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THE CIVIL AVIATION ACT,

(Cap. 394)

THE CIVIL AVIATION (UNMANNED AIRCRAFT SYSTEMS)
REGULATIONS, 2025

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THE CIVIL AVIATION ACT,

(Cap. 394)

IN EXERCISE of the powers conferred by section 82 of the Civil Aviation Act, the Cabinet Secretary for Transport and Roads makes the following Regulations—

THE CIVIL AVIATION (UNMANNED AIRCRAFT SYSTEMS)
REGULATIONS, 2025

PART I—PRELIMINARY PROVISIONS

1. These Regulations may be cited as the Civil Aviation (Unmanned Aircraft Systems) Regulations, 2025. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“Approved Aviation Organization (AAO)” means a person or organization having appropriate expertise in the design, construction or operation of an UA, or appropriate knowledge of airspace designations and restrictions, and who has been approved by the Authority to perform one or more of specified functions;

“accident” means an occurrence associated with the operation of Unmanned Aerial System which takes place between the time such Unmanned Aerial System is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which—

- (a) a person is fatally or seriously injured as a result of direct contact with any part of the Unmanned Aerial System, including parts which have become detached from the Unmanned Aerial System;
- (b) a building, structure or animal comes into direct contact with any part of the Unmanned Aerial System including parts which have become detached from the Unmanned Aerial System; or
- (c) the Unmanned Aerial System sustains damage or structural failure which—
 - (i) adversely affects the structural strength, performance or flight characteristics of the Unmanned Aerial System; and
 - (ii) would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine (including its cowlings or accessories), to propellers, wing tips, antennas,

probes, vanes, tyres, wheel, fairings, panels, landing gear doors, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the aerodrome);

“aerial work” means an aircraft operation in which an aircraft is used for specialized services including agriculture, construction, photography, surveying, observation, patrol, aerial advertisement, search, and rescue;

“aerodrome” means a defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

“aerodrome operating minima” means the limits of usability of an aerodrome for—

- (a) take-off, expressed in terms of runway visual range and/or visibility and where necessary, cloud conditions;
- (b) landing in 2D instrument approach operations, expressed in terms of visibility and/or runway visual range, minimum descent altitude/height (MDA/H) and, where necessary, cloud conditions; and
- (c) landing in 3D instrument approach operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H) as appropriate to the type and/or category of the operation.

“aeronautical information product” means Aeronautical data and aeronautical information provided either as digital data sets or as a standardized presentation in paper or electronic media and Aeronautical information products include—

- (a) Aeronautical Information Publication (AIP), including amendments and supplements;
- (b) Aeronautical Information Circulars (AIC);
- (c) aeronautical charts;
- (d) NOTAM; and
- (e) digital data sets;

“Aeronautical Information Publication (AIP)” means a publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation;

“aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

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

“aircraft operating manual” means a manual, acceptable to the Authority, containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the aircraft systems and other material relevant to the operation of the aircraft;

“alternate aerodrome” means an aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or to land at the aerodrome of intended landing where the necessary services and facilities are available, where aircraft performance requirements can be met and which is operational at the expected time of use and includes the following—

- (a) take-off alternate: An alternate aerodrome at which an aircraft would be able to land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure;
- (b) En-route alternate: An alternate aerodrome at which an aircraft would be able to land in the event that a diversion becomes necessary while en-route;
- (c) destination alternate: an alternate aerodrome at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing;

“Authority” means Kenya Civil Aviation Authority;

“autonomous aircraft” means an unmanned aircraft that does not allow pilot intervention in the management of the flight;

“Beyond Visual Line-of-Sight (BVLOS) operation” means an operation in which neither the remote pilot nor RPA Observer(s) can maintain direct unaided visual contact with the remotely piloted aircraft;

“body corporate” means any legal entity registered pursuant to statutory law or established by any law in Kenya;

“controlled airspace” means an airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification;

“command and control (C2) link” means the data link between the remote piloted aircraft and the remote pilot station for the purposes of managing the flight;

“C2 Link communications service provider (C2CSP)” means an entity which provides a portion of, or all of, the C2 Link service for operation of an RPAS;

“C2 Link interruption” means any temporary situation where the C2 Link is unavailable, discontinuous, introduces too much delay, or has inadequate integrity; but where the lost C2 Link decision time has not been exceeded;

“COMAT” means Operator material carried on an operator’s aircraft for the operator’s own purposes;

“configuration deviation list (CDL)” means a list established by the organization responsible for the type design with the approval of the State of Design which identifies any external parts of an aircraft type which may be missing at the commencement of a flight, and which contains, where necessary, any information on associated operating limitations and performance correction;

“continuing airworthiness” means the set of processes by which an aircraft, remote pilot station, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life;

“continuing airworthiness records” means records which are related to the continuing airworthiness status of an aircraft, remote pilot station, engine, propeller or associated part;

“contracting State” means any State which is party to the Chicago Convention;

“detect and avoid” means the capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action;

“damp lease” means an arrangement where the aircraft is leased with partial crew;

“dangerous goods” means articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions or which are classified according to those Instructions;

“defined point after take-off (DPATO)” means the point, within the take-off and initial climb phase, before which the helicopter’s ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

“defined point before landing (DPBL)” means the point, within the approach and landing phase, after which the helicopter’s ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

“detect and avoid” means the capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action;

“duty” means any task that flight or cabin crew members are required by the operator to perform, including, for example, flight duty, administrative work, training, positioning and standby when it is likely to induce fatigue or class of cases, and references to an authorized person includes references to a holder for the time being of any office designated by the Authority;

“duty period” means a period which starts when a flight or cabin crew member is required by an operator to report for or to commence a duty and ends when that person is free from all duties;

“dry lease” means an arrangement where the aircraft is leased without crew;

“Extended Visual Line of Sight (EVLOS) operations” means operating method whereby the remote pilot in command (PIC) relies on one or more remote observers to keep the unmanned aircraft in visual sight at all times, relaying critical flight information via radio and assisting the remote pilot in maintaining safe separation from other aircraft (manned or unmanned);

“flight manual” means a manual, associated with the certificate of airworthiness, containing limitations within which the aircraft is to be considered airworthy, and instructions and information necessary to the flight crew members for the safe operation of the aircraft;

“flight simulation training device” means any one of the following three types of apparatus in which flight conditions are simulated on the ground—

- (a) a flight simulator, which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the mechanical, electrical, electronic, etc. aircraft systems control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated;
- (b) a flight procedures trainer, which provides a realistic flight deck environment, and which simulates instrument responses, simple control functions of mechanical, electrical, electronic, etc. aircraft systems, and the performance and flight characteristics of aircraft of a particular class;
- (c) a basic instrument flight trainer, which is equipped with appropriate instruments, and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions;

“flight termination system” means a system intended to terminate flight and minimize the possibility of injury or damage to persons, property or other aircraft;

“flight time – remotely piloted aircraft systems” means the total time from the moment a C2 Link is established between the remote pilot station (RPS) and the remotely piloted aircraft (RPA) for the purpose of taking off or from the moment the remote pilot receives control following a handover until the moment the remote pilot completes handover or the C2 Link between the RPS and RPA is terminated at the end of the flight;

“handover” means the act of passing piloting control from one remote pilot station to another;

“helicopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes;

“highly automated aircraft” means an unmanned aircraft designed to execute predefined tasks or follow predetermined flight paths without requiring real-time decision-making capabilities and with minimal human intervention;

“image” means a record of thermal, infrared, ultraviolet, visible light, or other electromagnetic waves, sound waves, odours, or other physical phenomena which capture conditions existing on or about real property or an individual located on that property;

“imaging device” means a mechanical, digital, or electronic viewing device, still camera, camcorder, motion picture camera, or any other instrument, equipment, or format capable of recording, storing, or transmitting an image;

“incident” means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;

“incident” means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;

“lease” means a contractual arrangement whereby a properly licensed air operator gains commercial control of an entire aircraft without transfer of ownership;

“lessee” means the party to which the aircraft is leased;

“lessor” means means the party from which the aircraft is leased;

“lost C2 link decision time” means the maximum length of time permitted before declaring a lost C2 Link state during which the C2 Link performance is not sufficient to allow the remote pilot to actively

manage the flight in a safe and timely manner appropriate to the airspace and operational conditions;

“lost C2 link state” means the state of the RPAS in which the C2 Link performance has degraded, as a result of a C2 Link interruption that is longer than the lost C2 Link decision time, to a point where it is not sufficient to allow the remote pilot to actively manage the flight in a safe and timely manner;

“maintenance” means the performance of tasks on an aircraft, remote pilot station, engine, propeller or associated part required to ensure the continuing airworthiness of an aircraft, remote pilot station, engine, propeller or associated part including any one or combination of overhaul, inspection, replacement, defect rectification, and embodiment of a modification or repair;

“Master Minimum Equipment List (MMEL)” means a list established for a particular aircraft type by the organization responsible for the type design with the approval of the State of Design containing items, one or more of which is permitted to be unserviceable at the commencement of a flight. The MMEL may be associated with special operating conditions, limitations or procedures;

“Minimum Equipment List (MEL)” means a list which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the MMEL established for the aircraft type;

“NOTAM” means a notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations;

“operational control” means the exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight;

“operations in performance class 1” means operations with performance such that, in the event of a critical engine failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, unless the failure occurs prior to reaching the take-off decision point (TDP) or after passing the landing decision point (LDP), in which cases the helicopter must be able to land within the rejected take-off or landing area;

“operations in performance class 2” means operations with performance such that, in the event of critical engine failure, performance is available to enable the helicopter to safely continue the

flight to an appropriate landing area, except when the failure occurs early during the take-off manoeuvre or late in the landing manoeuvre, in which cases a forced landing may be required;

“operations in performance class 3” means operations with performance such that, in the event of an engine failure at any time during the flight, a forced landing will be required;

“operations manual” means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;

“operations specifications” means the authorizations, including specific approvals, conditions and limitations associated with the air operator certificate and subject to the conditions in the operations manual;

“operator” means a person, organization or enterprise engaged in or offering to engage in an aircraft operation;

“operator’s maintenance control manual” means a document which describes the operator’s procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator’s aircraft on time and in a controlled and satisfactory manner;

“psycho-active substances” means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, but does not include coffee and tobacco;

“remote co-pilot” means a licensed remote pilot serving in any piloting capacity other than as remote pilot-in-command but excluding a remote pilot who is in the remote pilot station for the sole purpose of receiving flight instruction;

“remote crew member” means a person assigned by an operator with duties connected to the operation of a remotely piloted aircraft system during a flight duty period;

“remote flight crew member” means a licensed flight crew member charged with duties essential to the operation of a remotely piloted aircraft system during a flight duty period;

“remote pilot” means a person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during flight time;

“remote pilot-in-command” means the remote pilot designated by the operator as being in command and charged with the safe conduct of a flight;

“Remote Pilot Station (RPS)” means the component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft;

“Remotely Piloted Aircraft (RPA)” means an unmanned aircraft which is piloted from a remote pilot station;

“Remotely Piloted Aircraft System (RPAS)” means a remotely piloted aircraft, its associated remote pilot station(s), the required C2 Link(s) and any other components as specified in the type design;

“rest period” means a continuous and defined period of time, subsequent to and/or prior to duty, during which flight or cabin crew members are free of all duties;

“RPA observer” means a trained and competent person designated by the operator who, by visual observation of the remotely piloted aircraft, assists the remote pilot in the safe conduct of the flight;

“RPAS Operators Certificate (ROC)” means a certificate authorizing an operator to carry out specified UAS operations;

“RPAS-recorder system (RPAS-RS)” means the recorder system installed in the remotely piloted aircraft system for the purpose of complementing accident/incident investigation and RPAS recorder systems consists of the following—

- (a) an RPA-recorder system (RPA-RS). Any type of recorder system installed in the remotely piloted aircraft for the purpose of complementing accident/incident investigation;
- (b) an RPS-recorder system (RPS-RS). Any type of recorder system installed in the RPS for the purpose of complementing accident/incident investigation;

“Remote Pilot in Command (RPIC)” means the remote pilot designated by the operator as being in command and charged with the safe conduct of a flight;

“Remote Pilot Station (RPS)” means the component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft;

