

RA 3201 – Military Air Traffic Management

Rationale

Military Air Traffic Management (ATM) is provided to both military and civil registered Air Systems in airspace that is jointly managed with civil ATM agencies. ► **ATM covers Air Traffic Service (ATS) provision, airspace management and surface based functions including Aerodrome management.** ◀ Given the shared nature of airspace, a failure of Military ATM personnel to understand the framework under which they provide ATM could increase the Risk to Life (RtL) ► **such as** ◀ mid-air collision ► **or runway incursion.** ◀ This Regulatory Article (RA) details the constituent parts of Military ATM, the applicability of the MAA Regulatory Publications (MRP) and the interfaces with civil aviation regulation.

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3201(1) Heads of Establishment (HoE) and Aviation Duty Holder (ADH)-Facing organizations **shall** ► **ensure** ◀ ATM ► **provision is** ◀ in accordance with (iaw) the MRP.

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1. **ATS.** Where ATS is provided by the MOD, HoE and ADH-Facing organizations **should** ensure that it is provided iaw the ATM 3000 Series¹, Civil Air Publication (CAP) 774 UK Flight Information Services (UK FIS) and CAP 413 Radiotelephony Manual.
2. **Aerodrome Management.** HoE at Government Aerodromes² **should** ensure that Aerodrome Management is carried out iaw the RA 3500 Series³. HoE and ADH-Facing organizations **should** undertake oversight and assurance of Aerodrome Management activities iaw ► **RA 1010⁴** and ◀ RA 1026⁵.
3. **Airspace Management.** ATM personnel **should** operate iaw the requirements in CAP 740 UK Airspace Management Policy which forms the basis of a Joint and Integrated approach to airspace management within the UK. Prior to embarking on any Airspace Change Process (ACP), HoE and ADH-Facing organizations **should** first consult the Defence Airspace and Air Traffic Management (DAATM) organization to articulate their requirements and seek guidance on the appropriate manner to proceed.
4. **Qualifications.** ATM ► **should be carried out by a Suitably Qualified and Experienced Person (SQEP):**
 - a. **Force Headquarters (FHQ) should** issue orders that specify the SQEP criteria required to hold ATM positions which include ATS provision⁶, Air Traffic Control Management, Aerodrome Management and Airspace Management, in order to support HoE and ADH-Facing Organizations in fulfilling their duties iaw RA 1010⁴ and RA 1020⁷ respectively. FHQ **should** ensure that career management organizations allocate personnel in line with SQEP criteria.
 - b. Where nominees for key ATM positions do not meet the SQEP requirements, FHQ **should** assure the respective ADH / HoE of their decision in order to allow the ADH / HoE to accept any residual RtL. The MAA **should** be informed of the decision and the FHQ **should** maintain an auditable trail of the

¹ Refer to RA 3000 Series: Air Traffic Management Regulations.

² ► Refer to MAA 02: MAA Master Glossary. ◀

³ Refer to RA 3500 Series: Aerodrome Design and Safeguarding.

⁴ ► Refer to RA 1010 – Head of Establishment – Aviation Responsibilities. ◀

⁵ Refer to RA 1026 – Aerodrome Operator and Aerodrome Supervisor (Recreational Flying) Roles and Responsibilities including Aerodrome and Helicopter Landing Site Assurance Requirements.

⁶ ► Refer to RA 3202 – Air Traffic Service Provision – Qualifications and Entitlement, Training, Competence and Currency.

⁷ Refer to RA 1020 – Aviation Duty Holder and Aviation Duty Holder-Facing Organizations – Roles and Responsibilities. ◀

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decision making process, including engagement with career management organizations and the ADH / HoE. ◀

5. **Civil Contracted ATM.** Contracts for the provision of ATM personnel⁸ or services to provide ATM functions at Government ATM facilities **should** be let against the requirements of RA 1005(1)⁹ as follows:

a. **Contracts.** The MOD contract **should** clearly detail the applicability of the MRP and **should** also detail the remit and relationship with any relevant civil ATM requirements¹⁰. Any variance / delta between civil regulatory requirements and the MRP **should** be identified, subject to MAA Exemption / Waiver if necessary and promulgated as appropriate.

b. **Assurance.** Assurance of Civil Contracted ATM activities **should** be conducted by the MOD in close consultation with the appropriate civil aviation regulator¹¹.

