

**THE CIVIL AVIATION [(NO. 19) UNMANNED AIRCRAFT
SYSTEMS] DRAFT REGULATIONS, 2015**

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Legal Notice No.

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ACT, CHAP. 49:03

REGULATIONS

Made by the Authority with the approval of the Minister under section 33 of the Civil Aviation Act and subject to negative resolution of Parliament

THE CIVIL AVIATION [(NO. 19) UNMANNED AIRCRAFT SYSTEMS] REGULATIONS, 2015

PART I

GENERAL

Citation

1. These Regulations may be cited as the Civil Aviation [(No. 19) Unmanned Aircraft Systems] Regulations, 2015.

Interpretation

2. In these Regulations-

“aircraft” means any machine that can derive support in the atmosphere from the reaction of the air other than the reactions of the air against the earth’s surface;

“Authority” means the Civil Aviation Authority of Trinidad and Tobago;

“beyond visual line of sight (BVLOS)” means any operation which does not meet the definition of a visual line of sight operation;

“maximum takeoff mass” means the maximum mass an aircraft can takeoff and still be controlled effectively while in flight;

“observer” means the person designated by the operator to carry out the activities required to maintain a visual line of sight of the aircraft;

“operator” means the person who manipulates the flight controls or manages the flight command instructions for the aircraft;

“property” means but is not limited to land, vessels, or vehicles;

“recreational operation” means any operation conducted for the operator’s personal and private purposes and where there is no commercial outcome, interest or gain;

“unmanned aircraft (UA)” means an aircraft which is intended to fly without a human pilot onboard and is categorized as follows-

“Category 1 UA” has a maximum take of mass of seven hundred and fifty (750) grams and less;

“Category 2 UA” has a maximum take of mass greater than seven hundred and fifty (750) grams and less than twenty (20) kilograms with a maximum forward velocity up to forty (40) meters per second;

“Category 3 UA” has a maximum take of mass of seven hundred and fifty (750) grams and less than twenty (20) kilograms with a maximum forward velocity greater than forty (40) meters per second;

“Category 4 UA” has a maximum take of mass of twenty (20) kilograms and greater but less than one hundred (100) kilograms;

“Category 5 UA” is an unmanned aircraft that is not classified as a category 1, 2, 3 or 4 UA;

“unmanned aircraft system (UAS)” means an unmanned aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design;

“visual line of sight” means any operation conducted where the operator or observer maintains visual contact with the unmanned aircraft, without the use of any device other than corrective lenses, and is

able to determine the aircrafts attitude, altitude, direction and location.

Applicability of these Regulations

Applicability of these Regulations

3. (1) These regulations shall apply to any -
- (a) unmanned aircraft system, as defined in these regulations, to be operated within the territory of Trinidad and Tobago;
 - (b) person operating an unmanned aircraft system, within the territory of Trinidad and Tobago; or
 - (c) operation associated with the use of an unmanned aircraft system within and above the territory of Trinidad and Tobago.

~~(2) The Authority shall not be responsible or liable for any incident or damage to persons or property due to the operations associated with any unmanned aircraft system.~~

~~(3) A person shall seek the approval of the Authority before commencing any operations associated with the use of an unmanned aircraft system which may not be addressed by these regulations.~~

PART II

REGISTRATION

Registration of an unmanned aircraft system

Registration of an unmanned aircraft system

4. A person shall not operate an unmanned aircraft system within the territory of Trinidad and Tobago unless such unmanned aircraft has a Certificate of Registration issued by the Authority.

Application for Certificate of Registration for an unmanned aircraft system

Application for Certificate of Registration for an unmanned aircraft system

5. The owner of a unmanned aircraft system who wishes to register his unmanned aircraft system shall –
- (a) apply to the Authority on the prescribed form for the specific category and type rating;

- (b) submit all required documents as specified by the Authority;
- (c) pay the prescribed fee; and
- (d) meet the applicable requirements of these Regulations.