“resident” means a person holding a residence permit issued under the Kenya Citizenship and Immigration Act;

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“safety” means the state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable level;

“safety management system (SMS)” means a systematic approach to managing safety, including the necessary organizational structures, accountability, responsibilities, policies and procedures;

“safety oversight” means a function performed by a State to ensure that individuals and organizations performing an aviation activity comply with safety-related national laws and regulations;

“secondary surveillance radar” means a surveillance radar system which uses transmitters or receivers (interrogators) and transponders;

“segregated airspace” means airspace of specified dimensions allocated for exclusive use to a specific user(s);

“serious incident” means an incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down;

“specific approval” means a specific approval is an approval which is documented in the operations specifications for commercial air transport operations or in the list of specific approvals for non-commercial operations;

“State aircraft” means aircraft used in military, customs and police services of Kenya or of any other State or any other civil registered aircraft at the time performing a state function and fully converted to offer services to heads of States, military service, customs or police or to any other State;

“State of Registry” means the State on whose register the aircraft is entered;

“State of the aerodrome” means the State in whose territory the aerodrome is located;

“State of the RPS service provider” means the State where the RPS service provider has its primary place of business;

“surveillance” means the State activities through which the State proactively verifies through inspections and audits that aviation licence, certificate, authorization or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State;

“surveillance” means —

- (a) with respect to a person, the observation of such person with sufficient visual clarity to be able to obtain information about

their identity, habits, conduct, movements, or whereabouts;
or

- (b) with respect to privately owned real property, the observation of such property's physical improvements with sufficient visual clarity to be able to determine unique identifying features or its occupancy by one or more persons;

“switchover” means the act of transferring the active data link path between the RPS and the RPA from one of the links or networks that constitutes the C2 Link to another link or network that constitutes the C2 Link;

“Synthetic Vision System (SVS)” means a system to display data-derived synthetic images of the external scene from the perspective of the flight deck;

“type certificate” means document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State;

“Unmanned Aircraft (UA)” means an aircraft which is intended to operate with no pilot on board;

“Unmanned Aircraft System (UAS)” means an aircraft and its associated systems which are operated with no pilot on board;

“unmanned free balloon” means non-power-driven, unmanned, lighter-than-air aircraft in free flight;

“Visual Line-of-Sight (VLOS) operation” means an operation in which the remote pilot or RPA observer maintains direct unaided visual contact with the remotely piloted aircraft;

“Visual Meteorological Conditions (VMC)” means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima; and

“wet lease” means an arrangement where the aircraft is leased with crew.

3. (1) These Regulations shall apply to—

Application.

- (a) section A: all operators, owners, and persons involved in the operations of civil UAS in Kenya;
- (b) section B: all operators, owners, and persons involved in the operations of Certified civil Remotely piloted aeroplanes and helicopters for Commercial, General and Aerial Work within Kenya and Kenyan registered RPAS wherever they may be; and

(c) section C: all civil UAS in Kenya.

(2) Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.

4. (1) A person who intends to engage in UAS operations shall obtain security clearance as prescribed by the Authority. Security Clearance.

(2) The security clearance in subregulation (1) shall be valid for a period of 24 months.

(3) The holder of any approval issued in accordance with these Regulations, who is determined to pose a security risk shall have his or her approval amended, modified, suspended, or revoked as appropriate based on the relevant Government Security Agency's security findings.

(4) A person who intends to engage in UAS operations shall comply with The Civil Aviation Security Regulation 2024 on national security vetting.

PART II— REGISTRATION, LICENSING AND OPERATIONS OF UAS

5. In determining whether to register a UAS or issue any authorization, licence or permit under these Regulations, the Authority shall consider the following— Registration and licensing considerations.

- (a) the national security of Kenya and relevant international and regional obligations and commitments of Kenya under treaties and agreements;
- (b) risk to public interest and safety;
- (c) proposed use of the UAS; and
- (d) whether the applicant is subject to administrative investigations by the Authority.

6. (1) Unmanned Aircraft System operations shall be categorized as follows— Categorization of UAS Operations.

- (a) Open Category (Category A). This category of operations poses low or minimal risk to the public, property and manned aviation. Operations under this category shall be undertaken in accordance with Part A of these regulations;
- (b) Specific Category (Category B). Operations under this category pose medium risk to the public, property and manned aviation. Operations under this category shall be undertaken in accordance with Part A of these regulations; and
- (c) Certified Category (Category C). This Category of operations poses high risk to safety of individuals, property

and manned aviation. Operations under this category shall be undertaken in accordance with Part A & Part B of these regulations.

(2) The Authority may from time to time determine additional requirements and specifications for operations in each category.

7. (1) A person shall be eligible to own an Unmanned Aircraft System if that person is—

Eligibility to own UAS.

- (a) a Kenyan Citizen or resident of a minimum age of eighteen years;
- (b) a body corporate lawfully recognized and doing business under the laws of Kenya, including but not limited to United Nations and non-governmental organizations; and
- (c) national government or county government;
- (d) bodies corporate established under and subject to the laws of such other country as the Authority may approve.

(2) A person who becomes the owner of an aircraft registered in Kenya shall inform the Authority in writing of the change of ownership.

(3) A person other than the national government shall not own, register or operate an Unmanned Aircraft System with military specifications without approval from the authority.

8. A person shall not import or export an Unmanned Aircraft System without a permit issued by the Authority.

Import and Export of UAS.

9. A UAS shall be manufactured, assembled, modified or tested in accordance with approved technical data in compliance with the Technical guidance material.

Manufacture, assembly and testing of UAS.

10. A person shall not sell, resell or distribute an Unmanned Aircraft System in Kenya except as prescribed by the Authority.

Sale, Resale and Distribution of UAS

11. (1) An operator or owner of an Unmanned Aircraft System shall register the Unmanned Aircraft System with the Authority and be issued with a certificate of registration.

Registration of UAS.

(2) The Authority shall establish and implement a system for registration and identification of Unmanned Aircraft System in Kenya which shall be displayed on the Unmanned Aircraft System at all times.

(3) Aircraft operated under a ROC must legibly display the manufacturer's serial number, or if there is no manufacturer's serial number, the mark allocated by the authority when the aircraft was registered.

(4) It is acceptable if the manufacturer's serial number is displayed on a surface that is not exposed in flight, such as inside a battery box, or under an easily removeable hatch.

(5) Any identification only need be in place during flight time, but operators should have a system of identification for their aircraft to ensure that they are safely managed, particularly with respect to maintenance.

(6) Operators must also retain the aircraft's electronic identification, as allocated by the manufacturer, in such a way that is not changed, masked or interfered with in any way without the written permissions from the Authority.

(7) Experimental aircrafts are exempted from the above Regulations.

12. A person shall transfer ownership of an Unmanned Aircraft System in accordance with the Civil Aviation (Aircraft Nationality and Registration Marks) Regulations.

Change of registration or ownership particulars of UAS

13. The Authority may deregister or cancel the registration of Unmanned Aircraft System in accordance with the Civil Aviation (Aircraft Nationality and Registration Marks) Regulations.

De-registration of UAS.

14. An operator may operate a UAS on lease arrangement with another operator as prescribed by the Authority.

Leasing of UAS.

15. An operator shall not interchange a UAS with another operator without notifying the Authority.

Interchange of UAS.

16. (1) An Unmanned Aircraft System owner or operator shall be required to establish a maintenance program that is acceptable to the authority for all UAS operated.

Airworthiness of UAS.

(2) The maintenance program should reflect the nature of the operation and the size and complexity of the UAS. This program should be based on the manufacturer's maintenance instructions and should cover at least—

(a) instructions related to the servicing and maintenance of the system; and

(b) an inspection program to maintain system readiness.

17. An operator or owner of a UAS shall, upon request, allow the Authority unrestricted and unlimited access to facilities and equipment for the purposes of determining compliance with these Regulations.

Inspection, testing and demonstration of compliance.

18. (1) The Authority may seize any Unmanned Aircraft System or a component thereof belonging to a person who contravenes the provisions of these Regulations pending further administrative action.

Seizing of UAS

(2) The Authority may apply to a competent court for an order authorizing the Authority to destroy or otherwise dispose of any item confiscated under subregulation (1).

19. (1) Any person who intends to perform an aviation administration function shall obtain an Approved Aviation Organization (AAO) Certificate from the Authority.

Approved
Aviation
Organization
(AAO)

(2) The Approved Aviation Organization (AAO) Certificate referred to in subregulation (1) shall authorize the operator to perform aviation administrative functions in accordance with the conditions and limitations detailed in that Certificate.

20. The issuance of an AAO Certificate by the Authority is dependent upon the Operator demonstrating—

Issuance of AAO
Certificate

- (a) properly qualified personnel and is adequately staffed as prescribed by the Authority;
- (b) the applicant's ability to meet the requirements of these regulations and; and
- (c) the assurance that aviation safety will not be compromised by the issuance of the certificate.

21. (1) An AAO Certificate issued by the Authority shall be valid for 24 months from the date of issue or renewal, unless—

Validity of AAO
certificate

- (a) a shorter period is specified by the Authority;
- (b) the Authority amends, suspends, revokes or otherwise terminates the Certificate;
- (c) the Certificate holder surrenders it to the Authority; or
- (d) the Certificate holder notifies the Authority of the suspension of operations.

(2) An AAO Certificate which is suspended or revoked shall be returned to the Authority.

(3) An applicant for an AAO Certificate which has expired shall make an initial application.

22. A holder of an AAO certificate shall—

Continued
compliance.

- (a) hold at least one complete and current copy of their certificate and approved documents at each principal location;

- (b) comply with all procedures detailed in the approved documents;
- (c) make each applicable part of their approved documentation available to personnel who require those parts to carry out their duties; and
- (d) continue to meet the standards and comply with the requirements of these regulations; and forthwith notify the Authority of any change of address for service, or contact details.

23. (1) A person shall not operate an Unmanned Aircraft System in Kenya without authorization as prescribed by the Authority. Authorization of UAS operations.

(2) A person shall not operate a foreign registered Unmanned Aircraft System in Kenya without authorization as prescribed by the Authority.

(3) Unmanned Aircraft System operations shall be authorized in accordance with the category of operation as set out in these Regulations.

(4) A person shall not operate an Unmanned Aircraft System in a category of operation other than the category for which it has been authorized to operate.

24. (1) Any person who operates an Unmanned Aircraft System for commercial activities, reward or hire shall obtain an RPAS Operator Certificate (ROC) from the Authority. RPAS Operator Certificate (ROC).

(2) The RPAS Operator Certificate referred to in subregulation (1) shall authorize the operator to conduct Unmanned Aircraft System operations in accordance with the conditions and limitations detailed in the operations specifications attached to that Certificate.

(3) The Authority may issue a ROC upon the operator demonstrating adequate organization, staffing, and a method of identifying, assessing, and mitigating the risks associated with flight operations, training programme, ground handling and maintenance requirements, consistent with the nature and extent of the operations specified.

(4) The continued validity of a ROC shall be subject to the operator—

- (a) maintaining the requirements of subregulation (3) under the supervision of the Authority; and
- (b) granting access to any facilities, documents, records and equipment as required for the Authority to perform oversight.

(5) The ROC shall contain at least the following information and follow the format and layout as prescribed by the Authority —

- (a) the Republic of Kenya and Kenya Civil Aviation Authority;
- (b) the ROC number and its expiration date;
- (c) the operator's name, trading name (if different) and address of the principal place of business;
- (d) the date of issue and the name, signature, and title of the authority representative; and
- (e) the location, in a controlled document, where contact details of operational management can be found —
 - (i) an electronic copy of the controlled document shall be carried on the RPA; and
 - (ii) an electronic or paper copy of the controlled document shall be easily accessible at each RPS.

(6) The operations specifications associated with the ROC shall follow the format and layout as described by the Authority.

(7) The Authority may issue a single merged certificate for AOC and ROC where the operator is the same.

(8) The merged certificate in subregulation (7) may encompass the privileges of an AOC based on the Civil Aviation (Air Operator Certification and Administration) Regulations, and the privileges of an ROC based on these Regulations.

(9) Notwithstanding the requirement of subregulation (8) the holder of a ROC will need to complete all requirements of Civil Aviation (Air Operator Certification and Administration) Regulation, to obtain an AOC.

