



23 February 2026

## MAA/RI/2026/03 – Operating Uncrewed Air Systems Outside of UK Territorial Airspace

### References:

- A. MAA02: Military Aviation Authority Master Glossary, Issue 13.
- B. RA 2307 – Rules of the Air, Issue 11.
- C. RA 2320 – Flight Procedures: Role Specific S2 and Certified Remotely Piloted Air Systems, Issue 5.
- D. RA 1600 – Uncrewed Air Systems Categorization, Issue 10.
- E. Remotely Piloted Air System Manual – Regulatory Process, Categorization, and Compliance, Issue 2.

### Issue

The terminology currently used in References B, C and D misrepresents the Regulatory intent for operating Uncrewed Air Systems (UAS) over water, outside of the airspace over UK territorial waters, otherwise known as the high seas. Reference E includes an inappropriate requirement to observe a Layered Safety Approach when conducting Due Regard.

### Scope

This Regulatory Instruction (RI) introduces a new defined term into Reference A and amends References B, C, D and E.

### Aim

This RI affects all members of the Regulated Community who operate UAS over the high seas.

### Implementation

This RI is effective immediately.

### Background / Introduction

References B, C and D currently use the terms UK Flight Information Region and UK Airspace to stipulate which collision avoidance measures should be implemented depending on the overwater operating area. The accepted meaning of these terms is not synonymous with their intended meaning within the context of References B, C and D, which has led to a misinterpretation of the Regulatory intent. The requirement for a Layered Safety Approach in Reference E requires the use of Segregated Airspace when conducting Due Regard, which is incorrect.



## Amendments to the MAA Regulatory Publications (MRP)

The following amendments are made to the MRP and will be embodied at the next routine review of the respective document:

### MAA02: Military Aviation Authority Master Glossary

Term	Abbreviation	Definition
▶ Territorial Airspace ◀		▶ The airspace above a state's territory covering the land areas and territorial waters. Note 1: For the definition of a state's territory refer to the Convention on International Civil Aviation (the Chicago Convention), Article 2 – Territory. Note 2: For the definition of territorial waters, refer to the United Nations Convention on the Law of the Sea, Part II, Section 2, Limits of the Territorial Sea, Articles 3, 4 and 15. ◀

### RA 2307 – Rules of the Air

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2307(1)

#### Rules of the Air

##### 'Due Regard'

34. Flying that is conducted outside ▶ of Territorial Airspace<sup>1</sup>, ◀ in international airspace, but not conducted under International Civil Aviation Organization (ICAO) flight procedures<sup>2</sup>, **should** only be carried out under 'Due Regard' and approved by the ADH / AM(MF) or operational commander<sup>3</sup>.

### RA 2320 – Flight Procedures: Role Specific S2 and Certified Remotely Piloted Air Systems

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#### Remotely Piloted Air Systems Collision Avoidance

1. ADHs / AM(MF)s **should** ensure RtL from collision between Aircraft and any vessels, vehicles, Structures, persons or the surface (land or sea) is ALARP and Tolerable. ▶ ◀

##### Inside UK ▶ Territorial ◀ Airspace ▶<sup>1</sup> ◀

2. Beyond Visual Line of Sight (BVLOS) operations **should** only be conducted if:

- An appropriately approved<sup>4</sup> Detect and Avoid capability enables compliance with Rules of the Air<sup>5</sup> appropriate to the class of airspace, or;
- They are flown using a Layered Safety Approach that specifically requires flight in Segregated Airspace<sup>1</sup>, or in Controlled Airspace (Classes

<sup>1</sup> ▶ Refer to MAA02 – MAA Master Glossary. ◀

<sup>2</sup> AM(MF) **should** contact the MAA to discuss suitability prior to operating under principles of 'Due Regard'.

<sup>3</sup> Refer to RA 1020 – Aviation Duty Holder - Roles and Responsibilities.

<sup>4</sup> Approved for use within the Letter of Endorsed Categorization (LEC) and appropriately certified.

