

3 July 2014
FOIA reference: F0001950

Dear XXXX

I am writing in respect of your recent request of 8 June 2014, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

“in relation to Article 167 of the Air Navigation Order 2009, particularly its possible application to small 'drones' (less than 7kgs) equipped with built in video/camera capabilities used by private citizens for personal use.

Please provide any and all significant records pertaining to the background, drafting and final proof of Article 167. Please also provide details of what, if any, contact was made to the Information Commissioner's Office relating to Article 167. I would expect that these would take the form of e-mails, meeting minutes and major recorded drafts (and in an effort for this request to be practical: not every minor change, e-mail and amendment, please!).”

Our response:

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

The CAA conducted a consultation to amend the Air Navigation Order (ANO) to address the regulation of Unmanned Aircraft Systems in May 2008 which has been published and can be found on the CAA's website using the link provided below. This information includes the letter of intent, regulatory impact assessment, invitation to comment and a comment response document.

<http://www.caa.co.uk/default.aspx?catid=1350&pagetype=90&pageid=9644>

In relation to your request with regard to privacy issues and whether or not any contact was made with the Information Commissioner's Office (ICO), no contact was made with the ICO during the development of Article 167 as the intention of the legislation purely relates to safety in that minimising the overflight of people and property reduces the risks involved in the operation. Privacy considerations were not taken into account.

As you have requested 'significant records' we have provided the information above as we believe this fully explains the background and intent of the change to the ANO. We do hold further records from the period so if you require further information please let us know.

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.