

## **GUIDANCE FOR THE SAFE OPERATION OF MODEL AIRCRAFT, SMALL-UNMANNED AIRCRAFT AND SMALL UNMANNED SURVEILLANCE AIRCRAFT IN GUERNSEY AND ALDERNEY**



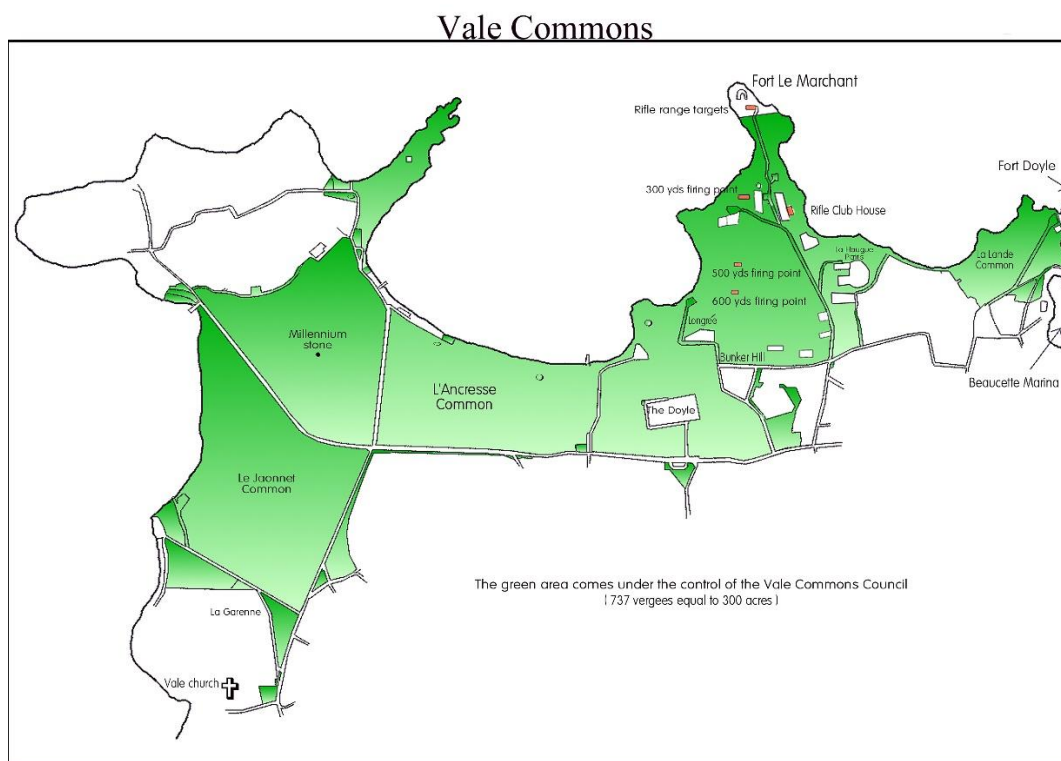
### **1 Introduction**

- 1.1 This document has been produced by Guernsey Airport and the Director of Civil Aviation (DCA) to provide guidance to operators of Small Unmanned Aircraft (SUA) and Small Unmanned Surveillance Aircraft (SUSA) who wish to fly in the Bailiwick of Guernsey.
- 1.2 All references to SUA and SUSA should be interpreted to apply to other 'model aircraft' of the same category but which may be known by alternative names such as 'Drone', Unmanned Aerial Vehicle (UAV), Unmanned Aircraft System (UAS), Remotely Piloted Vehicle (RPV), Remotely Piloted Aircraft System (RPAS), Small Aircraft, Helicopter, "Multi" Rotor etc.
- 1.3 SUA operators must understand the safety and operational limitations that are appropriate for the islands and those that apply near Guernsey and Alderney Airports for the protection of other air traffic.
- 1.4 Operators wishing to use SUA for aerial work and surveillance (e.g. filming and photography operations) in the Bailiwick of Guernsey must seek the approval of the Director of Civil Aviation.
- 1.5 Aerial work means any purpose for which an aircraft is flown if valuable consideration is given or promised in respect of the flight or the purpose of the flight (e.g. the SUA is used to take photos for which payment is received).

- 1.6 Unless specified in the text, all legal restrictions are based on the Air Navigation (Bailiwick of Guernsey) Law, 2012 (as amended).

## **2 The Requirements for the operation of SUA are as follows**

- 2.1 A person shall not recklessly or negligently cause or permit an aircraft to endanger any person or property.
- 2.2 A person shall not cause or permit any article or animal (whether or not attached to a parachute) to be dropped from a small unmanned aircraft so as to endanger persons or property.
- 2.3 The person in charge of a small-unmanned aircraft may only fly the aircraft if reasonably satisfied that the flight can safely be made.
- 2.4 The person in charge of a small-unmanned aircraft shall maintain direct, unaided visual contact with the aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels, and structures for avoiding collisions. They must give way to manned aircraft at all times.
- 2.5 The person in charge of a small-unmanned aircraft shall not fly the aircraft above 400ft above ground unless the permission of the Guernsey or Alderney Air Traffic Control Unit has been obtained.
- 2.6 The person in charge of a small-unmanned aircraft shall not fly the aircraft within the Aerodrome Traffic Zone, two nautical miles radius of Guernsey and Alderney Airports, from the surface to 2000 feet above ground, unless Air Traffic Control permission has been obtained.
- 2.7 An unmanned aircraft may not be flown over that area of Guernsey under the jurisdiction of the Vale Commons Council (The Model Aircraft (Vale Commons) (Prohibition) Ordinance, 1974).



