

## ENR 1.2 VISUAL FLIGHT RULES (VFR)

### Visual meteorological conditions (VMC)

VFR flights shall be conducted so that:

- The aircraft is flown in VMC;
- An Obstacle Clearance Height is maintained (see also minimum flight altitudes);
- Do not penetrate into Prohibited (P) areas and avoid crossing Dangerous (D) Areas;
- Segregated airspace or Restricted Areas aren't crossed without the appropriated authorization;
- Flights requiring FIS shall submit a Flight Plan and be equipped with a bilateral radio communications with the Air Traffic Services on the appropriated frequencies.

### Special VFR flights

These are controlled VFR flights cleared by ATC to operate within a CTR in meteorological conditions below VMC (if the ground visibility is not lower than 1500 M). Permission for conducting this type of flight shall be subject to traffic conditions.

### Minimum flight heights

Except when necessary for take-off or landing, a VFR flight shall not operate:

- At a height less than 150 M (500 FT) AGL or AMSL;
- Over congested areas, buildings in towns, settlements or over an open-air assembly of persons at height less than 300 M (1000 FT) above the highest obstacle within a radius of 600 M from the aircraft.

### Crossing border flights

Aircraft pilots, even while operating under VFR, coming from abroad, penetrating or leaving national airspace should:

- Submit previously a Flight Plan (the Flight Plan should include in the field 15 (route) the report point and in the field 18, after the acronym EET, the estimated time of crossing the border).
- Inform the appropriate Air Traffic Services at the crossing border time, through radio telephone communication, sending message containing the following elements:
  - aircraft identification and registration;
  - origin of flight;
  - position;
  - border crossing time;
  - level (flight level; altitude; height);

- destination and estimated time of arrival.

When it is not possible to provide these data in flight for reasons not attributable to the aircraft or to the pilot in command, should the appropriate Air Traffic Services be contacted shortly after landing.

### **ATC provisions**

VFR flights shall comply with the provisions of ATC:

- When operating within airspace Class C and D;
- When forming part of the aerodrome traffic at controlled aerodromes;
- When operating as special VFR flights.

The access to controlled airspace is permitted only to VFR or IFR qualification holders, or license that includes the privileges of any of these qualifications (e.g. PCA or PLAA)

### **Communications**

VFR flights operating in airspace class C and D or class G, having required FIS, shall maintain continuous air ground voice communication watch on the appropriate communication channel of the air traffic service unit, providing flight information service and report its position as necessary.

### **Radio equipment requirement**

To comply with Commission Implementing Regulation (EU) 1079/2012 of 16 November, laying down requirements for voice channels spacing for the Single European Sky, applicable to all flights operating as general air traffic within the airspace of the ICAO EUR region an operator shall not operate an aircraft within Lisboa FIR class C and D airspace, class G airspace in IFR, ATZ and TRMZ unless the aircraft radio equipment has the 8.33 KHZ channel spacing capability.

VFR flights requiring provision of flight information service within Lisboa FIR class G airspace will not be able to establish two-way voice communications unless the aircraft radio equipment has the 8.33 KHZ channel spacing capability.

The carriage and operation of 8.33 KHZ channel spacing radio equipment is not mandatory in Santa Maria FIR, as stated in ICAO SUPPS DOC 7030 for NAT Region.

Regardless of airspace classification, all flights within Santa Maria FIR are required to maintain two-way voice communications with the appropriate ground station providing communications and/or control in the area in which they are flying.

### **Common VHF frequency for use in the vicinity of aerodromes/heliports or UL runways without assigned frequency for voice communications**

In aerodromes, heliports and UL runways without a VHF assigned frequency for voice communications, the use of the frequency 122.505 MHZ is available for air-to-air communications. It is recommended, as best practice, that pilots should transmit a message preceded by the phrase "TRANSMITTING BLIND" when in flight or in the movement area of these infrastructures, under the conditions described below, in order to increase the safety of the flight operations and to avoid situations of

potential conflict.

The frequency assigned 122.505 MHz is identified as “SAFETYCOM”.

The conditions of use are:

