

Regulatory Notice



07 Dec 2023

MAA/RN/2023/06 – Environmental Protection Regulation for Defence Aviation Activities

Issue

1. The MAA is in the process of drafting new Regulatory Articles (RAs) to cover aviation related Environmental Protection (EP) requirements where Defence has a derogation, exemption or disapplication (DED) from UK civil EP legislation and provide an Assurance framework for the management of aviation related EP Risks.

Scope

2. This Regulatory Notice (RN) introduces the MAA's EP work in advance of the new RAs being released for consultation on Notice of Proposed Amendment (NPA).

Aim

3. This RN is aimed at the entire Regulated Community.

Implementation

4. This RN is effective immediately.

Background

5. The Secretary of State's Health, Safety and Environmental Protection (HS&EP) Policy Statement requires that, where there are DEDs from HS&EP legislation, Defence will maintain Departmental arrangements that produce outcomes that are, so far as reasonably practicable, at least as good as those required by UK civil legislation.

6. The Defence Environmental Protection Regulator (DEPR) provides oversight of the Defence EP domain. DEPR is developing cross-cutting Regulation ie Regulation that applies to every military domain. The oversight of any EP activity that is specific to a particular domain will however remain the responsibility of the relevant Defence Safety Authority Regulator eg the MAA, Defence Maritime Regulator, Defence Land Safety Regulator etc. The MAA is therefore required to include aviation specific EP requirements within its regulatory set.

7. Following a review of the aviation specific EP legislation from which Defence has a DED, the themes that are applicable to Defence aviation activities are:

- a. Environmental management of Aerodromes and aviation activity.
- b. Aircraft environmental standards, such as noise and engine emissions.
- c. Aviation greenhouse gas emissions.

8. The MAA began drafting RAs to cover these areas in Summer 2023. It is anticipated that these drafts will be sufficiently mature to release on NPA in early 2024 with an aim to publish the Regulation in Spring 2024.

Queries

9. Any observations or requests for further guidance on the content of this RN should be submitted by email to DSA-MAA-MRPEnquiries@mod.gov.uk.

MAA Deputy Head Regulation