

ASSI INFORMATION LEAFLET No 5

Legal requirements for the use of Small Unmanned Aircraft

(also known as UAVs, Drones, Quadcopters, Model aircraft etc..)

The use of Small Unmanned Aircraft (SUA) and Small Unmanned Surveillance Aircraft (SUSA) is on the increase globally. The rules that control their use vary from country to country. This information leaflet clarifies the legal responsibilities/requirements of those wishing to operate small unmanned aircraft in the UK Overseas Territories.

The legislation regarding the use of both SUA and SUSA is laid down in Article 73 of the Air Navigation (Overseas Territories) Order 2013.

The intent of the legislation is to ensure the safe operation of Small Unmanned Aircraft (SUA) and Small Unmanned Surveillance Aircraft (SUSA) with mass of 20kg or less, excluding fuel. Those weighing greater than 20kg are categorised as aircraft and must comply with the appropriate regulations.

A SUSA is a SUA that is equipped to undertake any form of surveillance or data acquisition, including having cameras/video equipment fitted.

The person in charge of a SUA/SUSA has a legal responsibility to ensure it is operated safely and must:

- Not recklessly or negligently cause or permit the SUA/SUSA to endanger any person or property,
- Maintain direct, unaided visual contact with the SUA/SUSA,
- Not cause or permit any article to be dropped from a SUA/SUSA, so as to endanger persons or property.

An SUA/SUSA with a mass of more than 7kg, excluding fuel, must not operate in Class A, C, D or E airspace or within the air traffic zone of an airport, and additionally, not above 400ft in the airspace, unless it has obtained the Permission of the appropriate air traffic control unit responsible for that airspace. Outside of such airspace, a SUA/SUSA must also not be flown higher than 400ft above the surface.

Without the specific written permission of Air Safety Support International (ASSI), SUSAs must not be flown:

- Over or within 150m of any congested area,
- Over or within 150m of an organised open-air assembly of more than 1,000 persons,
- Within 50m of any vessel, vehicle or structure,
- Within 50m of any person (30m for take-off and landing), unless the person is the one in charge of the SUSA.

In addition to the above, a person in charge of an SUA/SUSA must:

- Only fly a SUA/SUSA when reasonably satisfied that the flight can be made safely,
- Be aware that reckless or negligent endangerment of persons or property is an offence,
- Obtain Permission from ASSI, if they intend to operate a SUA/SUSA for commercial purposes, which are classed as Aerial Work,
- If they are the holder of a Permission to conduct Aerial Work, establish an operations manual, containing procedures/instructions on how employees involved in the operation perform their duties,
- Have appropriate insurance cover for commercial SUA/SUSA operations.

It should also be noted that ASSI has the authority to restrict or prohibit the flying of any SUA/SUSA.

A diagram that helps identify what rules apply to the various types of small unmanned aircraft can be found overleaf.

Further information is available at: <http://www.airsafety.aero/sua>.

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"a small unmanned aircraft", (SUA) means any unmanned aircraft, other than a balloon or kite, having a mass of not more than 20 kgs without its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight

"a small unmanned surveillance aircraft", (SUSA) means a small unmanned aircraft that is equipped to undertake any form of surveillance or data acquisition.