<sup>5</sup> Refer to RA 2307 – Rules of the Air.



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A-D) with the informed consent of the Air Navigation Services Provider (ANSP)<sup>6</sup>

3. RPAS operations within designated UK Danger Areas<sup>1,7</sup> **should** be approved by the relevant Danger Area Airspace Controlling Authority. Relevant ADH / AM(MF) orders **should** as a minimum:

- a. Meet the requirements of the Danger Area Airspace Controlling Authority.
- b. Meet the range Safety requirements<sup>7</sup> and any other orders or conditions issued by the Danger Area Airspace Controlling Authority.
- c. Where applicable, meet the requirements of Standard Agreement (STANAG) 2402 and take into account range / area specific advice. The details of STANAG 2402 are available to Defence Contractor Flying Organizations<sup>8</sup> by request to the MAA.

**Outside UK ► Territorial ◀ Airspace ►<sup>1</sup>◀**

4. ADH **should** ensure that RPAS operations within another sovereign nation's Territorial Airspace ►<sup>1</sup>◀ are conducted either:

- a. For operations conducted with the nation's consent, in accordance with (iaw) the relevant local, national, and international legal requirements, and satisfy diplomatic clearance requirements, or
- b. For operations conducted without the nation's consent (ie conducted lawfully under the Law of Armed Conflict, UN Security Council resolution or other legal mandate), under 'Due Regard'<sup>5</sup> and outside Controlled Airspace<sup>1</sup>; unless the Controlled Airspace has been created or assigned for the purposes of the Operation.

5. AM(MF)s **should** ensure that RPAS operations within another sovereign nation's Territorial Airspace ►<sup>1</sup>◀ and with that nation's consent are conducted iaw the relevant local, national, and international legal requirements and satisfy diplomatic clearance requirements<sup>9</sup>.

6. ADH / AM(MF)s **should** ensure that RPAS operations ► **conducted outside of Territorial ◀ Airspace ►<sup>1</sup>◀** are conducted iaw relevant international legal requirements and under 'Due Regard'<sup>5</sup>.

<sup>6</sup> Informed consent means prior permission from the ANSP based on a full understanding of RPAS behaviour and capability, including lost link procedures – such that an equivalent level of Air Safety to that of any other Aircraft permitted to enter that class of airspace can be demonstrated.

<sup>7</sup> Refer to DSA 03.OME Part 3 (Formerly JSP 403 Volume 2) – Defence Code of Practice (DCOP) for Ranges.

<sup>8</sup> Refer to RA 1028 – Contractor Flying Approved Organization Scheme – Responsibilities.

<sup>9</sup> Refer to AP1158 – Approval and Diplomatic Clearance for Flights to Destinations Abroad.



RA 1600 – Uncrewed Air Systems Categorization

Table 1 – Requirements for operating an Uncrewed Air System

		Open			Specific		Certified
		A1	A2	A3	S1	S2	
Mandatory requirements	Segregated Airspace usage	No	No	No	Yes ► (unless operating under Due Regard <sup>5</sup> outside of UK Territorial Airspace) ◄	Yes (iaw RA 2320 ► ◄)	Yes (iaw RA 2320 (but not if the UAS is able to Detect and Avoid during Lost link profiles))



## **Remotely Piloted Air System Manual – Regulatory Process, Categorization, and Compliance**

### **SECTION 8**

#### **Due Regard**

124. If an RPAS capability is part of an invading force (uninvited by host nation) then it operates under an Airspace Control Order; no problem. If it is 'invited' in (eg Kosovo) then it will be operated iaw with the law of the host Nation. In accordance with RA 2320(1), for Specific S2 and Certified RPAS operations, the ADH will also ensure that the RtL from collision with any vessels, vehicles, structures personnel or the surface is ALARP and Tolerable ▶◀.

#### **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](mailto:DSA-MAA-MRPEnquiries@mod.gov.uk)

#### **MAA Head Operating Assurance**



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