

STATUTORY INSTRUMENTS

**2016 No. 765**

**The Air Navigation Order 2016**

**PART 5**

Operations

CHAPTER 4

Other aerial activities

**[<sup>F1</sup>][<sup>F2</sup>][<sup>F3</sup>Certain unmanned aircraft: permission for flights that are over or near aerodromes**

**94A.**—(1) If the permission that is required under paragraph (4) of this article for a flight, or a part of a flight, by an unmanned aircraft has not been obtained—

- (a) the UAS operator must not cause or permit the unmanned aircraft to be flown on that flight or that part of the flight, and
- (b) the remote pilot must not fly the unmanned aircraft on that flight or that part of that flight.]

<sup>F4</sup>(2) .....

<sup>F5</sup>(3) .....

(4) [<sup>F6</sup>Subject to paragraph (4A),] permission for a flight, or a part of a flight, by [<sup>F7</sup>an unmanned aircraft] in the flight restriction zone of a protected aerodrome is required—

- (a) from any air traffic control unit at the protected aerodrome, if the flight, or the part of the flight, takes place during the operational hours of the air traffic control unit;
- (b) from any flight information service unit at the protected aerodrome, if the flight, or the part of the flight, takes place during the operational hours of the flight information service unit and either—
  - (i) there is no air traffic control unit at the protected aerodrome, or
  - (ii) the flight, or the part of the flight, takes place outside the operational hours of the air traffic control unit at the protected aerodrome;
- (c) from the operator of the protected aerodrome, if—
  - (i) there is neither an air traffic control unit nor a flight information service unit at the protected aerodrome, or
  - (ii) the flight, or the part of the flight, takes place outside the operational hours of any such unit or units at the protected aerodrome.

[<sup>F8</sup>(4A) Permission is not required under paragraph (4) for a flight, or a part of a flight, by an unmanned aircraft subject to certification.]

(5) In this article, “operational hours”, in relation to an air traffic control unit or flight information service unit, means the operational hours—

- (a) notified in relation to the unit, or

(b) set out in the UK military AIP in relation to the unit.

(6) In this article and article 94B, “protected aerodrome” means—

- (a) an <sup>F9</sup>... certified aerodrome,
- (b) a Government aerodrome,
- (c) a national licensed aerodrome, or
- (d) an aerodrome that is prescribed, or of a description prescribed, for the purposes of this paragraph.

(7) The [<sup>F10</sup>“flight restriction zone of a protected aerodrome”] is to be determined for the purposes of this article in accordance with the following table—

<i>Type of protected aerodrome</i>	<i>The “[<sup>F11</sup>flight restriction zone of a protected aerodrome]”</i>
A protected aerodrome which is— (a) an <sup>F12</sup> ... certified aerodrome, (b) a Government aerodrome, or (c) a national licensed aerodrome, and which has an aerodrome traffic zone.	The [ <sup>F11</sup> flight restriction zone of a protected aerodrome] consists of— (a) the aerodrome traffic zone at the aerodrome, (b) any runway protection zones at the aerodrome, and (c) any additional boundary zones at the aerodrome.
A protected aerodrome which is— (a) an <sup>F12</sup> ... certified aerodrome, (b) a Government aerodrome, or (c) a national licensed aerodrome, but which does not have an aerodrome traffic zone.	The [ <sup>F11</sup> flight restriction zone of a protected aerodrome] consists of the airspace extending from the surface to a height of 2,000 feet above the level of the aerodrome within the area bounded by a circle centred on the notified mid-point of the longest runway and having a radius of two nautical miles.  But if the longest runway does not have a notified mid-point, the mid-point of that runway is to be used instead for the purposes of determining the [ <sup>F11</sup> flight restriction zone of a protected aerodrome].
A protected aerodrome that is prescribed, or of a description prescribed, under paragraph (6) (d).	The [ <sup>F11</sup> flight restriction zone of a protected aerodrome] consists of the zone that is prescribed for the purposes of this paragraph.]]

**Textual Amendments**

- F1** Arts. 94A-94G inserted (30.7.2018 for specified purposes, 30.11.2019 in so far as not already in force) by [The Air Navigation \(Amendment\) Order 2018 \(S.I. 2018/623\)](#), arts. 1(2)(4), 7
- F2** Arts. 94A, 94B substituted (13.3.2019) by [The Air Navigation \(Amendment\) Order 2019 \(S.I. 2019/261\)](#), arts. 1(2), 4
- F3** [Art. 94A\(1\)](#) substituted (31.12.2020) by [The Air Navigation \(Amendment\) Order 2020 \(S.I. 2020/1555\)](#), arts. 1(2), 7(2) (with art. 13)

- F4** Art. 94A(2) omitted (31.12.2020) by virtue of The Air Navigation (Amendment) Order 2020 (S.I. 2020/1555), arts. 1(2), **7(3)** (with art. 13)
- F5** Art. 94A(3) omitted (31.12.2020) by virtue of The Air Navigation (Amendment) Order 2020 (S.I. 2020/1555), arts. 1(2), **7(3)** (with art. 13)
- F6** Words in art. 94A(4) inserted (31.12.2020) by The Air Navigation (Amendment) Order 2020 (S.I. 2020/1555), arts. 1(2), **7(4)(a)** (with art. 13)
- F7** Words in art. 94A(4) substituted (31.12.2020) by The Air Navigation (Amendment) Order 2020 (S.I. 2020/1555), arts. 1(2), **7(4)(b)** (with art. 13)
- F8** Art. 94A(4A) inserted (31.12.2020) by The Air Navigation (Amendment) Order 2020 (S.I. 2020/1555), arts. 1(2), **7(5)** (with art. 13)
- F9** Word in art. 94A(6) omitted (31.12.2020) by virtue of The Unmanned Aircraft (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1593), regs. 1(2), **85(2)**
- F10** Words in art. 94A(7) substituted (19.8.2021) by The Air Navigation (Amendment) Order 2021 (S.I. 2021/879), arts. 1(1), **5(1)(a)**
- F11** Words in art. 94A(7) table substituted (19.8.2021) by The Air Navigation (Amendment) Order 2021 (S.I. 2021/879), arts. 1(1), **5(1)(b)**
- F12** Word in art. 94A(7) omitted (31.12.2020) by virtue of The Unmanned Aircraft (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1593), regs. 1(2), **85(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Air Navigation Order 2016, Section 94A.