(10) An operator shall appoint an Accountable Executive, who has the authority to ensure that all activities can be financed and carried out in accordance with the ROC.

(11) The Accountable Executive is responsible for the implementation and maintenance of an effective safety management system.

(12) In addition to the Accountable Executive the operator shall nominate the following key management personnel —

- (a) head of operations;
- (b) head of maintenance;
- (c) head of quality; and

(d) head of safety.

(13) The requirements in subregulation (12) shall be consistent with the nature and extent of the operations specified and commensurate with the size, structure, and complexity of the organization.

(14) The Authority may approve positions other than those listed if the operator can show that it can perform the operations safely under the directions of fewer or different categories of personnel.

(15) The operator's actions shall be in compliance with the approvals and limitations established by the Authority.

25. (1) An applicant for an RPAS Operator Certificate shall submit an application in a format and manner prescribed by the Authority.

Application for ROC.

(2) An applicant shall make an application for an initial issue or reissue of an RPAS Operators Certificate at least ninety (90) days before the date of the intended operation.

(3) Upon application an operator shall undergo a certification process before the issue of ROC and be subjected to continued surveillance by the Authority after the issue of ROC to ensure compliance with these Regulations.

26. The Authority may issue an RPAS Operator Certificate to an applicant if that applicant—

Issuance of ROC.

- (a) has its principal place of business and it is registered in Kenya;
- (b) meets the applicable regulations and standards for the holder of an RPAS Operators Certificate;
- (c) is properly qualified, adequately staffed and equipped to conduct safe operations in commercial operations of the Unmanned Aircraft System;
- (d) holds a security clearance issued by the Ministry responsible for matters relating to defence, which the Authority shall seek in the course of processing the application; and
- (e) has an aircraft operator security programme acceptable to the Authority.

27. (1) An RPAS Operator Certificate issued by the Authority shall be valid for 24 months from the date of issue or renewal unless—

Validity and renewal of ROC.

- (a) a shorter period is specified by the Authority;
- (b) the Authority amends, suspends, revokes or otherwise terminates the Certificate;

- (c) the Certificate holder surrenders it to the Authority;
- (d) the Certificate holder notifies the Authority of the suspension of operations.

(2) A RPAS Operators Certificate which is suspended or revoked shall be returned to the Authority.

(3) An applicant for an RPAS Operators Certificate which has expired shall make an initial application.

28. (1) The Authority may amend an RPAS Operator Certificate if— Amendments of ROC.

- (a) the Authority determines that the amendment is necessary for the safety of commercial Unmanned Aircraft System operations; or
- (b) the Certificate holder applies for an amendment and the authority determines that the amendment is necessary.

(2) A Certificate holder shall operate in accordance with the amendment unless it is subsequently withdrawn.

29. (1) The holder of a Remote Aircraft Operators Certificate shall establish a safety management system acceptable to the authority. Safety management.

(2) The safety management system established in terms of subregulation (1) shall include—

- (a) a safety policy on which the system for safety management is based;
- (b) a process for risk management that identifies hazards to aviation safety and that evaluates and manages the associated risks;
- (c) safety assurance measures that ensure—
 - (i) hazards, incidents and accidents are internally reported and analysed and action is taken to prevent recurrence;
 - (ii) goals for the improvement of aviation safety are set and the attainment of these goals are measured;
 - (iii) there is a safety management program that includes conducting internal audits and regular reviews of the system for safety management; and
- (d) training that ensures personnel are competent to fulfil their safety responsibilities.

(3) The operator shall document all processes required to establish and maintain the system for safety management.

(4) The operator's system for safety management shall be commensurate with the size of the organization, the nature and complexity of the activities undertaken by the operator, and the hazards and associated risks inherent in the activities undertaken by the operator.

30. (1) A person shall not act as a remote pilot in command or as a remote co-pilot of a Unmanned Aircraft System for Category B and C operations unless that person is a holder of a remote pilot licence issued by the authority.

Licensing.

(2) Remote Pilot Licence required under subregulation (1) shall be issued in accordance with provisions as prescribed by the Authority.

(3) Skill and knowledge requirements for Category A operations shall be as prescribed by the Authority.

31. (1) A holder of a license, rating or certificate issued under the Civil Aviation (Personnel Licensing) Regulations shall not exercise the privileges of the license, rating, or certificate while under the influence of any psychoactive substance, which might render them unable to safely and properly exercise these privileges.

Use of
psychoactive
substances.

(2) A person whose function is critical to the safety of aviation (safety-sensitive personnel) shall not undertake that function while under the influence of any psychoactive substance, by reason of which human performance is impaired.

(3) The person referred to in subregulations (1) and (2) shall not engage in any kind of problematic use of substances.

32. (1) No person shall provide training or instruction on the operation of Unmanned Aircraft System operations without an authorization issued by the Authority.

Training.

(2) Any person who provides training or instruction on the operation of Unmanned Aircraft System operations shall obtain a RPAS Training Organization (RTO) Certificate from the Authority.

(3) The RPAS Training Organization (RTO) Certificate referred to in sub regulation (2) shall authorize the organization to conduct (1) Unmanned Aircraft System operations training in accordance with the conditions and limitations detailed in the Training Specifications attached to that Certificate.

(4) The issuance of a RPAS Training Organization (RTO) Certificate by the Authority is dependent upon the Organization demonstrating—

- (a) an adequate organization and staffing;
 - (b) method of control and supervision of flight operations instruction;
 - (c) training programme; and
 - (d) ground handling and maintenance arrangements.
- (5) The requirements in sub regulation (4) shall be consistent with the nature and extent of the operations specified and commensurate with the size, structure and complexity of the organization.

PART III— GENERAL REQUIREMENTS FOR OPERATIONS OF UAS

33. (1) An operator or owner shall ensure that all those involved in the UA operations know that they must comply with these regulations and approved procedures.

Compliance with laws, regulations and procedures.

(2) An operator shall ensure that all remote pilots and other remote flight crew members are familiar with the laws, regulations, and procedures, pertinent to the performance of their duties, prescribed for the areas to be traversed, the aerodromes to be used and the air navigation facilities relating thereto.

(3) An operator, owner or a designated representative shall have responsibility for operational control.

(4) If an emergency situation which endangers the safety of the UA or persons becomes known first to the flight operations officer, the officer shall—

- (a) notify the appropriate Authorities, and
- (b) requests for assistance if required.

(5) If an emergency which endangers the safety of the RPA or persons necessitates the taking of action which involves a violation of these regulations or approved procedures; the remote pilot-in-command shall—

- (a) notify the appropriate Authority without delay;
- (b) submit a report on any such violation to the appropriate Authority; and
- (c) in that event, the remote pilot-in-command shall also submit a copy of it to the State of the Operator and the State of the RPS service provider, if different.

(6) The reports in subregulation (5) shall be submitted within 10 days.

(7) All operators shall ensure that remote pilots-in-command have available at the RPS all the essential information concerning the search and rescue services in the area over which the RPA will be flown.

(8) Where applicable Operators shall ensure that remote flight crew members demonstrate the ability to speak and understand the language used for radiotelephony communications as required by the Civil Aviation (Personnel Licensing) Regulations.

34. (1) The Authority shall notify the operator and the State of Registry of that operator when the Authority identifies a case of non-compliance or suspected non-compliance with applicable laws, regulations and procedures by a foreign operator or a similar serious safety issue with that operator within Kenya.

Compliance by a foreign operator with laws, regulations and procedures of Kenya.

(2) Where the State of Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.

(3) In the case of notification to States as specified in subregulation (1) and (2) if the issue and its resolution warrant it, the Authority shall engage in consultations with the State of Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.

35. (1) The Authority may recognize as valid a ROC issued by another Contracting State, provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in these Regulations.

Surveillance of operations conducted by a foreign operator.

(2) A foreign operator shall be subjected to surveillance of RPAS operations by the Authority.

(3) A foreign operator shall meet and maintain the requirements of these Regulations.

(4) Where the operating base from which operational control is exercised is not in Kenya, the foreign operator shall notify the Authority.

36. (1) An Unmanned Aircraft System owner or operator shall—

General obligation of a UAS owner or operator.

(a) be responsible for the safe conduct of its operations;

(b) comply with all requirements, terms and conditions established by the Authority regarding its operation;

- (c) be responsible for contracted services from providers including communications service providers, as necessary, to carry out its operations;
- (d) be responsible for operational control of the Unmanned Aircraft System;
- (e) ensure that it is registered in accordance with the provisions of these Regulations; and
- (f) ensure secure storage of the Unmanned Aircraft System or components thereof at all times.

(2) Unless otherwise specified by the Authority a request for authorization for the operation of an Unmanned Aircraft System shall include the following—

- (a) name and contact information of the operator;
- (b) Unmanned Aircraft System characteristics (type of aircraft, maximum certificated take-off mass, number of engines and wing span);
- (c) copy of the certificate of registration of the Unmanned Aircraft System;
- (d) aircraft identification to be used in radiotelephony, if applicable;
- (e) copy of the certificate of airworthiness, if applicable;
- (f) copy of the RPAS Operator Certificate, if applicable;
- (g) copy of the Remote pilot(s) licence, if applicable;
- (h) copy of the aircraft radio station licence, if applicable;
- (i) description of the intended operation including the type of operation or purpose, flight rules, date of intended flight(s), point of departure, destination, cruising speed(s), cruising level(s), route to be followed, duration or frequency of flight; take-off and landing requirements;
- (j) Unmanned Aircraft System performance characteristics, including—
 - (i) operating speeds;
 - (ii) typical and maximum climb rates;
 - (iii) operating frequencies;
 - (iv) typical and maximum descent rates;
 - (v) typical and maximum turn rates;
 - (vi) other relevant performance data including limitations regarding wind, icing and precipitation; and
 - (vii) maximum aircraft endurance;

- (k) communications, navigation and surveillance capabilities;
 - (l) aeronautical safety communications frequencies equipment, including—
 - (i) ATC communications, including any alternate means of communication;
 - (ii) command and control (C2) links;
 - (iii) performance parameters and designated operational coverage area;
 - (iv) communications between remote pilot and Remote Piloted Aircraft (RPA);
 - (v) Remote Piloted Aircraft observer, if applicable;
 - (vi) navigation equipment;
 - (vii) surveillance equipment, including Secondary Surveillance Radar transponder and Automatic Dependent Surveillance-Broadcast (ADSB);
 - (m) detect and avoid capabilities;
 - (n) emergency procedures, including—
 - (i) communications failure with Air Traffic Control (ATC);
 - (ii) C2 failure;
 - (iii) remote pilot or remote piloted aircraft observer communications failure, if applicable;
 - (iv) number and location of remote pilot stations as well as handover procedures between remote pilot stations, if applicable;
 - (v) document attesting noise certification, if applicable;
 - (vi) confirmation of compliance with the Civil Aviation (Security) Regulations;
 - (vii) payload information or description; and
 - (viii) proof of adequate insurance coverage.
- (3) Unmanned Aircraft System shall meet the performance and equipment carriage requirements for the specific airspace in which the flight is to operate.
- (4) Where documents identified in subregulation (2) are issued in a language other than English, the Unmanned Aircraft System operator or owner shall ensure that an English translation is included and provide a certificate of translation.

37. (1) Where an operator contracts any safety or security-related services in support of its operations to a third party that is not

Contracted
services

certified by the Authority to carry out such an activity, the contracted third party shall comply with all the operator's procedures, including those for safety and security management, as approved by the Authority.

(2) An operator shall grant the Authority access to the documents of any contracted organization to the extent required for determining continued compliance with these regulations.

(3) An operator shall grant the Authority access to the premises, facilities, equipment and documents of the contracted organization to the extent required for determining continued compliance with these regulations.

38. (1) A person shall not operate an Unmanned Aircraft System— UAS operating limitations.

- (a) above 400 feet Above Ground Level (AGL) and within 30 meters of any person, vessel, vehicle or structure which is not under the control of the person in charge of the Unmanned Aircraft System;
- (b) in conditions other than Visual Meteorological Conditions (VMC);
- (c) where cameras, imaging devices or other sensors capture information, pictures or videos extending beyond the prescribed area of approved operation.

(2) Notwithstanding the provisions of subregulation (1)(a), Unmanned Aircraft System operations may be conducted at such higher heights and lateral distances as the Authority may approve.

