Rules of the air: definitions and applicability
010 Air Law and ATC Procedures › 05 Rules of the air

QUESTION

Does SERA apply to an EU-registered aeroplane flying outside the EU?

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QUESTION

Does SERA apply to a non-EU aeroplane flying in the EU?

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QUESTION

What rules apply to an aircraft in flight?

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QUESTION

What rules apply on the ground, before the flight is VFR or IFR?

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ANSWER

Yes. It follows SERA when it operates into, within or out of the EU.

SERA Article 1(2)(a), (b); SERA.2001(a), (b); SERA Article 1(2)(b); SERA.2001(b)

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ANSWER

Yes, unless the rules of the overflown State say otherwise. Then the local rules apply.

SERA Article 1(2)(a), (b); SERA.2001(a), (b); SERA Article 1(2)(b); SERA.2001(b)

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ANSWER

The general rules and the applicable local provisions.

SERA.2005

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ANSWER

The general rules and the applicable local provisions. Also either the VFR or the IFR.

SERA.2005

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QUESTION

Who is responsible for flying the aircraft under SERA?

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QUESTION

When can the pilot-in-command depart from SERA?

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QUESTION

Who has final authority over the aircraft while in command?

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QUESTION

What pre-flight action does a flight away from the aerodrome vicinity need?

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ANSWER

Only when the departure is absolutely necessary in the interests of safety.

SERA.2010(a)

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ANSWER

The pilot-in-command, whether or not they manipulate the controls.

SERA.2010(a)

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ANSWER

A careful study of current weather reports and forecasts, taking into account fuel or energy requirements and an alternative course of action. Also for all IFR flights.

SERA.2010(b)

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ANSWER

The pilot-in-command.

SERA.2015

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QUESTION

What is the manoeuvring area?

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QUESTION

What is the movement area?

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QUESTION

Is an aircraft on an apron air traffic?

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QUESTION

Which substances are psychoactive substances?

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ANSWER

The manoeuvring area plus the aprons.

SERA Article 2(96)

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ANSWER

The part of an aerodrome for take-off, landing and taxiing. It excludes the aprons.

SERA Article 2(94)

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ANSWER

Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens and volatile solvents. Not caffeine or tobacco.

SERA Article 2(104)

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ANSWER

No. Air traffic is aircraft in flight or on the manoeuvring area of an aerodrome.

SERA Article 2(26); 2(9)

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QUESTION

Can safety-sensitive personnel work under the influence of an impairing substance?

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QUESTION

Which rules apply over the high seas?

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QUESTION

Where does a Member State publish its choices under SERA?

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QUESTION

What does the ATC service prevent?

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ANSWER

The rules of ICAO Annex 2, without exception.

SERA.1001(a)

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ANSWER

No. Do not perform a safety-sensitive function under the influence of a psychoactive substance that impairs performance.

SERA.2020

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ANSWER

Collisions between aircraft, and between aircraft and obstructions on the manoeuvring area. Not collisions with terrain.

SERA Article 2(30)

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ANSWER

In its AIP.

SERA Article 8(2)

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QUESTION

What is a controlled flight?

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QUESTION

What is the pressure datum for flight levels?

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QUESTION

Within how many months does the competent authority inform EASA of an exemption?

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QUESTION

What is a mountainous area?

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ANSWER
1013.2 hPa.

SERA Article 2(78); SERA Article 2(93); 2(78)

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ANSWER
Any flight that is subject to an ATC clearance.

SERA Article 2(59)

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ANSWER
An area where terrain elevation changes by more than 900 m (3 000 ft) within 18.5 km (10.0 NM).

SERA Article 2(95b)

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ANSWER
Within 2 months after the exemption is approved.

SERA Article 4(2); SERA Article 4(1), (2)

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