This Statutory Instrument has been made in consequence of a defect in S.I. 2025/850 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2026 No. 99

CIVIL AVIATION

The Air Navigation (Amendment) Order 2026

Made - - - -	*3rd February 2026*
Laid before Parliament	*10th February 2026*
Coming into force - -	*3rd March 2026*

At the Court at Buckingham Palace, the 3rd day of February 2026

Present,

The King's Most Excellent Majesty in Council

His Majesty, in exercise of the powers conferred on Him by sections 60(1), (2)(b), (3)(d) and (h) and (4), 61(1)(a) and 101(1)(a) of, and Schedule 13 to, the Civil Aviation Act 1982(**a**) and paragraph 1(4)(a) of Schedule 11 to the Air Traffic Management and Unmanned Aircraft Act 2021(**b**) is pleased, by and with the advice of His Privy Council, to order as follows:

Citation, commencement and extent

1.—(1) This Order may be cited as the Air Navigation (Amendment) Order 2026.

(2) This Order comes into force on 3rd March 2026.

(3) This Order extends to England and Wales, Scotland and Northern Ireland.

Amendment of the Air Navigation Order 2016

2.—(1) The Air Navigation Order 2016(**c**) is amended as follows.

(2) In article 265E (offences: tethered small unmanned aircraft)—

(a) in paragraph (2)(b)—

(i) after paragraph (ii) insert—

(**a**) 1982 c. 16.
(**b**) 2021 c. 12.
(**c**) S.I. 2016/765. Relevant amending instruments are S.I. 2020/1555, 2021/879 and 2025/850.

"(iia) point UAS.OPEN.040(A1) (horizontal distance from uninvolved persons)(**a**);";

(ii) in paragraph (iv), for "horizontal distances" substitute "horizontal distance from certain areas";

(iii) after paragraph (iv) insert—

"(iva) point UAS.OPEN.040(2A) (horizontal distance from buildings)(**b**);";

(b) in paragraph (3)—

(i) after "(2)(b)(i), " insert "(2)(b)(iia),";

(ii) after "(2)(b)(iv)" insert ", (2)(b)(iva)".

(3) In Schedule 1 (interpretation), in paragraph 1—

(a) in the definition of "Sailplane Regulation" omit ", as amended from time to time";

(b) for the definition of "Unmanned Aircraft Implementing Regulation" substitute—

""Unmanned Aircraft Implementing Regulation" means Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft(**c**), as last amended by the Unmanned Aircraft (Amendment) Regulations 2025(**d**);".

Amendment of the Air Traffic Management and Unmanned Aircraft Act 2021

3. In paragraph (a) of paragraph 2(3) of Schedule 9 to the Air Traffic Management and Unmanned Aircraft Act 2021(**e**) (provision by remote pilots of information about UAS operators), in each of sub-paragraphs (i) and (ii), omit "of 250g or more".

Richard Tilbrook
Clerk of the Privy Council

(**a**) Point UAS.OPEN.040(A1) of Part A of the Annex to Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (EUR 2019/947) was inserted by S.I. 2025/1106.
(**b**) Point UAS.OPEN.040(2A) of Part A of the Annex to Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (EUR 2019/947) was inserted by S.I. 2025/1106.
(**c**) EUR 2019/947, amended by S.I. 2020/1593, 2021/10 and 1203, 2022/637 and 1235 and 2025/1106.
(**d**) S.I. 2025/1106.
(**e**) Paragraph 2(3) of Schedule 9 was amended by S.I. 2025/1284.

EXPLANATORY NOTE

(This note is not part of the Order in Council)

This Order amends the Air Navigation Order 2016 (S.I. 2016/765) ("ANO 2016") and Schedule 9 to the Air Traffic Management and Unmanned Aircraft Act 2021 (c. 12).

Article 265E of the ANO 2016 applies certain provisions of Commission Implementing Regulation (EU) 2019/947 on the rules and procedures for the operation of unmanned aircraft (EUR 2019/947) ("the Unmanned Aircraft Implementing Regulation") to tethered small unmanned aircraft ("TSUA"). TSUA would otherwise not be subject to any regulation because they are excluded from the application of Regulation (EU) 2018/1139 on common rules in the field of civil aviation and establishing a European Union Safety Agency (EUR 2018/1139), and therefore from the Unmanned Aircraft Implementing Regulation.

Article 2(2)(a) of this Order inserts new paragraphs in article 265E(2)(b) with the effect that points UAS.OPEN.040(4)(A1) and (2A) of the Annex to the Unmanned Aircraft Implementing Regulation apply to TSUA with a maximum take-off mass of 250g or more. Article 2(2)(b) inserts references to the new paragraphs in article 265E(3) so that the Civil Aviation Authority may issue a permission to a UAS operator to allow a remote pilot to fly a TSUA in a manner not in compliance with those requirements.

Article 2(3) amends two definitions in Schedule 1 to the ANO 2016. Sub-paragraph (a) amends the definition of "Sailplane Regulation". Sub-paragraph (b) amends the definition of "Unmanned Aircraft Implementing Regulation", so that the reference is to that Regulation as last amended by the Unmanned Aircraft (Amendment) Regulations 2025 (S.I. 2025/1106).

Schedule 9 to the Air Traffic Management and Unmanned Aircraft Act 2021 provides for police powers in relation to the ANO 2016 and the Unmanned Aircraft (Offences and Consequential Amendments) Regulations 2025 (S.I. 2025/1284). A condition on the exercise of the powers in paragraphs 2 and 3 is that the constable has reasonable grounds for suspecting that a "relevant registration requirement" applied to a person or flight. "Relevant registration requirement" is defined in paragraph 2(3) and includes the requirements in article 265E(1)(a) and (b). Article 265E(1)(a) and (b) refer to Article 14 of the Unmanned Aircraft Implementing Regulation, which has been amended by the Unmanned Aircraft (Amendment) Regulations 2025. Article 3 of this Order amends the parenthetical descriptions in paragraph 2(3) accordingly.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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