

NPA/25/31

Title of Proposal: Quinquennial Review

RA(s) or Manual Chapter(s): RA 3223

Organizations and / or business sectors affected: Regulated Community

RFC Serial No: N/A

MAA Author

Post	Name	Rank	Signature
MAA Reg ATM Ad Infra	Redacted	Redacted	Redacted - Original Signed

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MAA LegAd (if required)

Post	Name	Rank	Signature
N/A	N/A	N/A	N/A

Cross-references to Other Documents or Relevant Sources

Other MRP Amendments: N/A

Service Inquiry Recommendations: N/A

AAIB Recommendations: N/A

Other Investigation Recommendations: N/A

Any Other Document: N/A

Feedback Notes for the Regulated Community

The Regulated Community are invited to offer feedback about the proposed amendment in the following areas:

- Air or Flight Safety impact
- Operational impact
- Errors or omissions
- Timescale for implementation

- Cost of implementation
- Amendment to internal processes/orders
- Resourcing the outcome of change
- (Contract amendments because of the change)

The format for feedback is available within a single Excel Template file on both internal and external MAA websites; it is important to use this format to ensure that your responses are considered and answered correctly.

Summary of Proposed Amendment

Objective: Quinquennial Review

Changes made: A quinquennial review has been conducted. Amendments have been made to promote best practice and accuracy. This has included some superfluous content being removed, removing duplication from provenance documentation.

Impact Assessment: Training / Equipment / Personnel / Information / Doctrine and Concepts / Organization / Infrastructure / Logistics (TEPIDOIL)

T - N/A

E – N/A

P – N/A

I – More provenance and brevity has been provided throughout the regulation.

D – N/A

O – N/A

I – N/A

L – N/A

Consultation Period Ends: 03/11/25

The consultation period for this proposed amendment ends on the stated date. Please send your feedback, using the Response Form, via email to DSA-MAA-MRPEnquiries@mod.gov.uk

MAA Approval

Post	Name	Rank	Signature
MAA Dep Hd Regs	Redacted	Redacted	Redacted - Original Signed

RA 3223 - Provision of Air Traffic Service Inside Controlled Airspace

Rationale

► *Military Aircraft require access to Controlled Airspace in the UK Flight Information Region (FIR) / Upper Information Region (UIR) to meet training and operational requirements. The provision of Air Traffic Services (ATS) for such activity provides a barrier which mitigates the Risk to Life of mid-air collision. To meet the United Kingdom's obligation under the European Council Implementing Regulation 2018/1139¹, ATS in Controlled Airspace (CAS) may only be delivered by units with Approval from the Civil Aviation Authority. This Regulatory Article specifies the requirements for the provision of ATS inside CAS by a unit other than the notified airspace controlling authority because specified classes of airspace require the provision of specific ATS. ◀*

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Regulation 3223(1)

Provision of Air Traffic Service Inside Controlled Airspace

3223(1) Controllers **shall** apply the appropriate ATS in accordance with (iaw) the airspace classification in which the Air System under their control is operating.

Acceptable Means of Compliance 3223(1)

