

The Civil Aviation (Aerial Advertising) Regulations 1995 SI No. 2943

(as amended and as applied to the Isle of Man)
by Civil Aviation (Subordinate Legislation) (Application) Order 1996 (SD53/96)

Citation and Commencement

1. These Regulations may be cited as the Civil Aviation (Aerial Advertising) Regulations 1995 and shall come into force on 20th December 1995.

Revocation

2. Omitted

Interpretation

3. In these Regulations, unless the context otherwise requires—

- (a) "**captive balloon**", "**controllable balloon**", "**flight**" and "**free controlled flight**" shall have the meanings assigned to them by article 118(1) of the Air Navigation (No. 2) Order 1995(1); and
- (b) "**aircraft**", "**aeroplane**", "**airship**", "**balloon**", "**helicopter**" and "**kite**" shall be construed in accordance with article 118(5) of the Air Navigation (No. 2) Order 1995;
- (c) "**Department**" has the meaning given in section 3 of the Interpretation Act 1976 (an Act of Tynwald).

Prescribed circumstances

4. For the purposes of section 82 of the Civil Aviation Act 1982 (which prohibits aerial advertising and propaganda, save in such circumstances as may be prescribed), the following circumstances are prescribed—

- (a) the use of any aircraft for the emission or display of any communication for one or more of the following purposes—
 - (i) complying with the law of the United Kingdom or any other country, being law in force in relation to the aircraft;
 - (ii) securing the safety of the aircraft or any person or property therein;
 - (iii) the furtherance, by or on behalf of a **Department**, by a person acting under any public duty or by a person providing ambulance or rescue facilities by air, of measures in connection with circumstances, existing or imminent at the time the aircraft is used, which may cause danger to persons or property;
 - (iv) civil defence, military or police purposes;
- (b) save as provided in paragraph (c) below, the use of any aircraft, other than a captive balloon, for the display of any mark or inscription (other than an illuminated sign) on the body of the aircraft;
- (c) the use of any captive balloon which at all stages of its flight—
 - (i) is not more than seven metres in any linear dimension; or
 - (ii) does not have a total capacity of more than 20 cubic metres;

- for the display of any mark or inscription on the body of the balloon;
- (d) the use of any aeroplane for the display of any mark or inscription on a banner towed behind the aeroplane;
 - (e) the use of any kite or captive balloon, other than a controllable balloon, for the display of any mark or inscription on a banner or pennant attached to its mooring cables;
 - (f) the use of any airship for communicating information by means of an illuminated sign attached to the airship;
 - (g) the use of any helicopter for communicating information by means of an illuminated or non-illuminated sign attached to but not towed behind the helicopter;
 - (h) the use of any balloon in free controlled flight which displays any identifying mark or inscription on any basket, car or other equipment attached thereto.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Civil Aviation (Aerial Advertising) Regulations 1983 and the Civil Aviation (Aerial Advertising) (Captive Balloons) Regulations 1984. The principal changes are:

1. Any aircraft, other than a captive balloon (save as provided in regulation 4(c)), may now display any mark or inscription (other than an illuminated sign) on its body (not merely marks or inscriptions for identifying certain persons or the type of aircraft or its engines) (regulation 4(b)).
2. The restrictions on the circumstances in which marks or inscriptions may be displayed on the bodies of captive balloons have been relaxed (the attachment of banners or pennants to the mooring cables ceases to be a disqualifying factor) (regulation 4(c)).
3. Any captive balloon (other than a controllable balloon) and kite may now display any mark or inscription on a banner or pennant attached to its mooring cables (regulation 4(e)).
4. Any helicopter may now communicate information by means of illuminated or non-illuminated signs attached to it (regulation 4(g)).
5. Any balloon in free controlled flight may now display any identifying mark or inscription on any basket, car or other equipment attached to it (regulation 4(h)).