- 2.8 Small-unmanned aircraft flight is not permitted in Sark. Offshore SUA flights may be permitted in certain circumstances.
- 2.9 The person in charge of a small-unmanned aircraft shall not fly the aircraft for the purposes of aerial work except in accordance with a permission granted by the Director of Civil Aviation.
- 2.10 The person in charge of a small-unmanned surveillance aircraft shall not fly the aircraft in any of the circumstances described below except in accordance with a permission issued by the Director of Civil Aviation:
- (a) Over or within 150 metres of any congested area.
  - (b) Over or within 150 metres of an organised open-air assembly of more than 1,000 persons.

- 2.11 Except during take-off or landing, a small-unmanned surveillance aircraft shall not be flown within 50 metres of any person. These conditions do not apply to the person in charge of the small-unmanned surveillance aircraft or a person under the control of the person in charge of the aircraft.

### **3 Operating height**

- 3.1 All SUA in Guernsey and Alderney are restricted to operations not exceeding 400 feet above ground level unless the permission of Air Traffic Control has been obtained.

### **4 Guernsey and Alderney Airspace**

- 4.1 Any operation of SUA/SUSA within two nautical miles of Guernsey or Alderney Airports, and within designated approach and departure sectors, must be authorised by Air Traffic Control (ATC) prior to flight.
- 4.2 In addition to maintaining direct, Visual Line of Sight (VLOS) and keeping to a height of no more than 400 feet above the surface, SUA pilots should avoid and give way to manned aircraft at all times.

### **5 Data Protection**

- 5.1 The DCA permission process to operate a SUA is only intended to assist in ensuring the flights can be accomplished safely. The permission does not extend rights to any other purpose such as the collection of images, data or for advertising purposes. Aircraft operators and pilots should be aware that the collection of images of identifiable individuals, even inadvertently, when using surveillance cameras mounted on a SUSA, might be subject to the Data Protection (Bailiwick of Guernsey) Law 2017. The possible collection of data by such devices and subsequent breaches will be at the risk of those operating them. Further information about the Guernsey Data Protection Law and the circumstances in which it applies can be obtained from the Guernsey Data Protection Commissioner's Office.

### **6 Aircraft and Public Liability Insurance**

- 6.1 Although 'model' aircraft (including SUAs) of less than 20 kg are not necessarily required to have specific aviation insurance, SUA operators are strongly advised to have sufficient Public Liability insurance to cover their type of SUA activity.

**7 Do you need Permission to operate a Small Unmanned Aircraft with a mass of less than 7kgs?**

- 7.1 Essentially, the person controlling a SUA/SUSA is fully responsible for the safe operation of any flight, but it is important to consider whether a permission (not a licence) from the Director of Civil Aviation or Guernsey/Alderney Air Traffic Control is needed.
- 7.2 You **must request permission** from the DCA if you plan to:
- i. Fly the aircraft on a commercial basis (i.e. conducting 'aerial work').
  - ii. Fly a camera/surveillance fitted aircraft within congested areas or closer (than the distances listed above) to people or properties (vehicles, vessels or structures) that are not under your control.
- 7.3 **DCA Permission is not required** if the aircraft will not be flown close to people or properties **and** you will not get 'valuable consideration' (i.e. payment) from the flight.
- 7.4 **Permission is not required** for 'practice' or demonstration flights. However, the other requirements must still be complied with, and it must be ensured that no person, property or aircraft are endangered while flying the aircraft.
- 7.5 **Permission is required from Guernsey ATC if you plan to fly the aircraft within two nautical miles of Guernsey or Alderney Airports or above 400 feet over the islands.**
- 7.6 **Permission is required** in writing from the Vale Commons Council for any SUA flight over those areas of Guernsey under the jurisdiction of the Council.
- 7.7 **Permission is required from the DCA** for private or commercial offshore operation of SUAs around Sark. The Sark Constables will enforce the rules and have the right to instruct an operator to cease flying where the operator has not complied with the rules or they consider there is a danger or nuisance to persons, property or animals.

## 8 Contacts

- 8.1 Queries or requests for further information regarding the operation of SUA/SUSA may be addressed to the Manager ATC Guernsey and Alderney (01481 237766).
- 8.2 Operators wishing to obtain for an aerial work permit should apply to the Director of Civil Aviation in writing using this application form <http://www.cidca.aero/wp-content/uploads/2017/03/Application-Form-V1.2.pdf>
- 8.3 Information on the process, and the legal background for SUA operations, and the policy for SUA use in the vicinity of Sark may be found at the DCA's website <http://www.cidca.aero/aviation-journal/>
- 8.4 The Vale Commons Council can be emailed at [Valecommon@gmail.com](mailto:Valecommon@gmail.com). You can also visit their website at <http://valecommons.org/>