
STATUTORY INSTRUMENTS

2013 No. 2870

The Air Navigation (Overseas Territories) Order 2013

PART 6

AIRCRAFT IN FLIGHT

Power to prohibit or restrict flying

68.—(1) Where the Governor decides it is necessary in the public interest to restrict or prohibit flying by reason of—

- (a) the intended gathering or movement of a large number of persons;
- (b) the intended holding of an aircraft race or contest or of a flying display; or
- (c) national defence or any other reason affecting the public interest;

the Governor may issue directions prohibiting, restricting or imposing conditions on flights by aircraft specified and flying in the circumstances specified in paragraph (2).

(2) The aircraft and circumstances referred to in paragraph (1) are—

- (a) aircraft, whether or not registered in the Territory, in any airspace over the Territory or in the neighbourhood of an offshore installation; and
- (b) aircraft registered in the Territory in any other airspace, being airspace in respect of which the Government of the Territory has, under international arrangements, undertaken to provide navigation services for aircraft.

(3) Directions given under this article may apply either generally or in relation to any class of aircraft.

(4) It is an offence to contravene, or permit the contravention of, or fail to comply with, any directions given under this article.

(5) If the pilot-in-command of an aircraft becomes aware that the aircraft is flying in contravention of any directions which have been given for any of the reasons referred to in paragraph (1)(c) the pilot-in-command must, unless otherwise instructed under paragraph (6), cause the aircraft to leave the area to which the directions relate by flying to the least possible extent over such area and the aircraft must not begin to descend while over such an area.

(6) The pilot-in-command of an aircraft flying either within an area for which directions have been given for any of the reasons referred to in paragraph (1)(c) or within airspace notified as a Danger Area must immediately comply with instructions given by radio by the appropriate air traffic control unit or by, or on behalf of, the person responsible for safety within the relevant airspace.