



29 August 2024

MAA/RI/2024/04 – Amendment to Regulatory Article (RA) 2307(1) (Rules of the Air) – Avoidance of Collisions

References:

- A. UK Airprox Board (UKAB) Airprox Report 2021121 dated 15 Dec 21
- B. Civil Aviation Authority (CAA) Safety Notice SN-2024/006

Issue

A recent Airprox event (Reference A) has highlighted a discrepancy in guidance given to civil and military operators regarding the rights of way of formations of Aircraft.

Aim

This Regulatory Instruction (RI) is relevant to all operators in the Defence Aviation Environment.

Implementation

This RI is effective immediately.

Background

Reference A details an Airprox between a formation of 3 Prefects and a Cessna 208 where avoiding action was delayed by both parties due to the expectation that the other would give way. This conflict in expectation was generated by a discrepancy between the MAA Regulatory Publications (MRP), where RA 2307 (Rules of the Air) mandates that pilots of single Aircraft should give way to formations, and the Standardised European Rules of the Air (SERA), where SERA.3210 (Right of Way) makes no distinction of formations, only mandating that Aircraft shall give way to other Aircraft with impaired manoeuvrability.

Civil operators with no experience of formation flying may not understand that a formation will be limited in its ability to take sudden avoiding action. Furthermore, RA 2307(1) Acceptable Means of Compliance (AMC) paragraph 9 states that formations of Aircraft are unable to take sudden avoiding action. In reality, while this ability will be limited, it may be possible.

In Guidance Material (GM) paragraph 85, incorrect reference is made to SERA.3210(b) when referring to right-of-way rules, with a recommendation to assume that an Aircraft will follow SERA.3210(b) unless positively identified as subject to the MRP. This has the possibility that positive avoiding action may be delayed and therefore requires amendment.



Corrective Action

CAA

In Reference B the CAA recommends that civil pilots consider Aircraft in close formation to be less manoeuvrable than single Aircraft, and exercise good airmanship in taking timely action to avoid collisions, even if this is contrary to the civil right-of-way requirements in SERA.3210(c) which give no priority to formations.

MAA

RA 2307(1) AMC is amended as follows:

**Acceptable
Means of
Compliance
2307(1)**

Rules of the Air

Avoidance of Collisions

9. Formations of Aircraft are normally less manoeuvrable than single Aircraft and **▶ will be limited in their ability ◀** to take sudden avoiding action. The handling pilots of single Aircraft **should** therefore give way to, and keep clear of, Formations of Aircraft.

RA 2307(1) GM is amended as follows:

**Guidance
Material
2307(1)**

Rules of the Air

Applicability of Rules of the Air

85. **Formations.** Civil Aircraft not subject to MAA Regulatory Publications (MRP) **▶ will ◀** treat Aircraft in formation as single Aircraft for the purposes of (UK) SERA.3210(▶ c ◀) Right-of-way, and therefore not give way to formations. Military Formation Leaders are advised to assume that any Aircraft will follow (UK) SERA.3210(▶ c ◀) Right-of-Way rules (which does not ▶ ◀ mandate that Aircraft give way to formations) ▶ ◀.

Validity

This RI will remain valid until the above amendments to RA 2307 are incorporated into the next issue.

Queries

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

DSA-MAA-OpAssure-Hd



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