(3) Notwithstanding the provisions of subregulation (1)(b), Unmanned Aircraft System operations may be conducted in conditions other than Visual Meteorological Conditions (VMC) provided that the pilot is duly rated, the System meets required specifications and is approved by the Authority.

(4) Where cameras, imaging devices or other sensors capture information, pictures or videos referred to in subregulation (1)(c), such information shall not be reproduced, processed, shared, distributed or published.

39. (1) A person shall not operate an Unmanned Aircraft System at night under VLoS or EVLoS unless expressly authorized by the Authority. Night Operation of UAS

(2) The Authority may authorize night operation if—

- (a) the operator demonstrates the capability to judge distance, relative distance; and trajectory and provide adequate means to mitigate the different possible threats of night operation as

- specified in the applicable technical guidance material;
- (b) the Remote Pilot and Observer are duly rated;
- (c) the unmanned Aircraft System in question meets the required manufacturer specifications for night operation; and
- (d) the system is approved by the Authority.
- (e) for indoors or shielded operations.

(3) A person shall not operate an Unmanned Aircraft System at night under BVLoS unless he or she meets applicable BVLoS requirements in these Regulations and is approved by the Authority.

40. A person shall not operate an Unmanned Aircraft Beyond Visual Line of Sight (BVLoS) except as prescribed by the Authority.

Beyond Visual Line of Sight (BVLoS).

41. A person shall not operate an autonomous Unmanned Aircraft except as prescribed by the Authority.

Autonomous UA.

42. A person shall not operate highly automated Unmanned Aircraft except as prescribed by the Authority.

Highly automated UA.

43. An Unmanned Aircraft System operator shall ensure that all incidents and accidents involving such a system are reported to the Authority in accordance with the Civil Aviation (Safety Management) Regulations.

Reporting of UAS incidents and accidents.

44. A person who owns or operates Unmanned Aircraft System shall report to the relevant Government Security Agencies and notify the Authority immediately of the loss or theft of the system or its components thereof.

Loss or theft of UAS.

45. (1) A person shall not operate an Unmanned Aircraft System in a negligent or reckless manner.

Prohibited operation of UAS.

(2) For the purposes of subregulation (1), a person operates an Unmanned Aircraft System in a “negligent” or “reckless” manner where that person—

- (a) in the course of operation, endangers other aircraft, persons or property;
- (b) operates in prohibited, restricted and danger areas, the particulars of which have been duly published in the Kenya Aeronautical Information Publication (AIP), except in accordance with the conditions of the restrictions or by permission granted by the Authority; or
- (c) operates in or around strategic installations, Air Navigation Service facilities, high tension cables and communication masts, prisons, police stations, courts of law, scenes of crime, schools and hospitals except in accordance with the conditions of the restrictions or by permission granted by the

Authority.

(3) The Authority may, by notice in the *Gazette*, prohibit the use of Unmanned Aircraft Systems in any specific area in Kenya for any period in the interest of national security.

46. A person shall not engage in the transport of dangerous goods unless approved by the Authority in accordance with the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations.

Carriage of dangerous goods.

47. A person shall not operate an Unmanned Aircraft System at lateral distance of less than 30 metres from any person, building, structure, vehicle, vessel or animal not associated with the operations of the System unless authorized by the Authority.

Operations in congested areas and crowds.

48. No person shall operate an Unmanned Aircraft System over public road, along the length of a public road at a distance of less than 30m from a public road, unless reasonable care has been taken to ensure the safety of road users and pedestrians in the event of loss of control of the Unmanned Aircraft.

Operations in the vicinity of public roads.

49. No person shall use a public road as a place of landing or take-off of an Unmanned Aircraft System, except—

Landing on roads.

(a) where the operation has been approved by the Authority; or

(b) in the event of an emergency.

50. (1) An Unmanned Aircraft System in all airspace shall operate in accordance with the Civil Aviation (Rules of the Air) Regulations and a remote pilot shall maintain awareness to see and avoid other aircraft and vehicles and shall yield the right-of-way to all aircraft and vehicles.

Collision avoidance.

(2) For the purposes of subregulation (1), “yielding the right-of-way” means that the Unmanned Aircraft shall give way to the manned aircraft or vehicle and may not pass over, under, or ahead of it unless well clear.

(3) No person shall operate an Unmanned Aircraft so close to another aircraft as to create a collision hazard.

51. A person shall not conduct an Unmanned Aircraft System flight—

International UAS operations.

(a) commencing at a place within Kenya and terminating at a place outside Kenya without authorization from the State of destination or any other State over whose airspace the Unmanned Aircraft System shall fly; or

(b) commencing at a place outside Kenya and terminating at a place within Kenya or over- flying the Kenyan airspace

without authorization from the Authority.

52. (1) All Unmanned Aircraft System flights in controlled airspace shall file flight plans as prescribed by the Authority. Filing of flight plans.

(2) Without prejudice to the generality of subregulation (1), all Unmanned Aircraft System flights in uncontrolled airspace shall always comply with the applicable rules of the air.

53. All Unmanned Aircraft System operators shall develop and implement emergency and contingency procedures acceptable to the Authority. Emergency and contingency links.

54. (1) An Unmanned Aircraft System owner or operator shall ensure that he or she has command and control of the System at all times during the flight. Command and Control.

(2) Any Unmanned Aircraft System owner or operator who loses command and control of his or her System shall report to the Authority immediately.

55. 1) An Unmanned Aircraft System pilot shall ensure that Air Traffic Control (ATC) is made aware of any operations that shall take place in areas which are likely to affect manned and controlled air traffic. Air Traffic Control (ATC) communication.

(2) The Air Navigation Service Provider (ANSP) shall establish procedures, acceptable to the Authority, for integration of the System operation into the airspace to ensure aviation safety and such procedures shall include communication and surveillance detection.

(3) Procedures referred to in subregulation (2) shall provide for required information to be passed to Air Traffic Control by the System pilot before and during the Unmanned Aircraft operations.

56. Except with the written permission of the owner or operator of an aerodrome, the appropriate Air Navigation Service Provider and approval from the Authority, a person shall not operate an Unmanned Aircraft System— Operation in the vicinity of aerodromes.

- (a) within ten (10) kilometres of an aerodrome from the aerodrome reference point for Category C, D, E and F aerodromes;
- (b) within seven (7) kilometres of an aerodrome from the aerodrome reference point for Category A and B aerodromes;
- (c) on approach and take-off paths;
- (d) within the vicinity of navigation aids;
- (e) within the aerodrome traffic zone; and
- (f) within terminal traffic holding patterns.

57. The Authority shall upon approval of an Unmanned Aircraft System operation at an aerodrome— Operations at an aerodrome.

- (a) impose operating restrictions on the approval in the interest of safety;
- (b) publish details of the approval in the appropriate Aeronautical Information Product;
- (c) revoke or change the conditions that apply to such approval and publish details of any revocation or change in conditions in the appropriate element of the Aeronautical Information Product.

58. (1) An Unmanned Aircraft System owner or operator shall establish a system of recordkeeping that allows adequate storage and reliable traceability of all activities developed, covering at a minimum— Record keeping.

- (a) operator's organization;
- (b) safety management systems;
- (c) personnel training and competence verification;
- (d) documentation of all management system key processes and products;
- (e) maintenance records; and
- (f) security management records.

(2) A person who deals in an Unmanned Aircraft System or its components shall keep records of all transactions involving the system or any component thereof.

(3) Records shall be stored in a manner that ensures protection from damage, alteration and theft and shall comply with all data protection laws of Kenya.

(4) Records identified in this regulation shall be current and have sufficient details to determine whether the experience and qualification requirements are met for the purpose of the Unmanned Aircraft System operations.

(5) The Authority shall be entitled at any reasonable time to inspect and take copies of extracts from the records kept in accordance with subregulation (1).

59. (1) A person shall not operate, or cause to be operated or commit any other person to operate an Unmanned Aircraft System UAS there is in force a minimum insurance policy in respect of third-party risks.

(2) The minimum sum of insurance in respect of any Unmanned Aircraft System insured in accordance with subregulation (1) shall be notified to the Authority.

(3) An operator of an Unmanned Aircraft System shall make available third-party liability insurance certificate(s), in the authentic form, at the location of the System operator's operational management or any other location specified by the Authority.

(4) Notwithstanding the provisions of subregulation (1), the Authority may dispense with the requirement for insurance depending on the category of the Unmanned Aircraft System.

60. (1) An Unmanned Aircraft System operator or owner shall not use a System equipped with an Imaging Device to conduct unauthorized Surveillance on or take an Image of a person without that person's written consent.

Privacy of persons and property and nuisance.

(2) An Unmanned Aircraft System operator or owner shall not use a System equipped with an Imaging Device to record an image of privately owned or leased real property or the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance on the individual or property captured in the image in violation of such person's reasonable expectation of privacy without his or her written consent.

(3) For purposes of subregulation (2), a person is presumed to have a reasonable expectation of privacy on his or her privately owned real property, licensed or leased property if that person is not observable by persons located at ground level in a place where they have a legal right to be.

(4) Notwithstanding subregulation (1) and (2), an Unmanned Aircraft System equipped with an imaging device may with the approval of the Authority be used for the purpose of—

- (a) mapping and evaluating the earth's surface, including terrain and surface water bodies and other features;
- (b) investigation of forests and forest management;
- (c) search and rescue; or
- (d) investigation of vegetation or wildlife.

(5) Without prejudice to subregulation (1), the owner or operator of a System equipped with an imaging device shall comply with any other law relating to the protection of privacy or data.

(6) An Unmanned Aircraft System operator or owner shall not operate the System in a manner that constitutes a nuisance to the public, a person or to the property of another.

61. (1) A person shall not cause an object to be dropped or discharged from an Unmanned Aircraft System unless the authorization granted expressly provides for such dropping or discharge.

Discharge or dropping goods.

(2) For purposes of this regulation, an object includes gases, liquids, solids, electromagnetic pulse or any other thing capable of being discharged or dropped from an Unmanned Aircraft System.

PART IV — SECURITY

62. An owner or operator Unmanned Aircraft System shall not operate an Unmanned Aircraft System without operator security programme approved by the Authority in accordance with the UAS TGM.

Security programme.

63. The holder of a Remote Aircraft Operators Certificate issued under these Regulations shall —

Security of UAS.

- (a) conduct background checks on all personnel recruited for deployment, handling and storage of any Unmanned Aircraft System;
- (b) conduct criminal record checks every twenty four months on all personnel employed in the deployment, handling, and storage of an Unmanned Aircraft System;
- (c) store an Unmanned Aircraft System that is not in use in a secure manner to prevent and detect unauthorized interference or use;
- (d) protect an Unmanned Aircraft System from acts of unlawful interference;
- (e) store and prepare for the flight of an Unmanned Aircraft System in a manner that will prevent and detect its tampering;
- (f) protect the integrity of vital systems of an Unmanned Aircraft System;
- (g) designate a security coordinator responsible for the implementation, application and supervision of the security controls; and
- (h) train all personnel employed in the deployment, handling, and storage of an Unmanned Aircraft System as may be specified by the Authority.

64. An operator of an Unmanned Aircraft System shall —

Security obligations for UAS operators.

- (a) be responsible for the security of such system operations including associated facilities, personnel and equipment;
- (b) ensure that the Unmanned Aircraft System or any component thereof that is no longer in use is completely disabled or destroyed to prevent unauthorized use; and
- (c) comply with any security directives or circulars issued by the Authority.

65. An operator or owner of an Unmanned Aircraft System shall— Acts of unlawful interference with civil aviation.

- (a) have response procedures for operations personnel for threats and incidents involving Unmanned Aircraft System operations; and
- (b) ensure that reports on acts of unlawful interference are promptly submitted to the Authority in accordance with the Civil Aviation (Security) Regulations.

66. (1) Except as provided in regulation 67, no person shall interfere with the duly authorized operation of an Unmanned Aircraft System or intercept an Unmanned Aircraft System in any manner whatsoever. Interference of UAS operations.

(2) Any person who unlawfully interferes with the duly authorized operation of an Unmanned Aircraft System commits an offence and shall be liable, upon conviction, to a fine not exceeding two million shillings or to imprisonment for a term not exceeding three years, or to both.

