



Miscellaneous

No: 1496

UK Regulation (EU) No. 923/2012

Publication date: 28 June 2021

General Permissions and Authorisations

(UK) Standardised European Rules of the Air – Exceptions to the Minimum Height Requirements

Background

- 1) This ORS 4 enables exceptions to the (UK) SERA Minimum Height requirements in order that aircraft may be operated in accordance with established UK procedures and practices as allowed by the flexibility provisions within (UK) SERA.

Interpretation

- 2) In these Permissions and Authorisations, references to EU Regulations are to those regulations as retained (and amended in UK domestic law) under the European Union (Withdrawal) Act 2018 and are referenced 'UK Regulation (EU) year/number' or 'UK Regulation (EU) No. number/year'.
- 3) In these Permissions and Authorisations:
 - a) "(UK) SERA" means the Annex to UK Regulation (EU) No. 923/2012 (the (UK) Standardised European Rules of the Air) and references to SERA followed by a number mean the corresponding provision of (UK) SERA;
 - b) "the Order" means the Air Navigation Order 2016; and
 - c) "notified" has the same meaning as in Schedule 1 of the Order.
- 4) **Negligent or reckless operation of aircraft and Minimum heights**

Nothing in these Permissions and Authorisations relieves pilots from their responsibilities under SERA.3101 - Negligent or reckless operation of aircraft - and SERA.3105 – Minimum Heights.

Permissions and Authorisations

5) **General (SERA.5005(f)(2)) – Day VFR Flights**

- a) Except when being flown over the congested areas of cities, towns or settlements or over an open-air assembly of persons, or in a Flying Display, Private Flying Display, aircraft race or contest, The Civil Aviation Authority (CAA) permits, under SERA.5005(f), an aircraft conducting day VFR flight, to be flown at a height of:
 - i) less than 500 ft above the ground or water; or
 - ii) less than 500 ft above the highest obstacle within a radius of 150 m from the aircraft,subject to the condition in subparagraph (b).
- b) The aircraft must not be flown closer than 500 ft to any person, vessel, vehicle or structure except with the permission of the CAA.
- c) In subparagraph a):
 - i) “Flying Display” has the same meaning as in Schedule 1 of the Order; and
 - ii) “Private Flying Display” has the same meaning as in CAP 403.

6) **General (SERA.5005(c)(5)(ii)) – Night VFR Flights**

- a) The CAA authorises, under SERA.5005(c)(5), an aircraft conducting night VFR flight, as specified in SERA.5005(c)(5)(ii), to be flown below a level which is 1,000 ft above the highest obstacle located within 8 km of the estimated position of the aircraft, subject to the conditions in subparagraph (b).
- b) The aircraft must be flown:
 - i) at a height not less than 1,000 ft above the highest obstacle within a radius of 600 m from the aircraft when over the congested areas of cities, towns or settlements or over an open-air assembly of persons; and
 - ii) elsewhere than as specified in (i), at a height of more than 500 ft above the ground or water, or 500 ft above the highest obstacle within a radius of 150 m from the aircraft.

7) **Special Visual Flight Rules (Special VFR) Flight and Notified Route (SERA.5005(c) and 5005(f))**

- a) The CAA authorises and permits, under SERA.5005(c) and SERA.5005(f), an aircraft to be flown below a level which is 1,000 ft above the highest obstacle within a radius of 600 m from the aircraft over the congested areas of cities, towns or settlements if:
 - i) it is flying on a special VFR flight; or
 - ii) it is operating in accordance with the procedures notified by the CAA for the route being flown,subject to the conditions in subparagraphs (b), (c) and (d).
- b) The aircraft must not be flown closer than 500 ft to any person, vessel, vehicle or structure except when necessary for take-off or landing or with the permission of the CAA;
- c) Unless the prior permission of the CAA has been obtained, landings may only be made by an aircraft flying under this permission at a licensed aerodrome or a Government aerodrome; and

- d) Special VFR flight must not be used to facilitate flight below 1000 ft over a congested area in meteorological conditions above the VMC minima.
- e) In this Authorisation and Permission “Special Visual Flight Rules (Special VFR) Flight” means a VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC (as defined in UK Regulation (EU) No. 923/2012, Article 2 (122)).
- f) In subparagraph c):
 - i) “licensed aerodrome” means an aerodrome licensed under the Order or an aerodrome certificated under UK Regulation (EU) No.139/2014; and
 - ii) “Government aerodrome” means any aerodrome in the United Kingdom which is in the occupation of any Government Department or visiting force (as defined in Schedule 1 of the Order).

8) **Practising Approaches to Landing or Forced Landings and Notified Procedures (SERA.5005(c)(5), SERA.5005(f) & SERA.5015(b))**

The CAA authorises and permits, under SERA.5005(c), SERA.5005(f) and SERA.5015(b), an aircraft to be flown below the minimum height requirements specified in SERA.5005 and SERA.5015 if it is flown in accordance with normal aviation practice and is:

- a) practising approaches to land at or checking navigational aids or procedures at an aerodrome;
- b) practising approaches to forced landings, other than at an aerodrome and elsewhere than over the congested areas of cities, towns or settlements or over an open-air assembly of persons, and it is not flown closer than 500 ft to any person, vessel, vehicle or structure; or
- c) flying in accordance with a notified procedure.

