

7 June 2013
FOIA reference: F0001543

Dear XXXX

I am writing in respect of your recent application of 15 May 2013, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

Would you please supply me with the numbers of certificates issued to permit aerial spraying, for all purposes, since 2009, under the Air Navigation Order 2009 and CAA regulations, and, if possible, the names of those receiving them, whether company or individual - as law permits.

Are these certificates perennial permissions, or must they be renewed at intervals?

Our response:

In assessing your request in line with the provisions of the Freedom of Information Act 2000 (FOIA), we are pleased to be able to provide the information below.

The United Kingdom legislation requires that aircraft operators wishing to apply pesticides from the air gain permission to do so from the CAA. This is granted under Article 131 of the Air Navigation Order (ANO) and refers to 'Dropping articles for the purpose of agriculture and the grant of aerial application certificates'. The Permission takes the form of an Aerial Application Certificate and involves the CAA assessing that the applicant/organisation is a fit person to hold the Certificate and is competent to secure the safe operation of the aircraft [for such purposes]. The CAA Flight Operations Division conducts annual base and field audits to check whether operational standards are being maintained.

The aircraft operator also requires a separate aerial spraying Permit, granted under the Plant Protection Products (Sustainable Use) Regulations 2012, from the Chemicals Regulation Directorate of the Health & Safety Executive.

Other "spraying" operations (not requiring an Article 131 Aerial Application Certificate or involving pesticides) for which current Permissions are granted, are limited to the dropping of articles as a measure against oil pollution under ANO Article 129(3)(f). The CAA does not classify water-bombing/airborne firefighting as "spraying". However, where this does occur, the operator would again need an ANO Article 129 'Dropping of articles and animals' Permission.

All the above-referenced Permissions and Certificates are annual, and therefore must be renewed each year if still required by the organisation in question.

Civil Aviation Authority

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR www.caa.co.uk
Telephone 01293 768512 rick.chatfield@caa.co.uk

The following organisations have been issued with Aerial Application Certificates for aerial spraying every year since 2009:

MD Air Services Ltd
Heli Lift Services
PDG Helicopters Ltd
MFH Helicopters Ltd

South Georgia Heritage Trust has been issued two AACs, one in 2011 and one in 2013.

The following organisations have been issued with Permissions under Article 129 of the ANO:

SAFAIR Operations Ltd
RVL Survey Ltd

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Mark Stevens
External Response Manager
Civil Aviation Authority
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR

mark.stevens@caa.co.uk

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.gov.uk/complaints.aspx

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

Rick Chatfield
Information Rights and Enquiries Officer

CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.