6. **Aeronautical Information (AI).** AI is information resulting from the assembly, analysis and formatting of aeronautical data. AI products **should** be produced and assured by SQEP. Where contracts are in place for the provision of AI, the contract **should** be let against the requirements of RA 1005(1)⁹. HoE and ADH-Facing organizations **should** assure the ongoing accuracy of AI.

7. **UK Military Aeronautical Information Publications (UK Mil AIP).** ATM personnel **should** operate iaw the information contained within the UK Mil AIP unless the MRP directs otherwise. The military sponsors listed in the UK Mil AIP and HoE **should** assure the accuracy of the AI pertinent to their aviation activity and / or establishment that is published in the UK Mil AIP ▶ through effective management of their Defence Aerodrome Manual⁵. ◀

8. **UK Civil AIP.** Historically, information contained in CAP 032 UK Integrated AIP (UK IAIP¹²) was also duplicated in Military ATM Regulation. This duplication has now been removed and ATM personnel **should** operate iaw the information contained within the UK IAIP unless the MRP specifically directs otherwise▶◀.

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9. **Royal Navy (RN) Books of Reference (BRds).** BRd 768 RN ATM & Assurance details the specific instructions, procedures and limitations which apply to RN ATM personnel employed in roles at shoreside RN units, or when embarked in Aviation-Capable RN or Royal Fleet Auxiliary Vessels, or those approved by Director Force Generation. This does not apply to RN Controllers employed at RAF Units / Stations who will operate to RAF ▶◀ Battlespace Management (▶◀BM) Orders.

10. **RAF ▶◀ BM Orders.** RAF ▶◀ BM Orders will apply to all units where RAF controllers provide ATS and where RAF Air Surveillance and Control System (ASACS) controllers provide ATS as part of an ASACS function¹³. ▶ This does not apply at RN Units / Stations where RAF controllers operate iaw RN BRds. ◀ Where ATM functions are provided under a MOD contract by a civil Air Navigation Service Provider (ANSP), Unit Orders will reflect the requirements of RAF ▶◀ BM Orders and any variances.

11. **Operational Orders.** Bespoke Military ATM Operational Orders may be issued for specific situations that are operationally necessary but will comply with RA 3201(1) or will be subject to extant Safety Management processes iaw RA 1020⁷ and RA 1200¹⁴.

12. **NATO STANAGS.** Where ATM-specific NATO STANAGs are utilized, the requirements of the activity will be detailed in Unit Orders¹⁵ and specific Exercise

⁸ eg Civil Aviation Authority (CAA)-licensed controllers, civilian aerodrome managers and civilian flight operations personnel.

⁹ Refer to RA 1005(1): General Principles.

¹⁰ eg CAA controller licensing requirements.

¹¹ eg CAA Safety and Regulation Group (SARG).

¹² The UK IAIP is maintained and published by the CAA and is made up of the UK Aeronautical Information Publication (AIP), AIP Supplements and Aeronautical Information Circulars (AICs).

¹³ eg ASACS-controlled Aircraft transits to segregated airspace and ASACS controllers serving as Air Traffic Control Officers at RAF(U) Swanwick.

¹⁴ Refer to RA 1200 – Air Safety Management.

¹⁵ NATO STANAGs are routinely applicable in the maritime tactical environment.

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Instructions. Where STANAGs are implemented by the MRP 3000 Series regulations, this will be noted within the relevant RA.