Application requirements for registration of an unmanned aircraft system

6. (1) An application under regulation 5 may be made in respect of any unmanned aircraft system which is owned by a —

Application requirements for registration of an unmanned aircraft system

- (a) CARICOM national;
- (b) resident of Trinidad and Tobago as defined in section 5 of the Immigration Act; or
- (c) body incorporated within a member State of CARICOM;

Issue of Certificate of Registration

7. (1) When the Authority is satisfied that an application under regulation 5 has met all the requirements of these Regulations, the Authority may -

Issue of Certificate of Registration

- (a) register the unmanned aircraft system; and
- (b) issue a Certificate of Registration in the form approved by the Authority.

(2) The owner of an unmanned aircraft system which was issued with a Certificate of Registration under subregulation (1), shall ensure that such certificate is readily available for inspection by the Authority or its designate at any time.

Conditions for registration

8. The owner of an unmanned aircraft registered under these Regulations shall –

Conditions for registration

- (a) be subject to the applicable requirements of these Regulations;

- (b) comply with all prescribed conditions, limitations and directions issued by the Authority with respect to operating such unmanned aircraft systems;
- (c) allow access by the Authority or its designate, at any reasonable time to inspect -
 - i. the unmanned aircraft system;
 - ii. any documents associated with the unmanned aircraft system; and
 - iii. any equipment needed for the operation of the unmanned aircraft.

Deregistration for purpose of registration in Trinidad and Tobago

Deregistration for purpose of registration in Trinidad and Tobago

9. Where the owner of an unmanned aircraft system wishes to register the unmanned aircraft system in Trinidad and Tobago and the unmanned aircraft system is registered in another State, that owner shall ensure that the unmanned aircraft system is deregistered and provide to the Authority proof of deregistration before proceeding to have the unmanned aircraft system registered in Trinidad and Tobago.

Requirements for deregistration of an unmanned aircraft system

Requirements for deregistration of an unmanned aircraft system

10. (1) An owner of an unmanned aircraft system shall apply to the Authority to deregister his unmanned aircraft system, where the unmanned aircraft system-

- (a) is lost or permanently destroyed; or
- (b) has been sold or transferred to a new owner.

(2) Where the owner of an unmanned aircraft system wishes to deregister an unmanned aircraft system, he shall—

- (a) apply to the Authority in the prescribed form; and
- (b) pay the prescribed fee.

(3) Where the purpose of an application for deregistration of an unmanned aircraft system under subregulation

(2) is to facilitate re-registration of the aircraft in another State, the Authority may, deregister the unmanned aircraft system.

(4) Where the Authority has deregistered an unmanned aircraft system in accordance with these Regulations, the owner of such aircraft shall—

- (a) return the Certificate of Registration to the Authority; and
- (b) remove all nationality and registration markings from the unmanned aircraft system.

Unmanned aircraft system register

11. (1) The Authority shall maintain a current Register of unmanned aircraft systems which shall contain records of each unmanned aircraft system registered in Trinidad and Tobago as follows:

unmanned aircraft system register

- (a) the number of the Certificate of Registration for the unmanned aircraft system;
- (b) the registration markings assigned to it by the Authority;
- (c) the name of the manufacturer of the unmanned aircraft system and its type design;
- (d) the serial number of the unmanned aircraft system; and
- (e) the name and address of the registered owner of the unmanned aircraft system.

PART III

OPERATORS CERTIFICATE

Unmanned Aircraft Operator Certificate

12. A person shall not operate an unmanned aircraft system unless such person has been issued with an Unmanned Aircraft Operator Certificate by the Authority.

Unmanned Aircraft Operator Certificate

Application for an Unmanned Aircraft Operator Certificate

Application for an Unmanned Aircraft Operator Certificate

13. (1) A person who wishes to obtain an Unmanned Aircraft Operator Certificate shall –

- (a) apply to the Authority on the prescribed form;
- (b) submit all required documents as specified by the Authority;
- (c) pay the prescribed fee; and
- (d) comply with the requirements set out in these Regulations.