1. SAFETYCOM should only be used by aircraft when no other voice communication frequency is assigned. If a specific frequency is allocated, the SAFETYCOM frequency shall not be used, even outside the notified operating hours of those infrastructures and, in this case, the frequency of the aerodrome, heliport or an UL runway should be used.
2. Pilots of inbound traffic should monitor and communicate on the SAFETYCOM or as appropriate on the designated local frequency from 10 miles out or below 2000 FT AGL, entering traffic pattern (downwind, base, final) and when leaving the runway. Pilots of departing aircraft should monitor/communicate on the appropriate frequency from start-up, before taxiing, before taxiing on the runway for departing and until 10 miles from the infrastructure except if local procedures require otherwise.
3. When using SAFETYCOM or the local frequency, pilots should make a blind transmission including the aircraft call sign, position, level (altitude/height), heading and the intention of the pilot-in-command (e.g.: CS-DEF, transmitting blind, to Viseu information, abeam SATÃO, 2000 FT, heading 260, inbound runway 36, for landing). No reply should be expected, except where the pilot of another aircraft also needs to transmit identical information or, exceptionally, to transmit information considered critical for the safety of an aircraft in an emergency or urgency situation, or when relevant meteorological advice of immediate concern to an aircraft in flight or about to depart is required.
4. Phraseology must comply with the requirements of ICAO DOC. 9432 or ANAC CIA 10/2017.
5. SAFETYCOM shall not be used to conduct formation flights unless they land or depart from an aerodrome where no other frequency is assigned and within the limits specified above (2nd bullet).
6. The use of SAFETYCOM is recommended for pilots operating in the vicinity of aerodromes, heliports or UL runways without an assigned frequency, but its use is not mandatory. It must not be assumed that all other pilots in the vicinity are monitoring this frequency and therefore pilots shall maintain visual watch for conflicting traffic.
7. No air traffic service is provided when using the SAFETYCOM. When the destination aerodrome, heliport or UL runway is inside controlled airspace, pilots shall established radio contact with the responsible air traffic services until obtain the necessary ATC clearance before controlled airspace boundary.
8. Information transmitted on SAFETYCOM confers no priority or right of way. Pilots shall comply with Commission implementing Regulation (EU) 923/2012,

of 26 September (SERA IR Regulation) including provisions for the avoidance of collisions and Commission Implementing Regulation (EU) 2016/1185, of 20 July (SERA - Part C).

### **Flight rules change**

An aircraft operating in accordance with VFR wishing to change to comply with the IFR shall:

- Communicate the necessary changes to be effected with the current flight Plan;
- To obtain a clearance prior to proceed to IFR.

### **Limitations imposed by meteorological conditions**

VFR flight shall operate provided of meteorological reports or latest forecasts indicating that meteorological conditions along the route will permit the compliance with the visual flight rules.

### **Visual night operation flight rules**

The visual night flight is a flight made in accordance with visual flight rules between sunset plus 25 minutes and sunrise minus 25 minutes. These flights only allowed to/from aerodromes and heliports equipped for visual night operation or as local flights in these aerodromes/heliports under the conditions hereinafter prescribed.

The aerodromes and heliports to be used for visual night operation must be certified by ANAC for night VFR flight.

These rules are not applied to search and rescue, medical emergency or operated by state flights.

The VFR flights at night must be conducted according to ICAO Annex 2 - Rules of the Air as transposed in Comission Implementing Regulation (EU) 923/2012, of 26 September (SERA IR Regulation), SERA 5005 visual flight rules, item c).

For the purpose of SERA 5005 c), excluding Search and Rescue, Medical Emergency, Fire Fighting and State aircraft (Police, Military and Customs) flights, VFR flights at night are permitted in Portugal under the following conditions:

- a. if leaving the vicinity of an aerodrome, a flight plan shall be submitted;
- b. flights shall establish and maintain two-way radio communication on the appropriate ATS communication channel, when available;
- c. the VMC visibility and distance from cloud minima as specified in Table S5-1 of SERA.5001 shall apply except that:
  - i. the ceiling shall not be less than 450 M (1500 FT);
  - ii. the reduced flight visibility provisions specified in Table S5-1(a) and (b) of SERA.5001 shall not apply;
  - iii. in airspace classes B, C, D, E, F and G, at and below 900 M (3000 FT) AMSL or 300 M (1000 FT) above terrain, whichever is the higher, the pilot shall maintain continuous sight of the surface; and
- d. except when necessary for take-off or landing, a VFR flight at night shall be flown:
  - i. over high terrain or in mountainous areas, at a level which is at least

- 600 M (2000 FT) above the highest obstacle located within 8 KM of the estimated position of the aircraft;
- ii. elsewhere than as specified in i. at a level which is at least 300 M (1000 FT) above the highest obstacle located within 8 KM of the estimated position of the aircraft.

### **Crossing borders**

Crossing international borders is not authorised for VFRN unless the State that has jurisdiction over the adjacent airspace permits night VFR flight in their airspace.

### **Change VFRN to IFR**

Any aircraft flying in conditions VFRN wishing to switch to IFR, shall:

- Submit a change to the Flight Plan to the appropriate ATS.
- Wishing to continue or enter controlled airspace, obtain ATC clearance before proceeding under IFR rules.

### **Change IFR to VFRN**

Any aircraft flying in IFR conditions wishing to switch to VFRN, shall:

- Submit a change to the Flight Plan to the appropriate ATS.
- Wishing to continue or enter controlled airspace, obtain ATC clearance before proceeding under VFRN rules.