9) **Glider Hill-Soaring (SERA.5005(f)(2))**

The CAA permits, under SERA.5005(f), a glider conducting day VFR flight elsewhere than over the congested areas of cities, towns or settlements or over an open-air assembly of persons, to be flown below 500 ft above the ground or water, below 500 ft above the highest obstacle within a radius of 150 m from the aircraft or closer than 500 ft to any person, vessel, vehicle or structure if it is hill-soaring.

10) **Picking Up and Dropping at an Aerodrome (SERA.5005(f)(2))**

The CAA permits, under SERA.5005(f), an aircraft conducting day VFR flight at an aerodrome, to be flown below 500 ft above the ground or water, below 500 ft above the highest obstacle within a radius of 150 m from the aircraft or closer than 500 ft to any person, vessel, vehicle or structure if it is picking up or dropping tow ropes, banners or similar articles.

11) **Manoeuvring Helicopters (SERA.5005(c)(5) & SERA.5005(f)(2))**

- a) The CAA authorises and permits, under SERA.5005(c), and SERA.5005(f), a helicopter to be flown below 500 ft above the ground or water, below 500 ft above the highest obstacle within a radius of 150 m from the aircraft or closer than 500 ft to any person, vessel, vehicle or structure if it is conducting manoeuvres, in accordance with normal aviation practice, within the boundaries of an aerodrome, at permitted sites detailed at subparagraph (c) or at other sites if the operator or pilot-in-command of the aircraft has the written permission of the CAA, in each case subject to the condition in subparagraph (b).

- b) When flying in accordance with this permission the helicopter must not be flown closer than 200 ft to any persons, vessels, vehicles or structures located outside the aerodrome or site.
- c) Permitted sites are:
 - i) any helicopter landing site which is the main operating base of a PAOC or AOC operator;
 - ii) any helicopter landing site used by an AOC operator for a helicopter A-to-A operation in accordance with the provisions of the operator's operations manual; and
 - iii) any helicopter landing site located at the premises of a CAA-approved aircraft maintenance organisation.
- d) In subparagraph c):
 - i) "AOC operator" means a person holding a valid air operator certificate issued by the CAA under Part 5 of the Order (other than a PAOC operator) or under UK Regulation (EU) No. 965/2012;
 - ii) "PAOC" means a person holding a valid air operator certificate issued by the CAA under article 134 of the Order; and
 - iii) "A-to-A operation" means a commercial air transport or public transport helicopter operation starting and ending at the same place (as defined in Schedule 1 of the Order).

12) Dropping Articles with CAA Permission (SERA.5005(f)(2))

The CAA permits, under SERA.5005(f), an aircraft conducting day VFR flight elsewhere than over the congested areas of cities, towns or settlements or over an open-air assembly of persons to be flown below 500 ft above the ground or water, below 500 ft above the highest obstacle within a radius of 150 m from the aircraft or closer than 500 ft to any person, vessel, vehicle or structure if it is flying:

- a) with the permission of the CAA under article 89(2) (b) of the Order (dropping of articles and animals); or
- b) in accordance with an aerial application certificate granted by the CAA under article 91 of the Order.

13) Captive Balloons and Kites (SERA.5005(c)(5), SERA.5005(f) & SERA.5015(b))

- a) The CAA authorises and permits, under SERA.5005(c), SERA.5005(f) and SERA.5015(b), a captive balloon or kite to be flown at heights below the minimum height requirements specified in SERA.5005 and SERA.5015.
- b) For the purposes of this permission, a captive kite is a kite that, when in flight, is attached by a restraining device to the surface of the earth.

14) Balloons over Congested Areas (SERA.5005(f)(1)) – Day VFR Flights

The CAA permits, under SERA.5005(f), a free balloon to be flown below 1,000 ft above the highest obstacle within a radius of 600 m from the balloon over the congested areas of cities, towns or settlements or over an open-air assembly of persons by day if it is landing because it is becalmed.

15) Revocation

These Permissions and Authorisations replace Official Record Series 4 Number 1479 which is revoked.

Date in Force

- 16) These Permissions and Authorisations have effect from the date they are signed until they are revoked.

Signed: J Hanafin
for the Civil Aviation Authority

Date: 28 June 2021

Explanatory Note:

Flying Displays, Air Races and Contests. The exclusion of flying displays, aircraft races and contests from the scope of paragraph 5 of these General Permissions and Authorisations is to meet the recommendation to the CAA contained in Air Accidents Investigation Branch (AAIB) Special Bulletin S1-2016 (10 March 2016) that it removed the general exemptions to flight at minimum heights issued for Flying Displays, Aircraft Races and Contests previously outlined in Official Record Series 4 No 1124.