Issue of an Unmanned Aircraft Operator Certificate

(2) Where the Authority is satisfied that the application under regulation 13 has met the requirements of these Regulations, it may issue to that person an Unmanned Aircraft Operator Certificate.

Requirements for Granting an Unmanned Aircraft Operator Certificate

Requirements for granting an Unmanned Aircraft Operator Certificate

14. (1) An application under regulation 13, may be made in respect of any Trinidad and Tobago registered unmanned aircraft system which is to be operated by a-

- (a) CARICOM national;
- (b) resident of Trinidad and Tobago as defined in section 5 of the Immigration Act; or
- (c) body incorporated within a member State of CARICOM.

(2) Documents submitted under regulation 13, shall be reviewed and approved by the Authority, before an Unmanned Aircraft Operator Certificate is granted.

Suspension or revocation an Unmanned Aircraft Operator Certificate

Suspension or revocation of an Unmanned Aircraft Operator Certificate

15. The Authority may suspend or revoke the Unmanned Aircraft Operator Certificate of an operator where the Authority is satisfied that the holder of the Unmanned Aircraft Operator

Certificate has failed to comply with the requirements of these Regulations.

PART IV

OPERATOR REQUIREMENTS

Requirement to obtain an Operator's Licence

16. An operator of an unmanned aircraft system shall –

Requirement to
obtain an
operator's licence

(a) be required to apply for and obtain from the Authority an operator's licence in regard to the category of unmanned aircraft system he wishes to operate.

(b) not operate a Category 1 UA unless that person has obtained a valid UAS 1 licence.

(c) not operate a Category 2 UA unless that person has obtained a valid UAS 2 licence.

(d) not operate a Category 3 UAS, unless the operator has successfully completed-

- (i) manufacturer training; or
- (ii) training under the supervision of a licenced and qualified pilot, and

has obtained a valid Category 3 UAS licence;

(e) not operate a Category 4 or 5 UAS, unless the operator has successfully completed-

- (i) manufacturer training; or
- (ii) training under the supervision of a licenced and qualified pilot, and

has obtained a valid Category 4 or 5 UAS licence; and

(f) comply with any other requirements specified by the Authority on application.

Operator to establish and maintain training and operation records

operator to establish and maintain training and operation records

17. An operator of an unmanned aircraft system shall establish and maintain a record of his training and operation activities and make such records available upon request to the Authority for inspection.

Prohibition on operation of an unmanned aircraft system due to a medical condition, medication or under the influence of alcohol or drug

Prohibition on operation of an unmanned aircraft system

18. An operator of an unmanned aircraft shall not operate an unmanned aircraft system where the operator –

- (a) knows or has reason to believe that an existing medical condition may interfere with the safe operation of the unmanned aircraft system;
- (b) is taking medication or receiving treatment for a medical condition which the operator knows or has reason to believe may interfere with the safe operation of the unmanned aircraft system; or
- (c) is under the influence of alcohol or any controlled substance that might impair the operator’s judgment.

PART V

NATIONALITY AND REGISTRATION MARKINGS

Requirement for the display of nationality and registration markings

19. This Part prescribes the requirements for the display of nationality and registration markings on unmanned aircrafts.

Display of Nationality and Registration Markings

Requirement to display nationality and registration markings

20. (1) A person shall not operate an unmanned aircraft unless the aircraft displays the nationality and registration markings in accordance with this Part.

(2) A person shall not place on an unmanned aircraft, any design, mark or symbol that modifies or confuses the nationality and registration markings required under these Regulations unless otherwise authorized by the Authority.

(3) The nationality and registration markings on an unmanned aircraft under subregulation (1), shall be—

- (a) painted on the outer surface of the aircraft or affixed by other means ensuring a similar degree of permanence;
- (b) in -
 - (i) capital letters in Roman characters without ornamentation; and
 - (ii) numbers in Arabic numerals without ornamentation;
- (c) in clear and distinct contrast with the colour of the background;
- (d) large and legible; and
- (e) kept clean and visible at all times.

