



Exceptions to the Minimum Height Requirements

Background

1. This General Permission and Authorisation enables exceptions to Schedule 2 to the Civil Aviation (Rules of the Air) Order 2021¹ ('SERA') Minimum Height requirements in order that aircraft may be operated in accordance with established procedures and practices as allowed by the flexibility provisions within SERA.

Interpretation

2. In this General Permission and Authorisation:
 - (a) 'SERA' means the Standardised European Rules of the Air as set out in Schedule 2 to the Civil Aviation (Rules of the Air) Order 2021 and references to SERA followed by a number mean the corresponding provision of (UK) SERA;
 - (b) 'Air Navigation Order' means the Air Navigation (Isle of Man) Order 2015²;
 - (c) 'the Department' means the Department for Enterprise; and
 - (d) 'notified' has the same meaning as in the Civil Aviation (Miscellaneous Provisions) Order 2020³ ('the Miscellaneous Provisions Order').
3. Nothing in this General Permission and Authorisation relieves pilots from their responsibilities under SERA.3101 Negligent or reckless operations of aircraft and SERA.3105 Minimum Heights.

Permissions and Authorisations

4. **General (SERA.5005(f)(2)) – Day VFR Flights**
 - (a) Except when being flown over the congested areas of cities, towns or settlements or over an open-air assembly of persons, or in a Flying Display, Private Flying Display, aircraft race or contest, the Department permits, under SERA.5005(f), an aircraft conducting day VFR flight, to be flown at a height of:
 - (i) less than 500 feet above the ground or water; or
 - (ii) less than 500 feet above the highest obstacle within a radius of 150 m from the aircraft, subject to the condition in subparagraph (b).
 - (b) The aircraft must not be flown closer than 500 feet to any person, vessel, vehicle or structure except with the permission of the Department.
 - (c) In subparagraph (a):
 - (i) 'Flying Display' has the same meaning as in Article 167 of the Air Navigation Order; and
 - (ii) 'Private Flying Display' has the same meaning as in UK CAA Publication CAP 403.

¹ SD No. 2021/0184

² United Kingdom SI 2015 No. 870 as amended by SI 2016 No. 155, SI 2016 No. 765 and SI 2020 No. 1280

³ SD No. 2020/0134

5. **General (SERA.5005(c)(5)(ii)) – Night VFR Flights**

- (a) The Department authorises, under SERA.5005(c)(5), an aircraft conducting night VFR flight, as specified in SERA.5005(c)(5)(ii), to be flown below a level which is 1,000 feet above the highest obstacle located within 8 km of the estimated position of the aircraft, subject to the conditions in subparagraph (b).
- (b) The aircraft must be flown:
 - (i) at a height not less than 1,000 feet above the highest obstacle within a radius of 600 m from the aircraft when over the congested areas of cities, towns or settlements or over an open-air assembly of persons; and
 - (ii) elsewhere than as specified in (i), at a height of more than 500 feet above the ground or water, or 500 feet above the highest obstacle within a radius of 150 m from the aircraft.

6. **Special Visual Flight Rules (Special VFR) Flight and Notified Route (SERA.5005(c) and 5005(f))**

- (a) The Department authorises and permits, under SERA.5005(c) and SERA.5005(f), an aircraft to be flown below a level which is 1,000 ft above the highest obstacle within a radius of 600 m from the aircraft over the congested areas of cities, towns or settlements if:
 - (i) it is flying on a Special VFR flight; or
 - (ii) it is operating in accordance with the procedures notified for the route being flown;subject to the conditions in paragraphs (b), (c) and (d).
- (b) The aircraft must not be flown closer than 500 feet to any person, vessel, vehicle or structure except when necessary for take-off or landing or with the permission of the Department;
- (c) Unless the prior permission of the Department has been obtained, landings may only be made by an aircraft flying under this permission at a licensed aerodrome; and
- (d) Special VFR flight must not be used to facilitate flight below 1000 feet over a congested area in meteorological conditions above the VMC minima.
- (e) In this General Permission and Authorisation “Special Visual Flight Rules (Special VFR) Flight” means a VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC (as defined in the Miscellaneous Provisions Order).
- (f) In subparagraph (c), ‘licensed aerodrome’ means an aerodrome licenced under Article 129 of the ANO.

7. **Practising Approaches to Landing or Forced Landings and Notified Procedures (SERA.5005(c)(5), SERA.5005(f) & SERA.5015(b))**

The Department authorises and permits, under SERA.5005(c), SERA.5005(f) and SERA.5015(b), an aircraft to be flown below the minimum height requirements specified in SERA.5005 and SERA.5015 if it is flown in accordance with normal aviation practice and is:

- (a) practising approaches to land at or checking navigational aids or procedures at an aerodrome;
- (b) practising approaches to forced landings, other than at an aerodrome and elsewhere than over the congested areas of cities, towns or settlements or over an open-air assembly of persons, and it is not flown closer than 500 feet to any person, vessel, vehicle or structure; or
- (c) flying in accordance with a notified procedure.