13. **Airspace Management.** The CAA is the regulatory body responsible for the designation, classification and promulgation of airspace constructs within the UK.
- a. **DAATM.** The DAATM is a pan-Defence organization, which works directly for the RAF Assistant Chief of the Air Staff who is the senior responsible Crown Servant for MOD airspace issues and acts as a non-executive director on the CAA Board. The DAATM acts as the MOD representative organization, in close collaboration with the CAA, within Europe. The DAATM interacts with NATO, European Aviation Safety Agency (EASA) and the European Defence Agency to ensure that legislative developments regarding Airspace, ATM and Communication, Navigation and Surveillance requirements are known.
 - b. **Airspace Segregation.** The DAATM also manages the MOD's segregated airspace requirements and is responsible for the policy relating to the use of the UK Low Flying System. In conjunction with the CAA, the DAATM sets policy on the use of segregated airspace contained within CAP 740 UK Airspace Management Policy.
 - c. **ACP.** MOD organizations wishing to effect airspace changes (permanent, temporary and airspace trials) are ►to◄ contact DAATM for advice prior to initiating the process to undertake the ACP as set out within CAP 1616 Airspace ►Change.◄
14. **Civil Contracted ATM.** Where a variance requires a civil licensed Air Traffic Control Officer to control outside the privileges of their civil license, then approval will be sought, via the Air Safety Management System process, from the CAA and captured within Unit Orders. Assurance of civil contracted ANSPs will also be performed by the CAA iaw the requirements of the ANSP's Article 180 Approval.
15. **MOD AI Policy.** The MOD sets policy for AI in JSP 465 ►◄ Defence Geospatial Information Policy.
16. **UK Mil AIP.** The UK Mil AIP contains military-specific aeronautical planning information that is maintained and published by No1 Aeronautical Information Documents Unit.
17. **UK IAIP.** The military-specific AI contained within the UK IAIP will be compliant with the Standards and Recognised Practices (SARPS) of the International Civil Aviation Organization (ICAO) Annex 15, ICAO Doc 8126 and applicable NATO STANAGs unless clearly labelled to the contrary. The term 'For Military Users' is used throughout the UK IAIP to signify relevance to both military and / or civilian controllers who may be providing an ATS to UK military Air Systems.
18. **Health, Safety and Environmental Protection (HS&EP).** The MAA is the single independent regulatory body for all Defence aviation activity iaw MAA 01¹⁶. Notwithstanding the fact that the majority of provisions of the Air Navigation Order 2016 do not apply to military Aircraft, the Crown could be liable in common law if it were to operate its Aircraft negligently and cause injury or damage to property and individuals could be criminally liable if there are significant breaches of the obligations placed upon them. The Secretary of State for Defence HS&EP policy statement¹⁷ requires that: '►In circumstances where the nature of Defence and Security activities inevitably conflict with health and safety requirements and thus Defence has Derogations, Exemptions, or Dis-applications from HS&EP legislation, or where other circumstances indicate the need for Defence regulation of activities,◄ we maintain Departmental arrangements that produce outcomes that are, so far as reasonably practicable, at least as good as those required by UK legislation'.
19. **Civil Aviation Equivalence.** Although defence aviation activity is not beholden to the full requirements of civil aviation legislation and regulation, Military ATM will offer a level of safety that is at least as effective:

¹⁶ Refer to MAA 01: ►MAA◄ Regulatory Policy, Ch 1 paras 1-3 details more fully the MAA's Legal and Regulatory Framework.

¹⁷ ►Secretary of State Defence HS&EP Policy Statement revised April 2020.◄

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a. **ICAO.** The Chicago Convention 1944 (CC), under which ICAO was created, separated civil and military aviation regulation. This separation is made clear in Article 3 of the CC which states that: 'the convention shall be applicable only to civil aircraft, and shall not be applicable to State aircraft'. The MOD has decided as a matter of policy to ensure that, wherever possible, its Aerodromes and their associated services will be designed and maintained iaw the ICAO SARPs.

20. **UK National Regulation.** When the UK was a member of the European Union some aviation law was made by the European Union and had direct legal effect, as a European Regulation, in the UK. The UK has now fully left the European Union, after the end of the UK / EU Agreement transitional period. From 1 January 2021 the UK law that applies to such aviation rights and obligations are the retained EU Regulations, as amended by various UK Statutory Instruments (made under the European Union (Withdrawal) Act 2018). The amendments that apply from 1 January 2021 do not fundamentally change any of those obligations or rights but deal only with the fact that the UK is no longer part of the EU legal system. Some EU aviation law was accompanied by Acceptable Means of Compliance (AMC), Guidance Material (GM), Certification Specifications (CS) or other information published by EASA. The CAA has adopted the version of AMC, GM, CSs and other information in force on 31 December 2020, as its policy with regard to compliance with the relevant UK law from 1 January 2021.