Provision of Air Traffic Service Inside Controlled Airspace

1. Prior to an Air System entering CAS, the Controller **should** ascertain which flight rules the pilot will be operating under ► **and informing** ◀ pilots when they are entering and leaving different classifications of CAS² iaw [CAP413: Radiotelephony Manual \(Edition 23\)](#). Controllers **should** state the type of ATS being provided.
2. **Radar Control Service.** Radar Control Service **should** be provided to:
 - a. All Instrument Flight Rules (IFR) flights in airspace classes A to E.
 - b. All Visual Flight Rules (VFR) flights in airspace classes B³, C and D.
 - c. All Special VFR flights.
3. ► **Provision of Radar Control Service.** Radar Control Service surveillance coverage **should** be iaw [CAP670: Air Traffic Services Safety Requirements \(Issue 3\) SUR 01.9](#). ◀
 - a. ► ◀
 - (1) ► ◀
 - (2) ► ◀
4. Inside CAS Controllers **should** only provide UK Flight Information Services (UK FIS) where authorized to do so, iaw RA 3224⁴, in the following circumstances:
 - a. At and above Flight Level (FL) 195 within:
 - (1) The North Wales Military Training Area ► (MTA) ◀.
 - (2) Temporary Reserved Airspace (TRA) areas 001-008 during published hours of activity.
 - b. At and above FL245 in the East Anglia MTA during published hours of activity.
 - c. Within active ► **Special Use Airspace (SUA)** ◀ and other ► **SUA** ◀ where appropriate agreements have been made, if required.
 - d. Class E airspace where the Air System is operating under VFR.
5. **VFR Flights in Class E Airspace.**

¹ ► [Regulation \(EU\) 2018/1139 of the European Parliament and of the Council of 4 July 2018](#). ◀

² IFR Flights require ATC clearance to enter Class E airspace.

³ No Class B airspace currently within UK FIR.

⁴ Refer to ► [RA 3224 – UK Flight Information Services and North Atlantic Treaty Organization Control Rules](#). ◀

Acceptable Means of Compliance 3223(1)

- a. **Clearance.** VFR flights do not require ATC clearance to enter Class E airspace and, subject to compliance with the notified Transponder Mandatory Zone requirements, do not require two-way communications. VFR flights in receipt of an ATS in Class E airspace that are transitioning into Class C or D airspace **should** request a clearance and, subject to such a clearance ►◄ be advised of any subsequent ATS changes.
- b. **ATS.** VFR flights that request an ATS **should** be provided with traffic information as far as practical. This **should** be achieved through the provision of the UK FIS requested by the pilot, subject to ATS unit capability to provide the requested service. The parameters and conditions for the provision of Traffic Service and Basic Service to VFR Air System's in Class E airspace are as promulgated in [CAP 774: UK Flight Information Services: Fourth Edition](#).
- c. **Instructions.** When passing instructions to VFR flights, the preferred method is ►to pass◄ geographical routeing instructions. Surveillance vectors to VFR Air Systems' can be used as a last resort, ►◄ with extreme caution, and with special attention paid to the Unit Terrain Safe Level and terrain clearance⁵. Similarly, whenever possible, level restrictions **should** be based on an instruction to fly not above / not below a particular level rather than at a specified level. However, Air System's that have accepted surveillance vectors **should not** be subjected to level restrictions. When surveillance is used to monitor the conduct of a VFR flight, there is no requirement for the Controller to advise the pilot that their Air System has been identified unless, or until, the Controller provides the pilot with surveillance vectors.
- d. **VFR Flights unable to maintain Visual Met Conditions (VMC).** If a pilot of a VFR Air System reports that they are unable to maintain VMC the Controller **should**:
 - (1) ►If the Air System is in contact with a unit authorized to provide a Radar Control Service, the controller **should**:
 - (a) Provide a Radar Control Service, and if appropriate, standard separation from other Aircraft **should** be achieved as soon as practicable. Essential traffic information **should** be provided.◄
 - (2) If the Air System is in contact with an ATS unit that is not authorized to provide Radar Control Service, the Controller **should**:
 - (a) Instruct the Air System to squawk Transponder code A 7700.
 - (b) Pass essential traffic information and provide collision avoidance advice where the Controller considers that a definite Risk of collision exists.
 - (c) Pass information to the relevant en-route sector and any other ATC agencies as necessary.
 - (3) ►◄
 - (a) ►◄
 - (b) ►◄
6. ►Pilots operating without an ATS that are unable to maintain VMC **should**:
 - a. Squawk Transponder code A 7700.
 - b. Contact the airspace controlling authority, or an appropriate autonomous radar unit⁶, or Distress & Diversion Cell ultra high frequency (UHF) 243.0 Mega Hertz (MHz) or very high frequency (VHF) 121.5 MHz.◄
7. **Procedural Service.** Procedural Service **should** only be provided by Controllers who are specifically trained and authorized to do so.

