate—
 - (a) to a particular description of small unmanned aircraft;
 - (b) to a particular description of flights by small unmanned aircraft.
- (4) No acknowledgement of competency is to be issued in relation to—
 - (a) small unmanned aircraft with a mass of less than 250 grams without their fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of their flight, or
 - (b) flights by small unmanned aircraft of that description.
- (5) An acknowledgement of competency issued, or renewed, under this article is valid for the period shown on the acknowledgement, subject to article 253.
- (6) The CAA may issue an acknowledgement of competency subject to such conditions as it deems appropriate.
- (7) The CAA is not required to accept applications for acknowledgements of competency under this article before 1st October 2019.

Certain small unmanned aircraft: requirement for acknowledgement of competency

94F.—(1) This article applies to a flight by a small unmanned aircraft only if it has a mass of 250 grams or more without its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight.

(2) The remote pilot of the small unmanned aircraft must not fly it unless the CAA has issued the remote pilot with an acknowledgement of competency which is valid for that flight at the time of the flight.

(3) The SUA operator must not cause or permit the small unmanned aircraft to be flown unless the SUA operator has reasonably formed the view that the remote pilot of the aircraft complies with the requirements in paragraph (2) in relation to that flight.

(4) In this article “acknowledgement of competency” means an acknowledgement issued under article 94E.

Meaning of “remote pilot” and “SUA operator”

94G. In this Order—

- (a) the “remote pilot”, in relation to a small unmanned aircraft, is an individual who—
 - (i) operates the flight controls of the small unmanned aircraft by manual use of remote controls, or
 - (ii) when the small unmanned aircraft is flying automatically, monitors its course and is able to intervene and change its course by operating its flight controls;
- (b) the “SUA operator”, in relation to a small unmanned aircraft, is the person who has the management of the small unmanned aircraft.”.