(4) The operator of an unmanned aircraft shall ensure that the nationality and registration markings on his unmanned aircraft are attached permanently to the back section of a high-visibility vest which shall be worn by the operator while operating the unmanned aircraft.

Nationality and registration markings

21. (1) The operator of an unmanned aircraft shall ensure that the unmanned aircraft is marked with a group of characters representing —

Nationality and registration markings

- (a) the nationality markings assigned by the Authority for unmanned aircraft; and
- (b) the registration markings of the unmanned aircraft as a group of letters or numbers assigned by the Authority.

(2) The nationality mark of Trinidad and Tobago under subregulation (1)(a), shall be the National flag.

(3) Where, as a result of the configuration of an unmanned aircraft, it is not possible to mark such aircraft in accordance with subregulation (1), the owner or operator, where applicable, shall apply to the Authority to use a different display.

(4) The nationality markings under subregulation (1) shall precede the registration mark.

(5) The Authority shall, as far as practicable advise where the nationality and registration markings shall be placed on the unmanned aircraft.

Removal of Nationality and registration markings after sale of unmanned aircraft system

Removal of Nationality and registration markings after sale of unmanned aircraft system

22. (1) When an unmanned aircraft system is sold by the owner to a purchaser who is not a citizen of Trinidad and Tobago or a person under regulation 6, the owner shall-

- (a) deregister such aircraft in accordance with regulation 10;
- (b) remove all nationality and registration markings before the unmanned aircraft is delivered to the purchaser; and
- (c) return the Certificate of Registration for the unmanned aircraft to the Authority.

(2) Where an unmanned aircraft system is sold by the owner to a purchaser who is a citizen of Trinidad and Tobago or to a person under regulation 6, the owner shall –

- (a) inform the Authority of such sale and change of ownership; and
- (b) return the Certificate of Registration for the unmanned aircraft system to the Authority.

PART VI

AIRWORTHINESS

Airworthiness of an Unmanned Aircraft System

Airworthiness of an unmanned Aircraft system

23. (1) An operator of an unmanned aircraft system shall-

- (a) maintain such system according to the manufacturers' design specifications and follow the manufacturers' specifications for all modifications to the system;

(b) conduct a pre-flight inspection to ensure such unmanned aircraft system is in a condition that ensures safe operation; and

(c) conduct a post flight inspection for any damage that may have occurred in flight.

(2) Notwithstanding subregulation (1), an operator shall follow all procedures outlined in any manual submitted and approved by the Authority.

(3) An operator shall follow all applicable airworthiness directives.

(4) An operator shall not operate an unmanned aircraft unless the conditions set out in subregulation (1) have been observed and the operator has determined that the unmanned aircraft is in a condition for safe operation.

PART VII

OPERATIONS

Documents for inspection by the Authority

24. An operator shall, when operating an unmanned aircraft system have readily available for inspection by the Authority or its designate at any time the following documents:

Documents for inspection by the Authority

(a) certificate of registration for the unmanned aircraft system;

(b) Unmanned Aircraft Operator Certificate;

(c) appropriate Unmanned Aircraft System License; and

(d) any other document, records or reports as may be specified by the Authority from time to time that the operator shall be required to keep.

Operator to inform Air Traffic Control Unit if control of the unmanned Aircraft system is lost

Operator to inform Air Traffic Control Unit if control of the unmanned aircraft system is lost

25. An operator shall immediately make a report to the closest Air Traffic Control Unit if the operator has lost control of the unmanned aircraft system and the unmanned aircraft continues to fly.

Operator to make accident report

26. An operator shall make a report to the Authority within ten days if any operation has resulted in –

- (a) any injury to a person or animal; or
- (b) damage to any property, not owned by the operator.

Responsibilities of operator during operations

Responsibilities of operator during operations

27. (1) During operation of an unmanned aircraft system, the operator shall ensure that –

- (a) the unmanned aircraft is not operated in a careless or reckless manner so as to endanger the life or property of another;
- (b) no object is dropped from the unmanned aircraft if such action can endanger the life or property of another; or
- (c) operation of the unmanned aircraft poses no undue hazard to other aircrafts, persons or property.

