

The Rules of the Air Regulations



Civil Aviation

All civil aircraft fly subject to the legislation of the [Air Navigation Order \(ANO\)](#) and the Rules of the Air Regulations 2007 (RoA). The RoA are diverse and it is not intended to replicate them in this information sheet. However, some regulations, e.g. those related to 'low flying', are worthy of description as they have some environmental (noise) association.

The following general statements are drawn from Rule 5 of the RoA and give some indication of the height limitations placed upon aircraft operators:

- Aircraft, including helicopters, are not permitted to fly over a congested area of a city, town or settlement below a height of 1,000 feet above the highest fixed obstacle within a horizontal radius of 600 metres of the aircraft or below such height as would enable it, in the event of a power unit failure, to make an emergency landing without causing danger to persons or property on the surface.
- Away from congested areas, aircraft, including helicopters, are not permitted to fly closer than 500 feet to any person, vessel, vehicle or structure. (Note: this is a minimum distance, not a minimum height; the distance of 500 feet is measurable in any direction, not just the vertical.)
- All aircraft flying over a congested area of a city, town or settlement shall not fly below such a height as will permit, in the event of a power unit failure, the aircraft to land clear of the congested area. However, helicopters flying over a congested area are exempt from this land clear rule.
- An aircraft shall not carry out any aerobatic manoeuvre over the congested area of any city, town or settlement.

Article 138 of the ANO states that a person shall not recklessly or negligently cause or permit an aircraft to endanger any person or property.

Exemptions from the low flying prohibitions include aircraft flying in accordance with normal aviation practice for the purpose of taking off from or landing at or practising approaches at Government or licensed aerodromes. In addition, any aircraft shall be exempt from the 500-foot rule when landing and taking-off in accordance with normal aviation practice.

Given the very nature of their operation and the associated tasks that they are required to carry out, there are a number of aviation activities that are exempted from the RoA regulations, including:

- Police operations
- Aerial Surveys
- Flying displays

Military Aviation

Military aircraft are not bound by the RoA and it should be noted that the CAA has no authority over military aviation; this remains the responsibility of the Ministry of Defence (MoD). For further information on Military aviation, please contact the Ministry of Defence (MoD) Complaints and Enquiries Unit using the following details.

Ministry of Defence, Directorate of Air Staff
Complaints and Enquiries Unit
Zone H, 5th Floor
Main Building
London SW1A 2HB
Telephone: 020 7218 6020

Breaches of the Regulations

In any instance where it is felt that an aircraft has breached the RoA, the CAA may be able to investigate the matter further through the Aviation Regulation Enforcement (ARE) department. In certain circumstances, where it is appropriate, ARE and lawyers from the Legal Department prosecute cases in the Magistrates and Crown Courts. However, before the matter can be pursued through the courts, there would be a requirement placed upon the CAA to provide a high level of positive evidence, particularly identification of the aircraft and details of supporting witnesses. The aircraft registration is usually on the underside of a wing and/or the side of the fuselage, e.g. five letters starting with 'G' for UK registered aircraft. In the event that you consider that one of the above rules has been breached, you should contact:

Head of Aviation Regulation Enforcement
CAA House Room K504
45-59 Kingsway
London
WC2B 6TE.
Telephone: 020 7453 6193

In cases where aviation activity has caused some form of impact, but the RoA have not been contravened, the recommended course of action is to contact the aircraft operator, with the aim of achieving a mutually acceptable solution. The CAA, as the UK's independent regulator, does not have the legal power to prevent aircraft flying over a particular location or at a particular time for environmental reasons and therefore the CAA is unable to intervene in such matters. Section 76(1) of the Civil Aviation Act 1982 states the following:

"No action shall lie in respect of trespass or in respect of nuisance, by reason only of the flight of an aircraft over any property at a height above the ground which, having regard to wind, weather and all the circumstances of the case is reasonable, or the ordinary incidents of such flight, so long as the provisions of any Air Navigation Order [broadly, the regulations governing licensing, air-worthiness, rules of the air and air traffic control] have been duly complied with."

