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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Air Navigation Order 2016 (S.I. 2016/765) (“the 2016 Order”) to extend the flight restriction zone at and around protected aerodromes, within which flights by small unmanned aircraft must not take place without permission. “Small unmanned aircraft” is defined in Schedule 1 to the 2016 Order and covers unmanned aircraft, other than balloons or kites, of 20kg or less. The new restrictions affect both the “SUA operator” and “remote pilot” of the small unmanned aircraft, which are defined in article 94G of the 2016 Order.

Currently article 94A of the 2016 Order prohibits the flying of small unmanned aircraft over 400 feet, and article 94B prohibits flights within the flight restriction zone of a protected aerodrome, without the required permission. Article 4 of this Order replaces these provisions with a new article 94A which sets out the permissions required (from 13th March 2019) for flights by small unmanned aircraft, and a new article 94B which provides associated definitions. Permission will be required for all flights by all small unmanned aircraft within the new flight restriction zone. Permission for such flights will need to be obtained from the air traffic control unit, flight information service unit or airport operator, depending on whether the flight takes place during the operational hours of either unit. Permission will be required from the Civil Aviation Authority for all flights above 400 feet, unless permission from an air traffic control unit or flight information service unit is required. Permission may relate to a flight, or part of a flight, and in some circumstances more than one permission may be required.

“Operational hours”, “protected aerodrome”, “flight restriction zone” and associated terms are defined in the new articles 94A(5), (6) and (7) and 94B. The new flight restriction zone will in most cases include the aerodrome traffic zone (or an equivalent area) and runway protection zones 1km wide (or 1.5km at Heathrow Airport) extending 5km from the runway thresholds, as well as any additional area within 1km of the aerodrome boundary. “Aerodrome traffic zone” is defined in article 5 of the 2016 Order, and “air traffic control unit”, “flight information service unit” and “notified” are defined in Schedule 1 to that Order. Article 5 of this Order also inserts into that Schedule a definition of the “level” of an aerodrome, above which the flight restriction zone extends by 2000 feet, and a definition of “UK military AIP”.

“Notified” means notified in the United Kingdom Aeronautical Information Publication, which is available at [www.nats-uk.ead-it.com](http://www.nats-uk.ead-it.com) by selecting “IAIP” and then “eAIP AIRAC”, or in printed form (or on DVD) by writing to Aeronautical Information Service (AIS), NATS Swanwick, Room 3115, Sopwith Way, Southampton, Hants, SO31 7AY. “UK military AIP” means the United Kingdom Military Aeronautical Information Publication, which is available at <https://www.aidu.mod.uk/Milflip/index.php> by selecting UK MILAIP and then downloading a zip file, or in printed form either by emailing [dronesconsultation@dft.gov.uk](mailto:dronesconsultation@dft.gov.uk) or by writing to The Drones Team, Department for Transport, Great Minster House, 33 Horseferry Road, SW1P 4DR.

Articles 3 and 6 of this Order make consequential amendments. Article 3 revokes the separate provision previously made in article 94(4) and (4A) of the 2016 Order for small unmanned aircraft over 7kg. Article 6 amends Schedule 13 of the 2016 Order so that breach of the amended prohibitions remains an offence under article 265 of the 2016 Order. Such offences are punishable on summary conviction with a fine of up to level 4 on the standard scale (currently £2,500).

An Impact Assessment has not been produced for this instrument as only minimal impact on the private, voluntary or public sectors is foreseen. An Explanatory Memorandum is available alongside this instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).

**Changes to legislation:**

There are currently no known outstanding effects for the The Air Navigation (Amendment) Order 2019.