

Gibraltar Director of Civil Aviation

Policy 11

Small Unmanned Aircraft Operations

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Revision History

Version	Item	Date
1	Initial Issue	24/04/2023
2	Europa Point added to training areas	06/06/2023
3	Clarification of requirements in paragraphs 1-3	01/08/2023
4	Paragraph 20 amended to include issue of operator Identification. Paragraph 20 removal of area of operation restriction Paragraph 24 Camp Bay and Little Bay removed	22/11/2023
5	Policy 8 Age restrictions added	05/12/2023
6	Introduction of section on non-standard operations	13/12/2023
7	Requirements for flights over the sea	02/02/2024

Introduction

The growth of the Small Unmanned Aircraft (SUA) industry has increased rapidly in the past few years and such aircraft are widely available for sale to the public. These devices have become increasingly popular and their use is commonplace both commercially and privately.

Although largely advertised as "toys", SUA, like radio controlled model aircraft before them, are considered to be aircraft under the Law and as such there are Civil Aviation Regulations that apply to their use in order to ensure the safety of the general public. As such, SUA are prohibited from flying in Gibraltar unless specific permission has been given by the Director of Civil Aviation (DCA). Essentially, the person controlling an SUA is fully responsible for the safe operation of any flight.

For the purposes of this document the term SUA shall be used to describe SUA with or without cameras fitted to them.

Policy Statement

In compliance with Article 8 of the Chicago Convention the DCA undertakes to ensure that the flight of pilotless aircraft (including small unmanned aircraft) within Gibraltar Airspace shall be so controlled as to obviate danger to civil aircraft. Additionally, acknowledging that Gibraltar is densely populated, the DCA shall ensure that the flight of pilotless aircraft shall, as far as possible, not place at risk any person or property in Gibraltar or its territorial waters.

Policy

1. Any SUA flight in Gibraltar that takes place outdoors by an SUA of up to 25kg is required to be issued an Operating Permit by the DCA. For a remotely piloted system of more than 25kg, the DCA should be contacted directly for guidance.
2. For any flight over land in Gibraltar a pilot must hold a European Standard Scenario (STS) or United Kingdom General Vision Line of Sight Certificate (GVC) licence.
3. For flights over sea, operators must require pilots to have a minimum A1/A3 licence obtainable through the UK CAA or an EU Competent Authority.
4. A distinction is made between the requirements for Commercial SUA operations and flights which take place for recreational purposes. A commercial operator will be required to produce an operations manual demonstrating robust safety requirements for their operation and this will be part of the process for obtaining an Operator Identification and a Flyer Identification. Recreational flights over the sea are not required to produce an operations manual but will be issued an Operator Identification.
5. Unless permission has otherwise been granted by the DCA, the flight of any SUA shall be conducted in such a way that the aircraft does not overfly uninformed persons and the operation takes place at a safe horizontal distance of at least 50 metres from them except during take-off and landing when this distance may be reduced to 30m.
6. Unless permission has otherwise been granted by the DCA, an SUA must not be flown:

- a. Over or within 150 metres of any congested area;
 - b. over or within 150 metres of any organised open- air assembly of more than 1,000 persons;
 - c. within 50 metres of any vessel, vehicle or structure which is not under the control of the SUA operator or the remote pilot of the aircraft.
7. All operators and pilots of SUA should be familiar with the provisions of the Civil Aviation (Air Navigation) Regulations 2009 and in particular Regulations 51, 51A, 51ZA, 51ZB, 51ZC and 51ZD.
 8. All operators of SUA must have third party insurance to cover any intended operations.
 9. Operators must be at least 18 years of age, pilots must be at least 16 years of age but if less than 18 years of age must be accompanied by an Operator.

Responsibilities of the SUA Operator

10. The SUA operator is responsible for the safe conduct of all operations.
11. The SUA operator must comply with all requirements established in Gibraltar legislation and this policy.
12. The SUA operator must ensure that all employees are familiar with the laws, regulations, permits and procedures applicable to the performance of their duties and the areas in which they intend to operate.
13. The SUA operator's procedures must not allow remote flight crew members to perform any activities during critical phases of flight other than those required for the safe operation of the SUA.