⁵ Refer to ►RA 3231 – Air Traffic Control Unit Terrain Safe Level and Terrain.◄

⁶ Refer to [RA 3222 – Autonomous Radar Units](#).

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Provision of Air Traffic Service Inside Controlled Airspace

8. Radar Control Service is an ATS under which pilots follow mandatory instructions to enable the prescribed separation minima between Air Systems to be maintained. Such mandatory instructions will generally be associated with essential details of conflicting traffic. Pilots will not change Heading or level without prior Approval of the Radar Controller.
9. When an Air System completes a crossing of CAS, and in the absence of a request to the contrary, Controllers will reapply the type of ATS ►that was◄ being provided prior to ►its entry into CAS.◄
10. **VFR Traffic in Class D Airspace.** Instructions issued to VFR flights in Class D airspace are mandatory. These may comprise routeing instructions, visual holding instructions, level restrictions, and information on collision Hazards, in order to establish a safe, orderly and expeditious flow of traffic and to provide for the effective management of overall ATC workload.
11. Routeing instructions may be issued which will reduce or eliminate points of conflict with other flights, such as final approach Tracks and circuit areas, with a consequent reduction in the workload associated with passing extensive traffic information. Visual Reporting Points may be established to assist in the definition of frequently utilised routes and the avoidance of Instrument Approach and departure tracks. Where Controllers require ►a◄ VFR Air System to hold at a specific point pending further clearance, this ►will◄ be explicitly stated to the pilot.
12. When issuing instructions to VFR flights, Controllers ►need◄ to be aware of the overriding requirements for pilots to remain in VMC, ►◄ avoid Obstacles, and ►◄ remain within the privileges of their licence. This may result in the pilot requesting an alternative clearance, particularly in marginal weather conditions.
13. Controllers ►will◄ exercise caution when vectoring VFR flights ►◄. Prior to vectoring, the Controller will establish with the pilot the need to report if Headings issued are not acceptable due to the requirements to remain in VMC, avoid Obstacles, and comply with the low flying rules. Controllers ►need◄ to be aware that pilots of some VFR flights may not be sufficiently experienced to comply accurately with vectors, or to recover to visual navigation after vectoring.
14. **En-Route ►Phase.** International Civil Aviation Organization Annex 6 Part III defines the en-route phase of flight as that part of the flight from the end of the take-off and initial climb phase to the commencement of the approach and landing phase.◄ This includes all Transit Flights outside published ATS routes in receipt of an ATS from either a civil or military ATS provider.
15. **On-Route (ATS).** ►For the purpose of coordination, General Air Traffic will be considered as:
 - a. Within the Upper Air Route structure or along the alignment of and within 5nm of the published Upper ATS (or associated link route).
 - b. Within a published ATS route above FL195.
 - c. Within CAS below FL195.
 - d. Within Reduced Coordination Areas when authorised and where procedures are defined in unit Manual of Air Traffic Services (MATS) Part 2s and / or Military Unit Order Books (UOB).
 - e. Aircraft are following Night Time Fuel Saving Routes.
 - f. Within the North Sea Tactical Off Route Area when authorised and where procedures are defined in unit MATS Part 2 and / or Military UOB.
 - g. Within the Plymouth, Portland and Portsmouth SUA when authorised and where procedures are defined in unit MATS Part 2 and / or Military UOB.
 - h. Within the North Sea Reduced Coordination Area where procedures are defined in unit MATS Part 2 and / or Military UOB.◄

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16. **Off-Route (ATS).** ► Off-Route when flying outside the parameters of paragraph 14. ◀
17. Arrangements between civil and military units to declare 'off-route' status will be specified in Unit Orders.

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