



Miscellaneous

No: 1578

UK Regulation (EU) No. 923/2012

Publication date: 05 May 2023

General Permissions

Standardised European Rules of the Air – Compliance with Cruising Level Requirements

Background

- 1) SERA.5005(g) and SERA.5025(a) permit the competent authority to specify occasions when flights made in accordance with the visual flight rules (VFR) and the instrument flight rules (IFR) may be operated at a cruising level other than that specified in Appendix 3 of SERA.
- 2) As part of its Rules of the Air rulemaking task ([Task 0131](#)), the CAA intends to consider how the permissions below may be regularised within the Rules of the Air Regulations. This work will be subject to the [aviation policy and legislative development process](#) and informed by consultation with stakeholders.

Interpretation

- 3) In these permissions, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018, and are referenced hereafter as “UK Regulation (EU) year/number” or “UK Regulation (EU) No. number/year”.
- 4) In these permissions ‘SERA’ means the Annex to UK Regulation (EU) No. 923/2012, the ‘Standardised European Rules of the Air’ (SERA).

Permission

- 5) **SERA.5005(g) Visual flight rules**
 - a) The Civil Aviation Authority (‘the CAA’) permits, under SERA.5005(g), an aircraft in level cruising flight above 3,000 feet above mean sea level and operated in accordance with the visual flight rules to be flown at a level other than a cruising level appropriate to its magnetic track as specified in the table of cruising levels in Appendix 3 of SERA.
- 6) **SERA.5025(a) IFR – Rules applicable to IFR flights outside controlled airspace**
 - a) The CAA permits, under SERA.5025(a), an aircraft in level flight outside controlled airspace at or below 3,000 feet above mean sea level and operated in accordance with the instrument flight rules to be flown at a level other than a cruising level appropriate to its magnetic track.

- b) The CAA further permits, under SERA.5025(a), an aircraft in level flight outside controlled airspace above 3,000 feet above mean sea level and operated in accordance with the instrument flight rules to be flown at a level other than a cruising level appropriate to its magnetic track if it flies:
 - i) in conformity with levels allocated by an appropriate air traffic service unit; or,
 - ii) in accordance with instrument approach procedures notified by the CAA in relation to an aerodrome.
- c) In subparagraph (b)(ii), 'notified' has the same meaning as in Article 2 and Schedule 1 of the Air Navigation Order 2016.

7) This permission supersedes Official Record Series 4 No. 1423 which is revoked.

Date in Force

8) This permission has effect from 04 July 2023 and remains in force until it is revoked.

R C Daniel
for the Civil Aviation Authority

05 May 2023

Explanatory notes:

1. The procedures relating to the allocation of levels by air traffic controllers in uncontrolled airspace are described within ['UK Flight Information Services \(CAP 774\)'](#).
2. In relation to paragraph 5a) above, this permission does not alleviate a pilot from their responsibility to comply with the conditions specified within an air traffic control clearance. Pilots who determine that an air traffic control clearance is not satisfactory are to comply with SERA.8015(b)(2).
3. 'instrument approach procedure (IAP) means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply. Instrument approach procedures are classified as follows:
 - (a) non-precision approach (NPA) procedure. An instrument approach procedure designed for 2D instrument approach operations Type A;
 - (b) approach procedure with vertical guidance (APV). A performance-based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A;
 - (c) precision approach (PA) procedure. An instrument approach procedure based on navigation systems (ILS, MLS, GLS and SBAS Cat I) designed for 3D instrument approach operations Type A or B (UK Reg (EU) No 923/2012 Article 2(90)).