(2) An operator shall ensure that the unmanned aircraft yields the right of way to all manned aircraft operations and is restricted to the operational areas identified in regulation 33 so as to not create a collision hazard.

(3) The operator shall discontinue the flight of the unmanned aircraft if, the operator knows or has reason to believe that continuing the flight could pose a hazard to other aircrafts, persons or property.

Operator required to keep unmanned aircraft in visual sight

28. An Operator of an unmanned aircraft system shall keep the unmanned aircraft in visual line of sight. Operator required to keep unmanned aircraft in visual sight

29. An observer may be used to satisfy the requirement of regulation 28 provided- Use of an observer

(a) the observer is also subject to the medical requirements set out for the operator in regulation 18.

(b) the operator and the observer are in clear continuous communication; and

(c) the unmanned aircraft remains close enough to the operator for the operator to be capable of seeing the aircraft with vision unaided by any other device other than corrective lenses.

30. Notwithstanding regulation 28, an operator of an unmanned aircraft system may apply to the Authority to conduct beyond visual line of sight (BVLOS) operations and the Authority shall as far as practicable consider each application having regard to the intentions of the operator in granting permission. Operator may apply to Authority to conduct BVLOS operations

Operation of multiple unmanned aircraft systems

31. A person shall not act as an operator or observer for more than one unmanned aircraft system at any given time. Operation of multiple unmanned aircraft systems

Operations over persons

32. An operator shall not operate an unmanned aircraft system over another person except where that person - Operations over persons

(a) has consented to participate in the operation and have the aircraft fly over; or

(b) is located under a covered structure that provides reasonable protection if the unmanned aircraft was to lose control and was given sufficient

notice that an unmanned aircraft is conducting operations in the vicinity.

Operational Areas

Operational areas

33. (1) An operator shall not operate a Category 1 UA –
- (a) within two kilometers (2 km) from the boundary of an aerodrome, including the approach lighting system;
 - (b) within one kilometer (1 km) of a helipad or restricted fly zones as define in the Aeronautical Information Publication ENR5; or
 - (c) above thirty meters (30 m) or one hundred feet (100 ft).
- (2) An operator shall not operate a Category 2, 3, 4 or 5 UA –

- (a) within five kilometers (5 km) from the boundary of an aerodrome including the approach lighting system and any other manned aircraft operations;
- (b) within two kilometers (2 km) of a helipad;
- (c) within one kilometer (1 km) of any restricted fly zone as listed in the Aeronautical Information Publication ENR5; or
- (d) above one hundred and twenty meters (120 m) or four hundred feet (400 ft).

Operations over private property

Operations over private property

34. An operator of an unmanned aircraft shall not conduct any operations over or within private property unless he has been granted permission by the owner of the property.

Operations over Public Property

Operations over public property

35. An operator of an unmanned aircraft system shall not conduct any operations within, or over public property unless written permission is sought and obtained prior to the operation of the unmanned aircraft system from the relevant Authority with

responsibility for the area in which the operator wishes to conduct operations.

PART VIII

UNMANNED AIRCRAFT CLUB

Registration of an Unmanned Aircraft Club

36. Where a –

- (i) person,
- (ii) group of persons; or
- (iii) nationally registered club,

Registration of an
unmanned aircraft
club

wishes to be registered as an Unmanned Aircraft Club for the recreational use of Unmanned Aircraft Systems, an application shall be made to the Authority to be registered as an Unmanned Aircraft Club.

Application for the formation of an Unmanned Aircraft Club

37. An application for the formation of an unmanned aircraft club shall –

- (a) be made to the Authority on the prescribed form;
- (b) in the case of a nationally registered club, also include with the application, documentation showing proof of registration;
- (c) specify the area of land to be used by the club for operations;
- (d) pay the prescribed fee;
- (e) submit an operations manual to the Authority detailing the types of unmanned aircraft systems it intends to operate and the manner of the operations to be conducted by the club;
- (f) provide any other documentation as required by the Authority; and
- (g) satisfy any other applicable requirements as set out in these Regulations.

