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STATUTORY INSTRUMENTS

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**2016 No. 765**

**The Air Navigation Order 2016**

**PART 10**

Prohibited behaviour, directives, rules, powers and penalties

CHAPTER 4

Powers and penalties

**[<sup>F1</sup>Offences: tethered small unmanned aircraft**

**265E.**—(1) A UAS operator must not cause or permit a tethered small unmanned aircraft to be flown, unless the following requirements of the Unmanned Aircraft Implementing Regulation are complied with in relation to the tethered small unmanned aircraft—

- (a) Article 14(5) (registration);
- (b) Article 14(8) (display of registration number);
- (c) Article 19(2) (reporting safety occurrences);
- (d) point UAS.OPEN.050(3) of Part A of the Annex (designation of remote pilot);
- (e) point UAS.OPEN.050(5) of Part A of the Annex (geo-awareness updates).

(2) Subject to paragraph (3), a remote pilot must not fly a tethered small unmanned aircraft unless the following requirements of the Unmanned Aircraft Implementing Regulation are complied with in relation to the tethered small unmanned aircraft—

- (a) where the tethered small unmanned aircraft has a MTOM of less than 250g, the following provisions of Part A of the Annex to that Regulation—
  - (i) point UAS.OPEN.010(2) (maximum operating height);
  - (ii) point UAS.OPEN.020(2) (overflight of people);
  - (iii) point UAS.OPEN.060(1)(d) (certain safety checks);
  - (iv) point UAS.OPEN.060(2)(a) (fitness to fly);
  - (v) point UAS.OPEN.060(2)(b), insofar as it requires the remote pilot to keep the unmanned aircraft in visual line of sight;
  - (vi) point UAS.OPEN.060(2)(b), insofar as it relates to discontinuing the flight in certain circumstances;
  - (vii) point UAS.OPEN.060(2)(c) (geographical zones);
  - (viii) point UAS.OPEN.060(3) (flights close to emergency response);
- (b) where the tethered small unmanned aircraft has a MTOM 250g or more, the following provisions of Part A of that Annex—
  - (i) point UAS.OPEN.010(2) (maximum operating height);
  - (ii) point UAS.OPEN.020(4)(b) (competency);

- (iii) point UAS.OPEN.040(1) (overflight of people);
- (iv) point UAS.OPEN.040(2) (horizontal distances);
- (v) point UAS.OPEN.060(1)(a) insofar as relates to carrying proof of competency;
- (vi) point UAS.OPEN.060(1)(d) (certain safety checks);
- (vii) point UAS.OPEN.060(2)(a) (fitness to fly);
- (viii) point UAS.OPEN.060(2)(b), insofar as it requires the remote pilot to keep the unmanned aircraft in visual line of sight;
- (ix) point UAS.OPEN.060(2)(b), insofar as it relates to discontinuing the flight in certain circumstances;
- (x) point UAS.OPEN.060(2)(c) (geographical zones);
- (xi) point UAS.OPEN.060(3) (flights close to emergency response).

(3) A remote pilot may fly a tethered small unmanned aircraft in a manner not in compliance with the requirements specified in paragraphs (2)(a)(i), (2)(a)(ii), (2)(a)(v), (2)(b)(i), (2)(b)(iii), (2)(b)(iv) and (2)(b)(viii) provided that flight or that part of that flight is in accordance with a permission issued by the CAA to the UAS operator.

(4) For the purposes of paragraphs (1) and (2), any reference to an “unmanned aircraft” or “UAS” in the Unmanned Aircraft Implementing Regulation is to be read as if it includes a tethered small unmanned aircraft or a system that includes such an aircraft.

(5) The UAS operator or a remote pilot of a tethered small unmanned aircraft must not cause or permit—

- (a) any material to be dropped from, or dangerous goods to be carried on, the aircraft during flight;
- (b) the aircraft to be flown where the limit imposed by the restraining device is more than 25m long,

other than in accordance with a permission issued by the CAA to the UAS operator.

(6) The UAS operator must not cause or permit a [F<sup>2</sup>tethered small unmanned aircraft] to be flown unless the UAS operator has reasonably formed the view that the remote pilot of the aircraft complies with the requirement specified in paragraph (2)(b)(ii) in relation to that flight.

(7) Any person who contravenes paragraph (1), (2), (5) or (6) is guilty of an offence.

(8) In this article, “dangerous goods” and “MTOM” have the meanings assigned to them in Article 2 of the Unmanned Aircraft Implementing Regulation.]

#### Textual Amendments

**F1** Arts. 265A-265F inserted (31.12.2020) by [The Air Navigation \(Amendment\) Order 2020 \(S.I. 2020/1555\)](#), arts. 1(2), 9 (with art. 13)

**F2** Words in art. 265E(6) substituted (19.8.2021) by [The Air Navigation \(Amendment\) Order 2021 \(S.I. 2021/879\)](#), arts. 1(1), 9

**Changes to legislation:**

There are currently no known outstanding effects for the The Air Navigation Order 2016, Section 265E.