

STATES OF JERSEY



DRAFT AIR NAVIGATION (JERSEY) LAW 201- (P.63/2014): AMENDMENT

**Lodged au Greffe on 3rd June 2014
by the Minister for External Relations**

STATES GREFFE

PAGE 79, ARTICLE 52 –

- (a) for paragraph (4) substitute the following paragraphs –
 - “(4) The person in charge of a small unmanned aircraft shall not fly the aircraft –
 - (a) at a height of more than 400 feet above the surface; or
 - (b) within an aerodrome traffic zone during the notified hours of watch (if any) of the air traffic control unit at that aerodrome,unless the permission of the appropriate air traffic control unit has been obtained.
 - (5) The person in charge of a small unmanned aircraft which has a mass of more than 7 kilograms, excluding its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight, shall not fly the aircraft in Class A, C, D or E airspace unless the permission of the appropriate air traffic control unit has been obtained.”;
- (b) renumber the remaining paragraphs and cross-references in the Article accordingly.

MINISTER FOR EXTERNAL RELATIONS

REPORT

Background

Following lodging of the Draft Air Navigation (Jersey) Law 201- (P.63/2014) (the “draft Law”), a further issue has arisen in connection with the regulation of small unmanned aircraft (‘SUA’) as defined in Article 1 of the draft Law.

An SUA is ‘any unmanned aircraft, other than a balloon or a kite, having a mass of not more than 20 kilograms without its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight’.

Small unmanned aircraft have been widely used in many countries since the 1990s, often for purposes in the public interest, such as fire-fighting, disaster relief, search and rescue, law enforcement, research and environmental monitoring, border patrol, military training and testing and evaluation.

The capabilities of SUA operations potentially range from ground level to above 50,000 feet, depending on the specific type of aircraft. However, SUA operations are ordinarily not authorised in Class B airspace, which exists over urban areas and contains the highest density of manned aircraft.

It is necessary in the interest of aviation safety to regulate the operation of SUAs in circumstances in which they might interfere with civil aviation – in particular, at a height above 400 feet, or in controlled airspace or within an aerodrome traffic zone.

Article 52 of the draft Law would regulate the operation of a SUA which has a mass of *more than 7 kilograms* in controlled airspace, within an aerodrome traffic zone and at a height of more 400 feet above ground.

Proposed amendment

SUAs with a mass *less than 7 kilograms* (‘light SUAs’) are now widely available, to be bought readily over the counter or on the Internet, and it is accordingly necessary to extend regulation to include the operation of such aircraft. The aim is not to inhibit the appropriate development of SUA applications, but to ensure this is done in a safely regulated environment. Light SUAs are currently the subject of a review by the UK Civil Aviation Authority and may be included within a revised CAA regulatory policy at a later date.

For many years, recreational use of airspace by model aircraft has generally been limited to operations below 400 feet above ground level and away from airports and air traffic. In principle, it has been proposed that the regulatory provisions that relate to model aircraft should be applied to light SUAs.

It should be noted that the proposed amendment is solely for the purposes of aviation safety, and is not intended to address other issues such as commercial applications, damage to property, or protection of privacy.

The proposed amendment to Article 52 of the Draft Air Navigation (Jersey) Law 201- would require that the operation of any SUA of a mass of 20 kilograms or less is prohibited above 400 feet or within an aerodrome traffic zone, unless the permission of the air traffic control unit has been obtained.

Financial and manpower implications

There are no financial or manpower implications for the States arising from this amendment.