Responsibilities of the SUA Pilot

14. The pilot of the SUA is at all times responsible for the safety of the SUA operation. For full details of responsibilities reference should be made to DCA Procedure 11.
15. The SUA pilot shall:
 - a. not perform duties under the influence of psychoactive substances or when unfit to perform tasks due to injury, fatigue, medication, sickness or other causes;
 - b. ensure that the operating environment is compatible with the authorised or declared limitations and conditions for the operation;
 - c. ensure that the SUA is in a safe condition to complete the intended flight safely;
 - d. ensure, where required by the flight authorisation, that the information about the operation has been made available to Air Traffic Control at Gibraltar Airport;
 - e. comply with the authorised or declared limitations and conditions for the flight;
 - f. discontinue a flight when continuing it may pose a risk to other aircraft, people, animals, environment or property;
 - g. comply with the operator's procedures;

- h. not fly close to or inside areas where an emergency response effort is ongoing unless permission to do so has been granted by the responsible emergency response services;

SUA Operating under Visual Line of Sight (VLOS)

- 16. The majority of SUA flown in Gibraltar will be operated under VLOS rules, these require that the SUA can be seen clearly at all times during a flight without the aid of any visual enhancement such as binoculars or telephoto lenses. The use of prescription corrective lenses is permitted.
- 17. VLOS operations are limited to a maximum horizontal range of 500m and maximum height of 400ft from the SUA operator. However, in determining the extent of the range in which VLOS can be maintained consideration must be given to the remote pilot and SUA observer capabilities, the meteorological conditions, the size and conspicuity of the SUA and any other relevant factors. In many circumstances, the actual maximum range, at which the SUA can be safely monitored visually, will be considerably less than 500m.
- 18. An observer may be used to assist the pilot, the observer must be close enough to speak with the pilot and have been briefed on what to watch out for. An observer does not require a Flyer ID and the pilot remains responsible at all times for the safety of the operation.

SUA Operating under Beyond Visual Line of Sight (BVLOS)

- 19. The DCA will consider permitting SUA operations BVLOS and will manage each such request on a case-by-case basis subject to a sufficiently detailed safety case being provided.

Non-Standard Operations

- 20. SUA operators may from time to time wish to operate in a manner that is unusual and outside of the scope of normal activities conducted by the operator. The operator is required to include in their operations manual details on how such operations will be undertaken in a safe manner. Examples would be First Person View (FPV), Multi-pilot operations and payload operations. This list is not exhaustive.
- 21. The DCA will consider permitting unusual operations and will manage each such request on a case-by-case basis subject to details being contained within the operations manual and, if appropriate and on request, a detailed safety case being provided.
- 22. Any non-standard procedure included in an operations manual must be approved by the DCA prior to any operations commencing.

Flights using First Person View

- 23. Some SUA are fitted with cameras that provide live video to devices such as smart phones, tablets and video goggles. Flying by watching this video is known as FPV.

Multi-pilot Operations

- 24. A particular flight may require, in order to maintain VLOS, that control of the SUA is transferred between more than one pilot, how transfer of control will be safely executed,

including the capability of the remotely piloted system to allow such transfer, must be detailed in the operations manual.

Payloads

25. Where it is the intention to operate with a payload, even over the sea, the operator must demonstrate how the load will be safely and securely carried and what procedures and additional risk assessments, including dynamic risk assessments by the pilot, will be conducted. This shall be detailed in the operations manual.

SUA under 250g and SUA for Indoor Use

26. An Operator ID will be issued to you where the SUA weighs less than 250g for identification purposes unless you will only fly the SUA indoors or in a securely netted area.
27. The permission of the owner of the indoor space is required prior to any SUA flight taking place indoors, appropriate measures should still be taken to safeguard any persons not involved with the flight of the SUA.
28. Importantly prior to flying outdoors an SUA operator using an SUA weighing less than 250g must still demonstrate to the DCA that insurance is held and must obtain an Operating Permit from the DCA.

Training Areas

29. The DCA has set aside a number of areas where SUA under 2Kg may be flown for training purposes.
30. These areas are over the sea at Catalan Bay, Sandy Bay, Rosia Bay, and Europa Point.
31. An Operating Permit issued by the DCA is still required to fly an SUA in these areas and the pilot remains responsible for the safety of the operation, requires insurance, but a pilot accreditation is not required.