Application for the
formation of an
unmanned aircraft
club

Requirements for registering as an Unmanned Aircraft Club

Requirements for registering an unmanned aircraft club

38. An application under regulation 37 may be made by a –
- (a) CARICOM national;
 - (b) resident of Trinidad and Tobago as defined in section 5 of the Immigration Act; or
 - (c) body incorporated within a member State of CARICOM.

Issue, suspension and revocation of an Unmanned Aircraft Club Certificate

Issue, suspension and revocation of an Unmanned Aircraft Club Certificate

39. (1) Where the Authority is satisfied that an application made under regulation 37 has met the requirements of these regulations, it may issue to the operator, an Unmanned Aircraft Club Certificate.

(2) The Authority may suspend or revoke the Unmanned Aircraft Club Certificate of an unmanned aircraft club where the Authority has given written notice to the club administrator of the failure by members of the club to comply with the requirements of these Regulations and the Authority is satisfied that the unmanned aircraft club has had sufficient time to comply.

Authority to conduct surveillance on unmanned aircraft club activities

40. (1) The Authority may request permission from the unmanned aircraft club to inspect equipment, documents and land areas used by the club in order to conduct surveillance and inspection activities to ensure compliance with these Regulations.

(2) Where the Authority is refused permission as set out in subregulation (1), the Authority may suspend or revoke the Unmanned Aircraft Club Certificate of an unmanned aircraft club.

Unmanned Aircraft Club

Unmanned Aircraft Club

41. (1) An Unmanned Aircraft Club shall –
- (a) be registered with the Authority before operations can begin;

- (b) confine operations to those areas specified in the club's application under regulation 38 and any other limitations imposed by the Authority in granting approval;
- (c) keep an updated registry of all persons who are members of the unmanned aircraft club and make such register available for the Authority's inspection upon request; and
- (d) comply with any other applicable requirements as set out in these Regulations.

(2) Notwithstanding subregulation (1), a registered Unmanned Aircraft Club may apply to the Authority for exemption from any aspect of these Regulations and the Authority may, after having considered the request, grant the exemption.

(3) An exemption granted under subregulation (2) shall apply only to registered members of the unmanned aircraft club which requested the exemption and only within the area specified in the club's application under regulation 37.

PART IX

RECREATIONAL USE OF UNMANNED AIRCRAFT SYSTEMS

Exemptions

42. An operator of an unmanned aircraft system shall comply with these regulations unless specifically exempted under this part. Exemptions

43. An operator, who operates a Category 1 UAS solely for recreational use as defined in these Regulations, shall not be required to register the unmanned aircraft. Category 1 UAS for recreational use exempted from registration

44. An operator who operates a Category 1, 2, 3 or 4 UAS, solely for recreational use shall not be required to – Category 1,2,3 or 4 UAS for recreational use exemptions

- (a) apply for an Unmanned Aircraft Operator Certificate;
- (b) keep a proficiency record; or
- (c) obtain an Unmanned Aircraft System license,

provided the operator is –

- (i) operating under the designation of a registered Unmanned Aircraft Club in the club’s designated area;
- (ii) under the direction of a qualified pilot; or
- (iii) over private land with the land owners permission.

PART X

PENALTIES

Authority to take action against persons contravening these regulations

45. The Authority may take such actions as to ensure that persons operating unmanned aircraft systems comply with the requirements of these Regulations.

Authority may suspend or revoke Approvals, authorizations or certificates

46. Where the Authority has determined that an operator has conducted an unsafe flight operation, the Authority may suspend or revoke any or all approvals, authorizations or certificates issued to him.

Fine and imprisonment

47. The use of an unmanned aircraft system with the intent to disrupt or endanger civil aviation or any public or private property shall attract a fine of three hundred and fifty thousand dollars and imprisonment for five years.