67. (1) Where the Authority has reason to believe that an unmanned aircraft is being operated in a manner— Interception of UAS.

- (a) that contravenes any provision of these Regulations;
- (b) that poses a serious and imminent risk to the safety of the public; or
- (c) that prejudices national security,

the Authority may exercise all or any of the powers in subregulation (2) in relation to an Unmanned Aircraft System UAS for the purpose of—

- (i) preventing further contravention of any provision of these Regulations;
- (ii) preventing or stopping any actual or imminent occurrence that endangers or threatens to endanger the safety of the public; or

(iii) safeguarding national security.

(2) For the purposes of subregulation (1), the powers that may be exercised by the Authority in relation to an Unmanned Aircraft System include the following—

- (a) direct any person whom the Authority reasonably believes to be involved in the operation of an Unmanned Aircraft System —
 - (i) to end the flight or land it, safely in the fastest practicable way; or
 - (ii) to fly the aircraft in the manner specified by the Authority;
- (b) with such assistance and by such force as is necessary—
 - (i) to assume control of the Unmanned Aircraft System or fly it or to end the flight or land it safely in the fastest practicable way; or
 - (ii) to end the flight in the fastest and safest practicable way; or
- (c) to seize the Unmanned Aircraft System and any component thereof or other thing, that the Authority believes on reasonable grounds—
 - (i) to be evidential material; or
 - (ii) needs to be seized to prevent its concealment, loss or destruction, or its use in committing, continuing or repeating an offence under the Act or these Regulations.

(3) The powers granted to the Authority under subregulation (2) may be exercised by the national security agencies.

SECTION B

OPERATION OF REMOTELY PILOTED AIRCRAFT SYSTEMS

PART I—GENERAL OPERATIONS REQUIREMENTS

68. (1) An operator shall implement a safety management system (SMS) that incorporates the framework and principles of the Civil Aviation (Safety Management) Regulations.

Safety
Management.

(2) The operator of an RPAS shall establish and maintain a flight data analysis programme (FDAP) as part of its safety management system, which includes the flight data, including C2 Link data, required

to be recorded at the RPS, the RPA and any other data designated by the Authority.

(3) FDAP established in subregulation (2) shall contain adequate safeguards to protect the source(s) of the data in accordance with Civil Aviation (Safety Management) Regulations.

(4) An Operator shall not the use of audio or images of persons by an RPA recorder system (RPA-RS) or an RPS recorder systems (RPS-RS) for purposes other than the investigation of an accident or incident except where the recordings or transcripts are—

- (a) related to a safety-related event identified in the context of a safety management system; are restricted to the relevant portions of a de-identified transcript of the recording; and are subject to the protections accorded by the Civil Aviation (Safety Management) Regulations;
- (b) sought for use in criminal proceedings not related to an event involving an accident or incident investigation; and are subject to the protections accorded by Civil Aviation (Safety Management) Regulations; or
- (c) used for inspections of recorder systems as provided by the Authority.

(5) An operator shall not use recordings made by RPA-RS and RPS-RS and that are not addressed by this subregulation, as well as transcripts of such recordings, for purposes other than the investigation of an accident or incident, except where the recordings or transcripts are protected and are—

- (a) used by the operator for airworthiness or maintenance purposes;
- (b) used by the operator in the operation of a flight data analysis programme required in these regulations;
- (c) sought for use in proceedings not related to an event involving an accident or incident investigation;
- (d) de-identified; or
- (e) disclosed under secure procedures.

(6) An operator shall establish a flight safety documents system, for the use and guidance of operational personnel, as part of its safety management system.

69. An Operator shall not operate an RPA unless it is registered in accordance with the Civil Aviation (Aircraft Nationality and Registration Marks) Regulations.

Registration of
RPA.

70. An operator shall include within the operations manual the following details for all RPS that it operates —

RPS
Identification.

- (a) the individual or legal entity holding ownership of each RPS;
- (b) the RPS manufacturer and manufacturer's designation for the RPS;
- (c) the serial number of each RPS;
- (d) indication of the type, model and variant of each RPA an RPS is capable of controlling; and
- (e) other relevant data as required by applicable legislation.

71. (1) An operator shall ensure that the provider of safety-critical services has organizational structure, documented procedures, resources and personnel sufficient to ensure the safe provision of services.

Safety-Critical
Services.

(2) Safety-critical services shall include, but are not limited to —

- (a) provision of geographical data and limitations;
- (b) collection and forwarding of occurrence data;
- (c) the training of remote pilots;
- (d) communication services supporting the C2 Link;
- (e) provision of services through RPS located anywhere in the world; and
- (f) provision of services related to flight planning and management including related safety risk assessments.

72. (1) An operator shall be responsible for the C2 Link service provision, whether any of the C2 Link components are under the control of the RPAS operator or a C2 Link communications service provider (C2CSP), and ensure compliance with these Regulations.

Safe Operation of
the C2 Link.

(2) An operator shall be responsible for the safe operation of all C2 Link components when the operator exercises direct control over the entire C2 Link(s).

(3) The responsibilities in subregulation (2) shall be detailed in a service level agreement (SLA) internal to the operator.

(4) An operator shall have an SLA with an approved C2CSP prior to commencing operations when a portion of, or all of, the C2 Link(s) is under the operational control of a C2CSP.

(5) The SLA shall be approved by the Authority.

(6) The C2CSP shall develop and implement a procedure approved by the Authority to perform C2CSP monitoring of the QoSD as part of their routine operations, to ensure that the C2 Link service provision meets the applicable requirements, including the C2 Link QoS SR specified in the SLA.

(7) An operator shall be responsible for monitoring that the C2 Link service provision QoSD meets the QoS SR, including its security, and shall—

- (a) document any observed anomalies; and
- (b) report any observed anomalies to the C2CSP, in accordance with the SLA.

(8) The operator shall notify the Authority of—

- (a) all C2 Link provision degradations with regards to the SLA that occur during operations; and
- (b) degradations that cannot be resolved by direct interaction between the operator and the C2CSP, when the C2CSP is not the operator.

73. (1) An operator shall be responsible for the safe operation of all RPS involved in the operation.

Safe operation of the RPS

(2) Each RPS used shall be installed at the intended operational location by personnel who have the required level of expertise and competence for the task, as determined by the operations manual.

(3) An operator shall ensure that the RPS installed meets applicable airworthiness and operational requirements and that it provides proper connection with the specified RPA type(s).

(4) When one or more of the RPS involved in the operation are under the control of a service provider, this service provider shall be under the safety oversight of the Authority in conjunction with the State of the RPS service provider, if different.

(5) When one or more of the RPS involved in the operation are under the control of a service provider, this service provider shall only allocate tasks to—

- (a) remote flight crews which are properly trained and competent;
- (b) remote pilots holding a valid remote pilot licence (RPL) issued or rendered valid by the Authority, complemented by appropriate ratings; and

(c) remote flight crews which are medically fit.

(6) The safety, security and performance of the RPS service provided shall be acceptable to the Authority and the State of the RPS service provider.

(7) Where the RPS is operated by an RPS service provider, the safety and security aspects of the RPS shall be addressed in an SLA between the RPAS operator and the RPS service provider.

(8) An SLA with an RPS service provider shall include the continuing airworthiness records.

PART III— FLIGHT OPERATIONS

74. (1) An operator shall ensure that a flight will not be commenced unless it has been ascertained by every reasonable means available that the ground and/or water facilities including communication facilities and navigation aids available and directly required for the safe operation of the RPAS are adequate for the type of operation under which the flight is to be conducted and are adequately operated for this purpose.

Operating
facilities.

(2) An operator shall ensure that any inadequacy of facilities observed in the course of operations is reported to the authority responsible for the facilities, without undue delay.

(3) An operator shall, as part of its safety management system, assess the level of rescue and firefighting service (RFFS) protection available at any aerodrome intended to be specified in the operational flight plan in order to ensure that an acceptable level of protection is available for the RPA intended to be used.

(4) An operator shall ensure that the information related to the level of RFFS protection that is deemed acceptable by the operator shall be contained in the operations manual.

75. (1) An operator shall provide, for the use and guidance of operations personnel concerned, an operations manual approved by the Authority.

Operations
manual.

(2) The operations manual shall be amended or revised as necessary to ensure that the information contained therein is kept up to date.

(3) All such amendments or revisions shall be issued to all personnel who are required to use this manual.

(4) An operator shall provide a copy of the operations manual together with all amendments and/or revisions, for approval by the Authority.

(5) An operator shall incorporate in the operations manual all mandatory material required by the Authority.

76. (1) An operator shall ensure that all operations personnel are properly instructed in their particular duties and responsibilities and the relationship of such duties to the operation as a whole.

Operating instructions — general.

(2) An RPA shall not be taxied on the movement area of an aerodrome unless the person at the controls—

- (a) has been duly authorized by the operator or a designated agent;
- (b) is fully competent to taxi the RPA;
- (c) is qualified to use the radiotelephone; and
- (d) has received instruction from a competent person in respect of aerodrome layout, routes, signs, marking, lights, air traffic control (ATC) instructions, phraseology and procedures, and is able to conform to the operational standards required for safe movement at the aerodrome.

(3) An operator shall issue operating instructions and provide information on RPA climb performance with all engines operating to enable the remote pilot-in-command to determine the climb gradient.

77. (1) An operator shall ensure that when cargo is carried, no emergency or abnormal situations are simulated.

In-flight simulation of abnormal and emergency situations.

(2) An operator shall ensure that in-flight training of simulated emergency and abnormal situations is only conducted following careful consideration and mitigation of the risks to third parties.

78. (1) An operator shall provide checklists approved by the Authority for use by remote flight crews prior to, during and after all phases of operations, and in emergencies, to ensure compliance with the operating procedures contained in the flight manual or other documents associated with the certificate of airworthiness and otherwise in the operations manual.

Checklists.

(2) The design and utilization of checklists shall observe Human Factors principles.

79. (1) An operator shall be permitted to establish minimum flight altitudes for those routes flown for which minimum flight altitudes have been established by the State being overflown or the responsible State, provided that they shall not be less than those established by that State.

Minimum flight altitudes.

(2) An operator shall specify the method used to determine minimum flight altitudes for operations conducted over routes for which minimum flight altitudes have not been established by the Authority, and shall include this method in the operations manual.

(3) The minimum flight altitudes determined in subregulation (2) shall not be lower than specified by the Authority.

(4) An operator shall submit the method for establishing the minimum flight altitudes for approval by the Authority.

(5) An operator, in establishing the method, shall consider the following factors—

- (a) the accuracy and reliability with which the position of the RPA can be determined;
- (b) the inaccuracies in the indications of the altimeters used;
- (c) the characteristics of the terrain;
- (d) meteorological conditions;
- (e) possible inaccuracies in aeronautical charts; and
- (f) airspace restrictions.

80. (1) The operator shall establish aerodrome operating minima, in accordance with criteria specified in the Civil Aviation (Aerodromes operations and design) Regulations for each aerodrome to be used in operations.

Aerodrome
operating minima.

(2) Subject to subregulation (1) the minima shall not be lower than any that may be established for such aerodromes except when specifically approved for RPAS operations.

(3) In establishing the aerodrome operating minima, the Operator shall take full account of—

- (a) the type, performance and handling characteristics of the RPA and any conditions or limitations stated in the flight manual;
- (b) the composition of the remote flight crew, their competence and experience;
- (c) the dimensions and characteristics of the runways, heliports or landing locations, which may be selected for use;
- (d) the adequacy and performance of the approach and automatic landing capabilities of the UA;

- (e) the equipment available to the remote pilot-in-command for the purpose of navigation and/or control of the flight path during the approach to landing and the missed approach;
- (f) the obstacles in the approach and missed approach areas and the obstacle clearance altitude/height for the instrument approach procedures;
- (g) the means used to determine and report meteorological conditions;
- (h) the obstacles in the climb-out areas and necessary clearance margins;
- (i) the conditions prescribed in the operations specifications; and
- (j) any minima that may be promulgated by the Authority.

(4) An aerodrome to be used for RPAS operations shall be certificated, licensed or registered in accordance with the Civil Aviation (Certification, licensing and registration of Aerodromes) Regulations.

(5) The Operator shall not use automatic landing capability, irrespective of the prevailing weather conditions without the approval of the Authority.