### **Communications in VFRN flights**

In case of communication failure shall be operated Transponder Mode A code 7600 and proceed flight in accordance to the effective Flight Plan.

### **Crew-Qualifications required**

The qualifications required for VFR flights at night for aircraft and helicopters are set out in Commission Regulation (EU) 1178/2011, of 03 November, in its last redaction.

### **Aircraft authorised to operate VFR flights at night**

All aircraft involved in private or commercial flights and commercial air transport shall comply with the Commission Regulation (EU) 965/2012, of 5th October, laying down technical requirements and administrative procedures related to air operations, in its last redaction, and must be equipped with:

- Transponder mode “A” or “C”;
- COM and NAV equipment, appropriate to the operation.

### **Aerodromes/Heliports for VFRN use**

Landing, take-off and local flights under VFRN are only allowed in aerodromes and heliports equipped for visual night operation, where VFRN are permitted and certified by ANAC for that type of operation.

When Air Traffic Control unit or AFIS doesn't exist in the aerodrome/heliport, the activation of lighting system should be ensure by a responsible person appointed by

the AD/HLP Director and clearly recognised by ANAC. In this case the aerodrome/heliport shall be certified for VFRN with limitations. The AD/HLP Director shall determine the rules for aerodrome/heliport use.

### **Restrictions for nocturnal flights for civil aircrafts**

On airports and/or aerodrome landing and take-off is forbidden by law between 0000 LMT and 0600 LMT except in case of force majeure.

### **UL Regulations**

#### **Movement of EU and Foreign Ultralight Aircraft**

The movement of EU and foreign ultra-light aircraft within Portuguese airspace is governed by Article 36A of Decree-Law 238/2004 of 18 December introduced by Article 1 of Decree-Law 283/2007 of 13 August.

#### **Specific Rules for the operation of Ultralight Aircraft**

The operation of ultralight aircraft is governed by the terms and according to specific rules in force.

This regulation is contained in the following legislation:

- Decree-Law 238/2004 of 18 December;
- Decree-Law 283/2007 of 13 August.

Regulatory by ANAC:

- Regulation 164/2006 -Ultra-light aircraft construction, certification and operation;
- Regulation 510/2008 - First amendment to Regulation 164/2006.

#### **Operating conditions of ultralight aircraft**

The ultralight aircraft can only be operated with a specific flight certificate and the insurance certificate according to Decree-Law 238/2004 of 18 December.

Type of flight permitted: only under visual flight rules daytime on VMC and conducted in uncontrolled airspace, class G.

Ultralight aircraft can only operate in controlled airspace, with the exception of airspace class A, and in aerodrome traffic zone or in restricted area, with ACC permission, being than obliged to fully comply with the rules and conditions applicable to such spaces.

Ultralight landing and take-off operations are only performed on runways approved by ANAC.

An ultralight pilot may operate hauling another passenger after having made at least 30 hours of flight.

#### **Ultralight Aircraft operation**

Except for take-off or landing manoeuvres, or in cases authorised by ANAC, an ultralight aircraft can not operate:

- Over cities, towns, villages or clusters of people outdoors, unless at a height that permits, in an emergency, make a landing without endangering persons or property on the surface, which does not be less than 300 M (1000 FT) above the highest obstacle within a radius of 600 M around the aircraft;
- In other places, at a height above the ground or water below:
  - 50 M (150 FT) for an ultralight aircraft group 1.
  - 150 M (500 FT) for ultralight aircraft group 2 and 3.

No objects can be dropped from an ultralight aircraft in flight.

Not authorised parachuting dropping.

Not authorised the towing of any object by an ultralight aircraft, including the trailer of another aircraft and banner advertising.

Except if expressly provided in Flight Manual, aerobatics manoeuvres are not authorised by ultralight aircraft.

Ultralight aircraft can not be operated at a distance of any other aircraft in order to cause a risk of collision.

Formation flights are not permitted unless they are pre-agreed by the pilot in command of the aircraft involved and since verified the previous paragraph.

Checklists issued by the manufacturer of the aircraft are of mandatory use in the circumstances foreseen by the manufacturer.

Ultralight aircraft entering a thermic air mass flyed by other aircraft should use the back end that is being used by the others without interfering with their trajectories.

Paramotor aircraft can not operate outside of class G airspace, except when authorised by ANAC.

Operating in controlled airspace, the aircraft must be equipped with:

- VHF radio, aeronautical band, 25 KHZ spacing, in the range (118.00 MHZ-136.975 MHZ);
- Transponder with mode C.
- Altimeter calibrated for less than two years, by certified organisation for the purpose;
- Compass compensated for less than six months.

Operation of ultralight seaplanes or amphibious on water surface, requires prior permission of the manager of that area.

In the operation of ultralight seaplanes or amphibious when operating on water surface, the occupants must wear suitable life-jackets.

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