



PROPOSAL TO AMEND THE RULES OF THE AIR REGULATIONS 2007 REGARDING THE ALLEVIATION OF THE LOW-FLYING RULES AT TRAINING AERODROMES

PRELIMINARY CONSULTATION

1 Background

- 1.1 Following the work of the Light Aviation Airports Study Group (LAASG), a consultation and amendment process was initiated to amend the Air Navigation Order 2009 (ANO) to permit Flight Training to be conducted from Unlicensed Aerodromes¹. As part of this process, amendments were made to Rule 6 of the Rules of the Air Regulations 2007 (RofAR) to extend the alleviations to the Low Flying prohibitions of Rule 5 with the intention of permitting practice approaches to be made to Training Aerodromes.
- 1.2 After the change had been published, feedback from some training providers and aerodrome operators made it clear that several unintended consequences had occurred that might affect operations at such aerodromes. As a result, supplementary information was published on the associated CAA Consultation website to alert aerodrome operators and training organisations to the situation and the intention of the CAA to revise the exemptions provided under Rule 6.

2 Consequences of change

- 2.1 Rule 6(a)(i) of the RofAR exempts any aircraft from all of the low flying prohibitions (including the 1,000 feet rule and the 500 feet rule) if it is landing, taking off or practising an approach to land in accordance with normal aviation practice at a licensed or Government aerodrome; this has now been extended to Training Aerodromes under the new Rule 6(aa). However, the (unlicensed) Training Aerodrome provisions, including the exemption from the low flying prohibitions, are valid only when the aircraft concerned is flown by a person under instruction or examination. This means that where an existing aerodrome, which is licensed under the requirements of article 211 of the ANO, is in such close proximity to congested areas that use must be made of the Rule 6(a)(i) exemption, the aerodrome must remain licensed if it is to be used by aircraft being flown by pilots who are not under instruction or test.
- 2.2 Were such an aerodrome to become unlicensed it would lose the exemption from the low flying prohibitions set out under Rule 6(a)(i). It would then become usable only by pilots under instruction or performing flying tests who benefit from the equivalent exemption under Rule 6(aa), or by aircraft that are capable of using the aerodrome without flying below 1,000 feet over the congested area, or being in breach of any other provision of Rule 5.

¹ See the consultation documentation and Letter of Intent at CAA Consultations archive page <http://www.caa.co.uk/consultations>.

- 2.3 The CAA has considered this particular scenario and has concluded that allowing pilots under instruction at an unlicensed Training Aerodrome to be exempt from all of the low flying prohibitions relating to congested areas, and in particular the 1,000 feet rule, is an unintended effect of the introduction of Rule 6(aa). The intention had been only to extend the exemption from the 500 feet rule (Rule 6(a)(ii)) to include practice approaches at unlicensed Training Aerodromes.
- 2.4 It is therefore proposed to amend the Rule 6(aa) to address this anomaly and to ensure that the original intent of the change is met. This was to allow practice approaches to be made to unlicensed Training Aerodromes only where they can be made without flying below 1,000 feet over a congested area.
- 2.5 The effect of this proposed change will be that any licensed aerodrome should remain licensed if it needs to support operations that will continue to make use of the exemption to all of the low flying prohibitions that are given at Rule 6(a)(i) including the 1,000 feet rule.

3 Purpose of Consultation

- 3.1 The purpose of this preliminary consultation is to seek comment from those likely to be affected by the intention of the CAA to amend Rule 6(aa) to reduce the exemption from the low flying prohibitions at unlicensed Training Aerodromes to exemption from the 500 feet rule only.

4 Proposed New Rule 6(aa)

- 4.1 The proposed new Rule 6(aa) text is detailed at [Annex A](#).

5 Comments

- 5.1 The CAA invites stakeholders to comment on the proposed change and to indicate any perceived impact on their operations, both financially and operationally. The CAA will use feedback from this preliminary consultation to prepare a full impact assessment and proposal in due course.
- 5.2 Comments regarding this proposal should be forwarded to the Head of Flight Operations Policy at the following e-mail address FOP.Admin@caa.co.uk or to the following address by 14 January 2011.

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18 November 2010

Annex A: Proposed Revisions to Rule 6 (aa) of the Rules of the Air Regulations 2007

Annex A to CAA Preliminary Consultation

Proposed Revisions to Rule 6 (aa) of the Rules of the Air Regulations 2007

Exemptions from the low flying prohibitions

6 The exemptions from the low flying prohibitions are as follows:

- (a) Landing and taking off
 - (i) Any aircraft shall be exempt from the low flying prohibitions in so far as it is flying in accordance with normal aviation practice for the purpose of:
 - (aa) taking off from, landing at or practising approaches to landing at; or
 - (bb) checking navigational aids or procedures at, a Government or licensed aerodrome.
 - (ii) Any aircraft shall be exempt from the 500 feet rule when landing and taking-off in accordance with normal aviation practice or air-taxiing.
- (aa) ~~Landing and taking off~~ **Practising approaches to landing** at a training aerodrome
 - (i) Any aeroplane of which the maximum total weight authorised does not exceed 2730 kg shall be exempt from the ~~low flying prohibitions~~ **500 feet rule** in so far as it is flying in accordance with normal aviation practice in the circumstances specified in sub-paragraph (iii).
 - (ii) Any helicopter or gyroplane of which the maximum total weight authorised does not exceed 3175 kg shall be exempt from the ~~low flying prohibitions~~ **500 feet rule** in so far as it is flying in accordance with normal aviation practice in the circumstances specified in sub-paragraph (iii).
 - (iii) An aeroplane or helicopter or gyroplane flies in the circumstances specified in this sub-paragraph if:
 - (aa) it is flying for the purpose of ~~taking off from, landing at or~~ practising approaches to landing at a training aerodrome; and
 - (bb) the flight is one on which instruction in flying is being given to a person or a flying test is being performed by a person for the purpose of becoming qualified for the grant of a pilot's licence or the inclusion or variation of an aircraft rating, a night rating or a night qualification in a licence.
 - (iv) For the purposes of sub-paragraph (iii), a 'training aerodrome' means an aerodrome which the commander of the aircraft is satisfied on reasonable grounds has adequate facilities for the safe conduct of flights on which instruction in flying is being given to a person **or a flying test is being performed by a person** for the purpose of becoming qualified for the grant of a pilot's licence or the inclusion or variation of any rating or qualification in the licence.