(6) For landing in low visibility, if the design of the UA enables this to be conducted visually the Operator shall obtain approval for instrument approach operations in low visibility which shall only be conducted when RVR information is provided.

(7) The operating minima for 3D instrument approach RPAS operations using instrument approach procedures where the landing is conducted visually, the Operator shall determine the decision altitude (DA) or decision height (DH) and the minimum visibility or RVR.

81. An operator shall establish operational procedures designed to ensure that an RPA being used to conduct automatic landings or 3D instrument approach operations crosses the threshold by a safe margin, with the RPA in the landing configuration and attitude.

Threshold
crossing height for
automatic landing
or 3D instrument
approach
operations

82. (1) An Operator shall maintain fuel records to enable the Authority to ascertain that, for each flight, the requirements of regulation 90 have been complied with.

Fuel and oil
records

(2) The fuel referred to in subregulation (1) includes but is not limited to petroleum-based, solar, battery or any future source that provides energy to the RPA.

(3) An operator shall maintain oil records to ascertain that trends for oil consumption are such that an RPA has sufficient oil to complete each flight where an engine relies on oil for lubrication.

(4) Subject to this regulation, the fuel and oil records shall be retained by the operator for a minimum period of three months following the conclusion of the flight.

83. (1) An operator shall designate a remote pilot to act as Remote Pilot-In-Command for each flight. Remote crew.

(2) An operator shall only designate one remote pilot to act as remote pilot-in-command for an RPA, at any given time.

(3) An operator may designate more than one remote pilot-in-command for an RPA over the course of an RPAS flight.

(4) Subject to subregulation (3), an Operator shall ensure that the remote pilot-in-command responsibilities are transferred to the gaining remote pilot when conducting an RPS handover as required under regulation 102.

(5) An operator shall designate a substitute remote pilot to act as remote pilot-in-command, in the event that the remote pilot-in-command is incapacitated during the flight.

84. (1) A flight shall not be commenced until flight preparation forms have been completed certifying that the remote pilot-in-command is satisfied that— Flight Preparation

- (a) the UA is airworthy and the appropriate certificates are on board the UA or RPS as appropriate;
- (b) the instruments and equipment installed in the UA are appropriate, taking into account the expected flight conditions and airspace requirements;
- (c) the RPS used for the flight is serviceable and compatible with the RPA used;
- (d) a C2 Link is expected to be available for the duration of the flight and meets the performance criteria;
- (e) the C2 Link QoS for each phase of flight is described in flight documents and is provided to the remote pilot by the operator
- (f) a maintenance release has been issued in respect of the RPA;
- (g) the mass of the RPA and centre of gravity location are such that the flight can be conducted safely, taking into account the flight conditions expected;

- (h) any load carried is properly distributed and safely secured;
- (i) the RPA operating limitations, contained in the flight manual, or its equivalent, will not be exceeded;
- (j) requirements of the operational flight planning have been complied with; and
- (k) compliance with the Civil Aviation (Rules of the Air) Regulations.

(2) Completed flight preparation forms shall be kept by the operator for a minimum period of three months following the conclusion of the flight.

85. (1) An operational flight plan shall —

Operational flight
planning.

- (a) be completed for every flight; and
- (b) be approved and signed by the initial remote pilot-in-command and,

where applicable, signed by the flight operations officer.

(2) A copy of the operational flight plan shall be filed with the operator, a designated agent, left with the aerodrome operator or in a suitable place at the point of departure.

(3) Where there is a change of the remote pilot-in-command, the incoming remote pilot-in-command shall approve the operational flight plan before accepting command for the subsequent segments of the flight.

(4) An operations manual must describe the content and use of the operational flight plan.

(5) The approval(s) of the operational flight plan shall be recorded in a manner and format acceptable to the Authority, and retained for a minimum period of three months following the conclusion of the flight.

(6) An operator shall specify flight planning procedures to provide for the safe conduct of the flight based on considerations of RPAS performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes, including alternate aerodromes concerned.

(7) Flight planning procedures shall be included in the operations manual.

(8) An operator shall ensure that the remote pilot is provided with information regarding factors that could affect the quality of the C2 Link for each segment of the operation.

(9) Operational flight planning shall include specific needs for RPAS such as the number of remote pilots and crew duty time planning for long endurance missions.

(10) An operator shall develop and implement procedures in the operations manual to ensure seamless operation throughout the duration of the flight including the different phases of the flight such as take-off, climb, en-route, approach, and landing carried out by remote pilots responsible for each phase of flight.

86. An operator shall ensure the C2 Link required to effect a landing is available at alternate aerodromes to be selected.

Alternate
aerodromes.

87. A take-off alternate aerodrome shall be selected and specified in the flight plan if either the meteorological conditions at the aerodrome of departure are below the applicable aerodrome landing minima for that operation or if it would not be possible to return to the aerodrome of departure for other reasons.

Take-off alternate
aerodrome.

88. (1) At least one destination alternate aerodrome shall be selected and specified in the operational and ATS flight plans, for a flight to be conducted in accordance with instrument flight rules, unless the duration of the flight from the departure aerodrome, or from the point of in-flight re-planning, to the destination aerodrome is such that, taking into account all meteorological conditions and operational information relevant to the flight, at the estimated time of use, a reasonable certainty exists that—

Destination
alternate
aerodromes.

- (a) the approach and landing may be made without reliance on an instrument approach procedure; and
- (b) for remotely piloted aeroplanes, separate runways are usable at the estimated time of use of the destination aerodrome with at least one runway having an operational instrument approach procedure; or

(2) the aerodrome is isolated and does not require selection of alternate destination aerodrome where—

- (a) a point of no return shall be determined for each flight; and
- (b) flight shall not be continued past the point of no return unless a current assessment of meteorological conditions, traffic and other operational conditions indicate that a safe landing can be made at the estimated time of use.

(3) Two destination alternate aerodromes shall be selected and specified in the operational and ATS flight plans when—

- (a) meteorological conditions at the estimated time of use will be below the operator's established aerodrome operating minima for that operation; or

(b) meteorological information is not available.

(4) An offshore alternate heliport shall be specified subject to the following—

- (a) if the departure point is onshore, the offshore alternate heliport shall be used only after a point of no return. Prior to a point of no return, onshore alternate heliports shall be used;
- (b) mechanical reliability of critical control systems and critical components shall be considered and taken into account when determining the suitability of the alternate heliport(s);
- (c) one engine inoperative performance capability shall be attainable prior to arrival at the alternate heliport;
- (d) to the extent possible, deck availability shall be guaranteed; and
- (e) weather information must be reliable and accurate.

(5) The Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve operational variations to alternate aerodrome selection criteria.

(6) The specific safety risk assessment shall include but not limited to—

- (a) capabilities of the operator;
- (b) overall capability of the RPAS;
- (c) available aerodrome technologies, capabilities and infrastructure;
- (d) quality and reliability of meteorological information;
- (e) identified hazards and safety risks associated with each alternate aerodrome variation; and
- (f) specific mitigation measures.

89. (1) A flight to be conducted in accordance with instrument flight rules shall not—

Meteorological conditions.

- (a) take-off from the departure aerodrome unless the meteorological conditions, at the time of use, are at or above the operator's established aerodrome operating minima for that operation; and
- (b) take-off or continue beyond the point of in-flight re-planning unless at the aerodrome of intended landing or at each

alternate aerodrome to be selected; current meteorological reports or a combination of current reports and forecasts indicate that the meteorological conditions will be, at the estimated time of use, at or above the operator's established aerodrome operating minima for that operation.

(2) An operator shall specify appropriate incremental values for height of cloud base and visibility acceptable to the Authority.

(3) The operator shall establish a margin of time for use of an aerodrome.

(4) A flight to be operated in known or expected icing conditions shall not be commenced unless the RPA is certificated and equipped to cope with such conditions

(5) A flight to be planned or expected to operate in suspected or known ground icing conditions shall not take off unless the RPA has been inspected for icing and, if necessary, has been given appropriate de-icing/anti-icing treatment.

(6) An operator shall ensure that accumulated ice or other naturally occurring contaminants are removed to keep RPA in an airworthy condition prior to take-off.

90. (1) An operator shall ensure that RPA has sufficient amount of usable fuel and reserves to complete the planned flight safely and to allow for deviations from the planned operation.

Fuel requirements.

(2) Where fuel is planned to be generated or supplied during flight, the RPA shall maintain sufficient capability at any given time to continue to a safe landing, including the necessary reserves.

(3) The amount of usable fuel available shall, as a minimum, be based on—

(a) fuel consumption data—

- (i) provided by the RPAS manufacturer; or
- (ii) if available, current RPA-specific data derived from a fuel consumption monitoring system; and
- (iii) estimated fuel consumption data.

(b) the operating conditions for the planned flight including—

- (i) anticipated RPA mass;
- (ii) notice to Airmen;
- (iii) current meteorological reports or a combination of current reports and forecasts;

- (iv) air traffic services procedures, restrictions and anticipated delays; and
 - (v) the effects of deferred maintenance items or configuration deviations.
- (c) the efficiency and capacity of fuel storage devices for the planned operating conditions considering degradation of those fuel storage devices as appropriate.
- (4) The pre-flight calculation of usable fuel required shall include—
 - (a) taxi fuel, which shall be the amount of fuel expected to be consumed before take-off taking into account local conditions at the point of departure and auxiliary power unit (APU) fuel consumption;
 - (b) trip fuel, which shall be the amount of fuel required to enable the RPA to fly from take-off until landing at the destination aerodrome;
 - (c) contingency fuel, which shall be the amount of fuel required to compensate for unforeseen factors;
 - (d) destination alternate fuel where alternate is required, which shall enable the RPA to—
 - (i) perform a missed approach at the destination aerodrome;
 - (ii)
 - (iii) climb to the expected cruising altitude;
 - (iv) fly the expected routing;
 - (v) descend to the point where the expected approach is initiated; and
 - (vi) conduct the approach and landing at the destination alternate aerodrome;
 - (e) destination alternate fuel where two destination alternate is required shall enable the RPA to proceed to the destination alternate aerodrome which requires the greater amount of alternate fuel;
 - (f) where a flight is operated without a destination alternate aerodrome, the amount of fuel required to enable the RPA to fly 15 minutes at holding speed at 450 m (1 500 ft.) above destination elevation in standard conditions;
 - (g) where the intended destination is an isolated aerodrome—

-
- (i) for a non-turbine-engined RPA, the amount of fuel required to fly for 45 minutes plus 15 per cent of the flight time planned to be spent at cruising level, including final reserve fuel, or two hours, whichever is less; or
 - (ii) for a turbine-engine RPA, the amount of fuel required to fly for two hours at normal cruise consumption above the destination, including final reserve fuel;
 - (h) final reserve fuel, which shall be the amount of fuel on arrival at the destination alternate aerodrome, or the intended destination aerodrome when no destination alternate aerodrome is required
 - (i) for a non-turbine-engine RPA, the amount of fuel required to fly for 45 minutes; or
 - (ii) for a turbine-engine RPA, the amount of fuel required to fly for 30 minutes at holding speed at 450 m (1 500 ft.) above aerodrome elevation in standard conditions;
 - (i) additional fuel, which shall be the supplementary amount of fuel required if the minimum fuel calculated is not sufficient to—
 - (i) allow the RPA to descend as necessary and proceed to an alternate aerodrome in the event of engine failure based on the assumption that such a failure occurs at the most critical point along the route;
 - (ii) fly for 15 minutes at holding speed at 450 m (1 500 ft.) above aerodrome elevation in standard conditions; and
 - (iii) make an approach and landing;
 - (j) discretionary fuel, which shall be the extra amount of fuel to be carried at the discretion of the remote pilot-in-command.
- (5) An Operators shall determine one final reserve fuel value for each RPA type and variant in their fleet rounded up to an easily recalled figure.
- (6) A flight shall not commence unless the usable fuel on board meets the requirements of this regulation
- (7) An operator shall ensure that the usable fuel on board meets the requirements of this regulation.
- (8) The Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve variations to fuel calculations.

