

## Air Navigation Order 2016

### EXEMPTION – UK Model Aircraft Associations – First Person View Operations in excess of 400ft above the surface

1. The Civil Aviation Authority, in exercise of its powers under article 266 of the Air Navigation Order 2016 (“the Order”), as amended, hereby exempts any member of a United Kingdom Model Aircraft Association, as specifically described at paragraph 2, from the requirement at article 94(3) of the Order to ensure that direct unaided visual contact is maintained with the aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels and structures for the purpose of avoiding collisions. Additionally, as a key part of this exemption, permission is granted in accordance with article 94A of the Order to operate a small unmanned aircraft above a height of 400ft subject to paragraph 3.
2. This exemption shall only apply to a person acting as the remote pilot of a small unmanned aircraft while also being a member of one of the following UK Model Aircraft Associations:
  - a. The Society of Model Aeronautical Engineers trading as the British Model Flying Association (BMFA)
  - b. The Scottish Aeromodellers Association (SAA)
  - c. The Large Model Association (LMA)
  - d. FPV UK
3. This exemption is granted subject to the conditions at paragraphs 4 to 7 below.
4. Operating requirements:
  - a. The remote pilot is responsible for the safety of the operation and may only fly the small unmanned aircraft if reasonably satisfied that the flight can safely be made;
  - b. The remote pilot must be accompanied by a competent observer who maintains direct unaided visual contact with the small unmanned aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels and structures for the purpose of avoiding collisions and advises the remote pilot accordingly;
  - c. The maximum take-off mass of the small unmanned aircraft shall not exceed 3.5 kg, including any batteries or fuel;
  - d. the small unmanned aircraft shall not have any automatic or autonomous flight capability except for flight stabilisation purposes; and
  - e. the small unmanned aircraft shall not be a rotorcraft with more than one lift generating rotor or propeller.
5. The remote pilot shall not fly the small unmanned aircraft:
  - a. in Class D or E airspace unless permission of the appropriate air traffic control unit has been obtained;
  - b. within an aerodrome traffic zone during the notified hours of watch of the air traffic control unit (if any) at that aerodrome unless permission of any such air traffic control unit has been obtained;
  - c. at any time within the flight restriction zone of a protected aerodrome (within the meaning given in article 94B or the Order);
  - d. at a height of more than 1,000 feet above the surface (see Note 1);
  - e. over or within 150 metres of any congested area;
  - f. over or within 150 metres of an organised open-air assembly of more than 1,000 persons;
  - g. within 50 metres of any vessel, vehicle or structure which is not under the control of the remote pilot of the aircraft;

- h. within 50 metres of any other person, apart from the competent observer, except when taking off or landing in accordance with paragraph (i);
  - i. within 30 metres of any other person, apart from the competent observer, other adjacent model operators, or any model flying club members, during take-off or landing; or
  - j. for the purposes of commercial operations.
6. Competent observer:
- a. for the purposes of this exemption, a 'competent observer' means someone whom the remote pilot has designated as the competent observer for a specific flight.
  - b. before designating someone as the competent observer, the remote pilot must be satisfied that he or she:
    - i. has been briefed in accordance with paragraph 7;
    - ii. is competent to perform the tasks which he or she may be called upon to perform in accordance with paragraph 7; and
    - iii. is competent, by direct unaided visual observation of the small unmanned aircraft, to assist and advise the remote pilot with the safe conduct of the flight.
7. The remote pilot must ensure that:
- a. the competent observer is fully briefed on the planned flight and what is expected of him/her, taking into account the prevailing conditions;
  - b. the competent observer understands that he/she must stay directly adjacent to the remote pilot and maintain direct unaided visual contact with the small unmanned aircraft at all times, to visually and aurally monitor the airspace for other aircraft and the take-off and landing area for any persons;
  - c. the competent observer has been instructed on the actions to take in the event of another aircraft being spotted and a risk of collision is assessed; and
  - d. the competent observer understands that he/she must advise the remote pilot if the small unmanned aircraft is proceeding beyond the point at which he/she is able to monitor its flight path sufficiently to identify a risk of collision.
8. This exemption shall have effect from 30 July 2018 until it is either varied, suspended or revoked

The image shows the official seal of the Civil Aviation Authority (CAA) on the left, which is a circular emblem with the text 'CIVIL AVIATION AUTHORITY' and a star. To the right of the seal is a handwritten signature in black ink.

for the Civil Aviation Authority

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**See over for Explanatory Notes**

Notes:

- 1) This does not remove the requirement (in paragraph 4(b)) for the competent observer to maintain direct unaided visual contact with the small unmanned aircraft throughout the flight. Therefore, the small unmanned aircraft can only be flown up to 1,000 ft if it can still be seen sufficiently for collision avoidance purposes.
- 2) This exempts only from article 94(3) of the Order and, in relation to paragraph 5d, permits flight above 400ft under article 94A. The other provisions of article 94 and the whole of articles 94B and 95 continue to apply, so far as may be applicable. In particular, article 94(5) prohibits flight for the purposes of commercial operations except in accordance with a permission granted by the CAA.