8. Glider Hill-Soaring (SERA.5005(f)(2))

The Department permits, under SERA.5005(f), a glider conducting day VFR flight elsewhere than over the congested areas of cities, towns or settlements or over an open-air assembly of persons, to be flown below 500 feet above the ground or water, below 500 feet above the highest obstacle within a radius of 150 m from the aircraft or closer than 500 feet to any person, vessel, vehicle or structure if it is hill-soaring.

9. Picking Up and Dropping at an Aerodrome (SERA.5005(f)(2))

The Department permits, under SERA.5005(f), an aircraft conducting day VFR flight at an aerodrome, to be flown below 500 feet above the ground or water, below 500 feet above the highest obstacle within a radius of 150 m from the aircraft or closer than 500 feet to any person, vessel, vehicle or structure if it is picking up or dropping tow ropes, banners or similar articles.

10. Manoeuvring Helicopters (SERA.5005(c)(5) & SERA.5005(f)(2))

(a) The Department authorises and permits, SERA.5005(c), and SERA.5005(f), a helicopter to be flown below 500 feet above the ground or water, below 500 feet above the highest obstacle within a radius of 150 m from the aircraft or closer than 500 feet to any person, vessel, vehicle or structure if it is conducting manoeuvres, in accordance with normal aviation practice, within the boundaries of an aerodrome, at permitted sites detailed at subparagraph (c) or at other sites if the operator or pilot-in-command of the aircraft has the written permission of the CAA, in each case subject to the condition in subparagraph (b).

(b) When flying in accordance with this permission the helicopter must not be flown closer than 200 feet to any persons, vessels, vehicles or structures located outside the aerodrome or site.

(c) Permitted sites are:

- (i) any helicopter landing site which is the main operating base of a PAOC or AOC operator;
- (ii) any helicopter landing site used by an AOC operator for a helicopter A-to-A operation in accordance with the provisions of the operator's operations manual; and
- (iii) any helicopter landing site located at the premises of a UK CAA-approved aircraft maintenance organisation.

(d) In subparagraph (c):

- (i) "AOC operator" means a person holding a valid air operator certificate issued by the UK CAA other than a PAOC operator;
- (ii) "PAOC" means a person holding a valid Police Air Operator Certificate issued by the UK CAA; and
- (iii) "A-to-A operation" means a commercial air transport or public transport helicopter operation starting and ending at the same place (as defined in Article 167 of the Air Navigation Order).

11. Dropping Articles with Department Permission (SERA.5005(f)(2))

The Department permits, under SERA.5005(f), an aircraft conducting day VFR flight elsewhere than over the congested areas of cities, towns or settlements or over an open-air assembly of persons to be flown below 500 feet above the ground or water, below 500 feet above the highest obstacle within a radius of 150 m from the aircraft or closer than 500 feet to any person, vessel, vehicle or structure if it is flying:

- (a) with the permission of the CAA under article 89(2) (b) of the Order (dropping of articles and animals); or

(b) in accordance with an aerial application certificate granted by the CAA under article 91 of the Order.

12. Captive Balloons and Kites (SERA.5005(c)(5), SERA.5005(f) & SERA.5015(b))

- (a) The Department authorises and permits, under SERA.5005(c), SERA.5005(f) and SERA.5015(b), a captive balloon or kite to be flown at heights below the minimum height requirements specified in SERA.5005 and SERA.5015.
- (b) For the purposes of this permission, a captive kite is a kite that, when in flight, is attached by a restraining device to the surface of the earth.

13. Balloons over Congested Areas (SERA.5005(f)(1)) – Day VFR Flights

The Department permits, under SERA.5005(f), a free balloon to be flown below 1,000 feet above the highest obstacle within a radius of 600 m from the balloon over the congested areas of cities, towns or settlements or over an open-air assembly of persons by day if it is landing because it is becalmed.

Date in force

14. This General Permission and Authorisation has effect from **01 August 2021** until it is revoked.

Signed:

Date: 01 August 2021



Colin Gill
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Explanatory note

1. Flying Displays, Air Races and Contests

The exclusion of flying displays, aircraft races and contests from the scope of paragraph 3 of this General Permission and Authorisation is to meet the recommendation to the UK CAA contained in Air Accidents Investigation Branch (AAIB) Special Bulletin S1-2016 (10 March 2016) that it removed the general exemptions to flight at minimum heights issued for Flying Displays, Aircraft Races and Contests.