(9) The specific safety risk assessment in subregulation (8) shall include but not limited to—

- (a) flight fuel calculations;
- (b) capabilities of the operator to include—
 - (i) a data-driven method that includes a fuel consumption monitoring programme; or
 - (ii) the advanced use of alternate aerodromes;
- (c) specific mitigation measures;
- (d) flight fuel calculations;
- (e) capabilities of the operator to include—
 - (i) a data-driven method that includes a fuel consumption monitoring programme; or
 - (ii) the advanced use of alternate aerodromes.

(10) An operator shall analyse and if applicable adjust the planned operation where the use of fuel is for purposes other than originally intended during pre-flight planning.

91. (1) An operator shall develop and implement policies and procedures, approved by the Authority, to ensure that in-flight fuel checks and fuel management are performed.

In-flight fuel
management.

(2) A remote pilot-in-command shall continually ensure that the amount of usable fuel remaining on board is not less than the fuel required to proceed to a destination where a safe landing can be made with the planned final reserve fuel remaining upon landing.

(3) A remote pilot-in-command shall request delay information from ATC when unanticipated circumstances may result in landing at the destination with less than the final reserve fuel plus any fuel required to proceed to a destination alternate or the fuel required to operate to a destination which is isolated.

(4) A remote pilot-in-command shall advise ATC of a minimum fuel by declaring MINIMUM FUEL when, having committed to land at a specific destination, the pilot calculates that any change to the existing clearance to that destination may result in landing with less than the planned final reserve fuel.

(5) A remote pilot-in-command shall declare a situation of fuel emergency by broadcasting MAYDAY, MAYDAY, MAYDAY FUEL when the calculated usable fuel estimated to be available upon landing at the nearest destination where a safe landing can be made is less than the planned final reserve fuel.

92. (1) An operator shall ensure that flights are planned such that the diversion time to an aerodrome where a safe landing could be made does not exceed the cargo compartment fire suppression time capability of the RPA, when one is identified in the relevant RPA documentation, reduced by an operational safety margin specified by the Authority.

Time capability of cargo compartment fire suppression system.

(2) Cargo compartment fire suppression time capabilities shall be identified in the relevant RPA documentation when they are to be considered for the operation.

(3) The operation safety margin shall be Fifteen minutes.

In-Flight Procedures

93. (1) A flight shall not be continued towards the aerodrome of intended landing, unless a landing can be effected at that aerodrome or at least one destination alternate aerodrome, in accordance with these regulations.

Aerodrome Operating minima at Destination.

(2) An instrument approach shall not be continued below 300 m (1,000ft) above the aerodrome elevation or into the final approach segment unless the reported visibility or controlling RVR is at or above the aerodrome operating minima

(3) Where the final part of the landing is to be conducted visually to an aerodrome, the approach may be continued to DA/H or MDA/H if the reported visibility or controlling RVR falls below the specified minimum.

(4) An RPA shall not continue its approach-to-land at any aerodrome beyond a point at which the limits of the operating minima specified for that aerodrome would be infringed.

94. A remote pilot-in-command shall report the runway braking action special air-report (AIREP) when the runway braking action encountered is not as good as reported.

Meteorological observations.

95. (1) Hazardous flight conditions encountered, other than those associated with meteorological conditions, shall be reported to the appropriate aeronautical station as soon as possible.

Hazardous flight conditions.

(2) The reports so rendered in subregulation (1) shall give such details in a manner and format acceptable to the Authority.

96. (1) All remote flight crew members required for take-off and landing shall be at their duty stations.

Remote flight crew members at duty stations.

(2) All remote flight crew members required to be at their stations shall remain at their stations except when their absence is necessary for the performance of duties in connection with the operation of the RPA or for physiological needs.

97. (1) Operational instructions involving a change in the ATS flight plan shall be coordinated with the appropriate ATS unit before transmission to the remote pilot.
- (2) A remote pilot shall be responsible for obtaining appropriate clearance from an ATS unit, before making a change in flight plan.
98. (1) An operator shall develop and implement one or more instrument approach procedures approved by the Authority to support instrument approach operations.
- (2) An operator shall ensure that All RPAS operated under instrument flight rules comply with the instrument flight procedures approved by the Authority.
99. (1) An operator shall develop and implement procedures for noise abatement acceptable to the Authority.
- (2) RPA with engines that require noise certificate, the Civil Aviation (Environmental Protection- Noise Certification) Regulations shall apply.
100. An operator shall specify procedures to ensure that a rate of climb or descent of less than 8 m/s or 1 500 ft./min (depending on the instrumentation available) is achieved throughout the last 300 m (1 000 ft.) of climb or descent to the assigned altitude or flight level, when made aware of another aircraft at or approaching an adjacent altitude or flight level, unless otherwise specified in an air traffic control instruction.
101. An approach to land shall not be continued below 300 m (1 000 ft.) above aerodrome elevation for remotely piloted aeroplanes unless the remote pilot-in-command is satisfied that, with the runway surface condition information available, the RPA performance information indicates that a safe landing can be made.
102. (1) An operator shall maintain operational control of RPS involved in the handover.
- (2) An operator shall develop procedures for the handover of control of an RPA from one RPS to another to ensure —
- (a) the availability of the gaining RPS;
 - (b) the remote pilot initiating the handover retains responsibility for the RPA until the handover is complete and the remote pilot in the gaining RPS has confirmed that control has been established;
 - (c) the gaining remote pilot is notified of or briefed on the current ATC clearance and the current radio communication frequency or data link authority;

In-flight
operational
instructions.Instrument flight
procedures.RPA operating
procedures for
noise abatement.RPA operating
procedures for
rates of climb and
descent.RPA operating
procedures for
landing
performance

Handovers.

- (d) the gaining RPS control settings are correctly aligned to the configuration of the RPA;
 - (e) the gaining RPS type is specified in the certificate of airworthiness of the RPA involved in the handover;
 - (f) the RPA is within C2 Link range of both the transferring and gaining RPS;
 - (g) communications between the transferring and gaining RPS involved in the handover are available and as near real-time as possible;
 - (h) the transferring RPS can retain or regain control of the RPA in the event of handover failure by the gaining RPS;
 - (i) notices to the remote pilot-in-command regarding the carriage of dangerous goods, including the NOTOC, are transferred to the gaining remote pilot-in-command; and
 - (j) the journey logbook is transferred and the RPA technical log is accessible to the gaining RPS
- (3) There shall be only one RPS actively controlling an RPA at any one time.
- (4) An RPS intended to gain control of an RPA shall monitor the activities of the controlling RPS to obtain situational awareness or to facilitate communications between the remote pilots.
- (5) Remote flight crew members involved in the handover shall be qualified for the—
- (a) RPS they are operating;
 - (b) RPA being transferred; and
 - (c) portion or phase of the flight which they are conducting.
- (6) Handovers conducted when the RPA is on the ground for maintenance or other purposes, shall only be conducted if—
- (a) the RPA is secured to prevent inadvertent ground movements or take-off; and
 - (b) the C2 Link is approved for use on the ground where the RPA and the RPS are located.

103.(1) An operator shall develop procedures for the transfer of control of an RPA between remote pilots as one remote pilot relieves the other at the same RPS.

Transfer of control between remote pilots at a single RPS.

(2) An operator shall establish transfer procedures that ensure the safe continuity of the operation where flight operations necessitate transfer of remote pilot-in-command responsibility during flight.

RPAS Specific Operating Rules

104.(1) An operator shall not initiate, or shall abort taxiing or ground movement where the Quality of Service Experienced (QoSE) does not provide the required performance for the remote pilot to safely control the RPA, when managed through the C2 Link.

Establishment, assurance and termination of the C2 Link.

(2) Take-off shall not be initiated or, if safe to do so, shall be aborted if the QoSE does not provide the required performance for the remote pilot to safely control the RPA.

(3) An operator shall conduct switchover to another C2 Link or network in accordance with the procedures defined in the operations manual, to include confirming the QoSE of the accepting C2 Link or network.

(4) A remote pilot shall initiate the condition of a lost C2 Link state if, while in flight, the QoSE has been determined by the remote pilot to be insufficient to actively manage the flight in a safe and timely manner.

105. A remote pilot or an RPA observer shall maintain direct unaided visual contact with the RPA for portions of the flight requiring visual line-of-sight (VLOS) procedures, including night-time operations.

Visual line-of-sight.

106. (1) An operator shall ensure that take-off and landing within an aerodrome including airports and heliports, open to public use or other locations fulfilling the operational requirements and that meet the system configuration, design and performance requirements is in accordance with the Civil Aviation (Design and Operation of Aerodromes) regulations.

Take-off and landing.

(2) For operations from other than aerodromes open to public use, the operator or remote pilot shall consider the following—

- (a) take-off and landing area and the condition thereof, to include protections for persons and property;
- (b) meteorological conditions appropriate to the intended flight;
- (c) location and height of all obstacles that could hinder take-off or landing;
- (d) performance and capability related to obstacle clearance, departure or arrival procedures (where applicable) and any flight restrictions;

- (e) communications with the appropriate ATS unit, if required;
- (f) service provision ensuring required C2 Link performance (transaction time, availability, continuity and integrity);
- (g) compliance with ATC clearances and instructions in controlled airspace or remaining well clear from other air traffic in uncontrolled airspace; and
- (h) availability of ground infrastructure, services and equipment required for take-off/launch, landing/recovery and taxiing (where applicable).

107.(1) An Operator shall coordinate with the aerodrome operator to ensure there is no adverse impact on safety where the positioning, set-up, and operation of the launch and recovery equipment is required.

Launch and recovery equipment.

(2) An RPAS ground crew and/or the remote flight crew shall position, prepare, set up and check that the condition and operability of all required launch and recovery equipment is—

- (a) in accordance with the instructions provided by the manufacturer;
- (b) in a position coordinated with the aerodrome operator if located at an aerodrome; and
- (c) for operations from other than aerodromes open to public use, in a position to afford protection to persons and property.

(3) An operator shall ensure that the required launch and recovery equipment is serviceable before each launch and compatible with each RPA being used.

(4) An operator shall ensure that only persons and vehicles authorized by the operator are permitted within the launch and recovery area of the RPA.

108.(1) An operator shall ensure that the RPA is capable of following a pre-programmed and predictable flight profile in the event of a lost C2 Link.

Lost C2 Link.

(2) An operator shall ensure that, where the RPAS enters a lost C2 Link state, the RPA will follow the procedures contained in the Civil Aviation (Rules of the Air) Regulations or the relevant Aeronautical Information Publication (AIP) prior to flight.

(3) An operator shall establish crew procedures for C2 Link interruption and lost C2 Link operations.

(4) An operator shall ensure that the RPAS/RPA is capable of setting the transponder to Mode A Code 7400 to indicate a lost C2 Link state when operating in airspace where SSR transponder carriage is required.

(5) An operator shall ensure that the RPAS/RPA is capable of selecting the appropriate functionality to indicate a lost C2 Link state when operating in airspace where ADS-B carriage is required or if ADS-B is part of the RPA detect and avoid (DAA) capability.

(6) A Remote pilot shall notify the ATC unit as soon as practicable upon the lost C2 Link procedures being activated for any flight under ATC or any flight that may affect controlled flights and, upon the C2 Link being successfully restored.

109. (1) A remote pilot-in-command shall be responsible for the operation and safety of the RPA from the moment the RPA is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down.

Duties of Remote
Pilot-In-
Command.

(2) A remote pilot-in-command shall hold the duties of remote pilot-in-command during the period detailed in subregulation (1), or for flights involving the use of multiple remote pilots-in command, from the time that person has assumed the duties from the previous remote pilot-in-command until the duties have been accepted by another remote pilot-in-command, or the RPA has come to rest at the end of the flight, as appropriate.

(3) A remote pilot-in-command shall ensure that the checklists specified in these regulations are complied with in detail.

(4) A remote pilot-in-command shall be responsible for notifying the nearest appropriate authorities, by the quickest available means, of any accident involving the RPAS resulting in serious injury or death of any person or substantial damage to the RPA or property.

(5) An operator shall notify the nearest appropriate authorities in the event that the remote pilot-in-command is unable to comply with subregulation (4).

(6) A remote pilot-in-command, or a person designated by the operator, shall be responsible for reporting all known or suspected defects in the RPAS to the operator at the earliest practicable time.

(7) A remote pilot-in-command shall be responsible for the journey log book or the general declaration as specified by the Authority.

