
STATUTORY INSTRUMENTS

2021 No. 879

The Air Navigation (Amendment) Order 2021

Amendment of the Air Navigation Order 2016

5.—(1) In article 94A(7) (certain unmanned aircraft: permissions for flights that are over or near aerodromes)—

- (a) in the words before the table, for ““flight restriction zone” of a protected aerodrome” substitute ““flight restriction zone of a protected aerodrome””;
- (b) in the table, for “flight restriction zone”, in each place it occurs, substitute “flight restriction zone of a protected aerodrome”.

(2) In article 94B (interpretation of expressions), in the heading and in paragraph (1), for ““flight restriction zone”” substitute ““flight restriction zone of a protected aerodrome””.

(3) After article 94B insert—

“Certain unmanned aircraft: permission for flights that are over or near space sites

94BA.—(1) If the permission that is required under paragraph (2) for a flight, or a part of a flight, by an unmanned aircraft has not been obtained—

- (a) the UAS operator must not cause or permit the unmanned aircraft to be flown on that flight or that part of the flight, and
- (b) the remote pilot must not fly the unmanned aircraft on that flight or that part of the flight.

(2) Subject to paragraph (3), permission for a flight, or part of a flight, by an unmanned aircraft in the flight restriction zone of a protected space site is required from the operator of the protected space site.

(3) Permission is not required under paragraph (2) for a flight, or a part of a flight, by an unmanned aircraft subject to certification.

(4) In this article—

“protected space site” means—

- (a) a spaceport, as defined by section 3(2) of the Space Industry Act 2018(1), or
- (b) an installation at sea, at which controlled and planned landings of spacecraft take place or are to take place, which can be moved from place to place without major dismantling or modification,

which is not a certified aerodrome, a Government aerodrome or a national licensed aerodrome;

“spacecraft” has the meaning given in section 2(6) of the Space Industry Act 2018.

(5) The “flight restriction zone of a protected space site” consists of the airspace extending from the surface to a height of 2,000 feet above the level of the protected space site within the area bounded by a circle centred on the mid-point of the launch pad that has the largest area and which has a radius of five kilometres.”.

- (4) In article 96 (rockets)—
 - (a) at the end of paragraph (2)(a), omit “or”;
 - (b) after paragraph (2)(a) insert—
 - “(aa) an activity to which the Space Industry Act 2018 applies; or”;
 - (c) in paragraph (3), for “(5), (6) and (7)” substitute “(5) and (6)”;
 - (d) omit paragraph (7);
 - (e) after paragraph (8) insert—
 - “(9) The CAA may only grant permission under paragraph (8) if satisfied that—
 - (a) the person launching the rocket—
 - (i) has provided a safety case which demonstrates that the risks to public safety and to property are as low as reasonably practicable; and
 - (ii) has in place adequate insurance arrangements in respect of those risks for each proposed launch; and
 - (b) the level of risk to public safety and to property is acceptable to the CAA.”.