110. (1) A flight operations officer shall, where required in the operations manual, in conjunction with a method of control and supervision of flight operations—

Duties of flight
operations officer.

- (a) assist the remote pilot-in-command in flight preparation and provide the relevant information;
 - (b) assist the remote pilot-in-command in preparing the operational and ATS flight plans, sign when applicable and file the ATS flight plan with the appropriate ATS unit;
 - (c) furnish the remote pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight; and
 - (d) notify the appropriate ATS unit when the position of the RPA cannot be determined by an aircraft tracking capability and/or attempts to establish communication with the remote pilot are unsuccessful.
- (2) A flight operations officer shall, in the event of an emergency—
- (a) initiate such procedures as outlined in the operations manual while avoiding taking any action that would conflict with ATC procedures; and
 - (b) convey safety-related information to the remote pilot-in-command that may be necessary for the safe conduct of the flight, including information related to any amendments to the flight plan that become necessary in the course of the flight.
- (3) A remote pilot-in-command shall convey safety-related information to the Flight Operations Officer that may be necessary for the safe conduct of the flight, including information related to any amendments to the flight plan that become necessary in the course of the flight.

PART XIII—FATIGUE RISK MANAGEMENT SYSTEM

111.(1) An operator shall develop and implement fatigue risk management system as prescribed by the Authority.

Fatigue Risk
Management

- (2) An operator shall maintain records for all its remote flight crew members of duty periods and rest periods for a period of time specified by the Authority.
- (3) An Operator shall—
- (a) provide to the Authority, evidence that the limitations are not exceeded and that non-duty period requirements are met;
 - (b) familiarize their personnel with the principles of fatigue management and its policies with regard to fatigue management;
 - (c) establish a process to allow variations from the prescriptive fatigue management regulations to address any additional

risks associated with sudden, unforeseen operational circumstances; that provide a level of safety equivalent to, or better than, that achieved through the prescriptive fatigue management regulations for approval by the Authority; and

- (d) develop and implement processes to integrate FRMS functions with its other safety management functions.

(4) Where an operator implements an FRMS to manage fatigue-related safety risks, the operator shall, as a minimum—

- (a) incorporate scientific principles and knowledge within the FRMS;
- (b) identify fatigue-related safety hazards and the resulting risks on an ongoing basis;
- (c) ensure that remedial actions, necessary to effectively mitigate the risks associated with the hazards, are implemented promptly;
- (d) provide for continuous monitoring and regular assessment of the mitigation of fatigue risks achieved by such actions; and
- (e) provide for continuous improvement to the overall performance of the FRMS.

PART IV—RPA PERFORMANCE OPERATING LIMITATIONS

112. (1) An RPA shall be operated in accordance with a comprehensive and detailed code of performance as established by the Authority. General.

(2) A single-engine RPA shall only be operated over such routes and diversions therefrom, that permit a safe forced landing to be executed in the event of a critical engine failure, except as provided in regulation 124 and 125.

(3) The Authority may, based on the result of a risk assessment, allow for variations without a safe forced landing to be included in the code of performance established by the Authority for remotely piloted helicopters, notwithstanding the provisions of regulation 116.

(4) The risk assessment in subregulation (3) shall take into consideration at least but not limited to the following—

- (a) the type and circumstances of the operation;
- (b) the area or terrain over which the operation is being conducted and the population density;

- (c) the probability of, and length of exposure to, a critical engine failure and the tolerability of such an event;
- (d) the procedures and systems for monitoring and maintaining the reliability of the engine(s);
- (e) the training and operational procedures to mitigate the consequences of the critical engine failure; and
- (f) remotely piloted helicopter equipment.

(5) An operator shall ensure that operations over heavily populated areas with remotely piloted helicopters in performance Class 3 are conducted in accordance with the provisions of regulation 125.

(6) An operator shall ensure that a UA is maintained in accordance with the Civil Aviation (Airworthiness) Regulations.

113. (1) An RPA shall be operated in compliance with the terms of its certificate of airworthiness and within the approved operating limitations contained in its flight manual.

Operation of
certificated RPA.

(2) An operator shall take such precautions to ensure that the general level of safety is maintained under all expected operating conditions, including those not covered specifically by these regulations.

(3) A flight shall not be commenced unless the performance information provided in the flight manual, supplemented as necessary with other data acceptable to the Authority, indicates that the requirements in subregulation (4) can be complied with for the flight to be undertaken.

(4) In applying the Standards of these regulations, the operator shall take account of all factors that significantly affect the performance of the RPA, including but not limited to the—

- (a) mass of the RPA;
- (b) operating procedures;
- (c) pressure-altitude appropriate to the elevation of the aerodrome;
- (d) for remotely piloted aeroplanes, runway slope;
- (e) ambient temperature;
- (f) wind;
- (g) surface conditions of the runway, heliport or landing location at the expected time of use, i.e. presence of snow, slush,

water, and/or ice for land RPA, water surface condition for sea RPA; and

(h) C2 Link specification and performance.

(5) Such factors in subregulation (4) shall be taken into account directly as operational parameters or indirectly by means of allowances or margins, which shall be provided in the scheduling of performance data or in the comprehensive and detailed code of performance in accordance with which the RPA is being operated.

114. (1) The mass of the RPA at the start of take-off shall not exceed the mass at which the requirements in subregulation (3) are complied with, or the mass at which requirements of Regulations 119 and 120 are complied with, allowing for expected reductions in mass as the flight proceeds, and for such fuel jettisoning as is envisaged in applying the requirements in regulation 120 and, in respect of alternate aerodromes, requirements of subregulation (2) and regulation 121.

Mass limitations.

(2) In no case shall the mass at the start of take-off exceed the maximum take-off mass specified in the flight manual for the pressure altitude appropriate to the elevation of the aerodrome, and if used as a parameter to determine the maximum take-off mass, any other local atmospheric condition.

(3) In no case shall the estimated mass for the expected time of landing at the destination of intended landing and at any destination alternate aerodromes, exceed the maximum landing mass specified in the flight manual for the pressure altitude appropriate to the elevation of those aerodromes, and if used as a parameter to determine the maximum landing mass, any other local atmospheric condition.

(4) In no case shall the mass at the start of take-off, or at the expected time of landing at the aerodrome and at any destination alternate aerodrome, exceed the relevant maximum masses at which compliance has been demonstrated with the applicable noise certification Standards in the Civil Aviation (Aircraft Noise) Regulations, unless otherwise authorized by the Authority in exceptional circumstances for a certain destination or a runway where there is no noise disturbance problem.

115. (1) The remotely piloted aeroplane shall be able, in the event of a critical engine failure, or for other reasons, at any point in the take-off, either to discontinue the take-off and stop within either the accelerate-stop distance available or the runway available, or to continue the take-off and clear all obstacles along the flight path by an adequate vertical or horizontal distance until the remotely piloted aeroplane is in a position to comply with 120. When determining the resulting take-off obstacle accountability area, the operating conditions, such as the crosswind component and navigation accuracy, must be taken into account.

Take-off Phase.

(2) For remotely piloted aeroplanes, in determining the length of the runway available, account shall be taken of the loss, if any, of runway length due to alignment of the remotely piloted aeroplane prior to take-off.

(3) For remotely piloted helicopter operations in performance Class 1, the remotely piloted helicopter shall be able, in the event of the failure of the critical engine being recognized at or before the take-off decision point, to discontinue the take off and stop within the rejected take-off area available or, in the event of the failure of the critical engine being recognized at or after the take-off decision point, to continue the take-off, clearing all obstacles along the flight path by an adequate margin until the remotely piloted helicopter is in a position to comply with regulations 120.

(4) For remotely piloted helicopter operations in performance Class 2, the remotely piloted helicopter shall be able, in the event of the failure of the critical engine at any time after reaching the Defined Point After Take-Off (DPATO), to continue the take-off, clearing all obstacles along the flight path by an adequate margin until the remotely piloted helicopter is in a position to comply with regulation 121.

(5) For remotely piloted helicopter operations in performance Class 3, at any point of the flight path, failure of an engine will cause the remotely piloted helicopter to force-land; therefore, the conditions stated in regulation 116 shall apply.

116. (1) For remotely piloted aeroplanes — one engine inoperative, in the case of a remotely piloted aeroplane having no less than two engines, the remotely piloted aeroplane shall be able, in the event of the critical engine becoming inoperative at any point along the route or planned diversions therefrom, to continue the flight to an aerodrome at which the Standard of regulation 121 can be met, without flying below the minimum obstacle clearance altitude at any point. En-route phase.

(2) For remotely piloted aeroplanes — two engines inoperative, in the case of a remotely piloted aeroplane having three or more engines, on any part of a route where the location of en-route alternate aerodromes and the total duration of the flight are such that the probability of a second engine becoming inoperative must be allowed for if the general level of safety implied by the Standards of this chapter is to be maintained, the remotely piloted aeroplane shall be able, in the event of any two engines becoming inoperative, to continue the flight to an en-route alternate aerodrome and land.

(3) For remotely piloted helicopters -Operations in performance Classes 1 and 2, the remotely piloted helicopter shall be able, in the event of the failure of the critical engine at any point in the en-route phase, to continue the flight to a site at which the conditions of regulation 121 for operations in performance Class 1, or the conditions of regulation 121 for operations in performance Class 2 can be met, without flying below the appropriate minimum flight altitude at any point.

(4) For remotely piloted helicopters -Operations in performance Class 3, the remotely piloted helicopter shall be able, with all engines operating, to continue along its intended route or planned diversions without flying at any point below the appropriate minimum flight altitude. At any point of the flight path, failure of an engine will cause the remotely piloted helicopter to force-land; therefore, the conditions stated in regulation 116 shall apply.

117. (1) The remotely piloted aeroplane shall, at the aerodrome of intended landing and at any alternate aerodrome, after clearing all obstacles in the approach path by a safe margin, be able to land, with assurance that it can come to a stop or, for a sea remotely piloted aeroplane, to a satisfactorily low speed, within the landing distance available. Allowance shall be made for expected variations in the approach and landing techniques, if such allowance has not been made in the scheduling of performance data.

Approach and
landing phase.

(2) For Remotely piloted helicopters – operations in performance Class 1, in the event of the failure of the critical engine being recognized at any point during the approach and landing phase, before the landing decision point, the remotely piloted helicopter shall, at the destination and any alternate, after clearing all obstacles in the approach path, be able to land and stop within the landing distance available or to perform a bailed landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in regulation 119. In case of the failure occurring after the landing decision point, the remotely piloted helicopter shall be able to land and stop within the landing distance available.

(3) For remotely piloted helicopters – operations in performance Class 2, in the event of the failure of the critical engine before the defined point before landing (DPBL), the remotely piloted helicopter shall, at the destination and at any alternate, after clearing all obstacles in the approach path, be able either to land and stop within the landing distance available or to perform a bailed landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in regulation 119. After the DPBL, failure of an engine may cause the remotely piloted helicopter to force-land; therefore, the conditions stated in regulation 116 shall apply.

(4) For remotely piloted helicopters – operations in performance Class 3 At any point of the flight path, failure of an engine will cause the remotely piloted helicopter to force-land; therefore, the conditions stated in regulation 116 shall apply.

118.(1) An operator shall use available obstacle data to—

Obstacle data.

- (a) for remotely piloted aeroplanes, develop procedures to comply with regulation 121; or
- (b) for remotely piloted helicopters, develop procedures to comply with the take-off, initial climb, approach and landing

phases detailed in the code of performance established by the Authority.

(2) The operator shall take account of charting accuracy when assessing compliance with regulation 119.

119. In approving operations by single-engine remotely piloted aeroplanes over heavily populated areas, an Operator shall ensure that the airworthiness certification of the remotely piloted aeroplane is appropriate and that the overall level of safety intended by the provisions of these Regulations and the Civil Aviation (Airworthiness) Regulations are complied with including—

Additional requirements for operations of approved single-engine.

- (a) the reliability of the engine;
- (b) the operator's maintenance procedures, operating practices, flight dispatch procedures and crew training programmes; and
- (c) equipment and other requirements provided in accordance with applicable regulations.

120. All single-engine remotely piloted aeroplanes operated over heavily populated areas shall have an automatic engine trend monitoring system.

Remotely Piloted Aeroplanes over heavily populated areas.

121. (1) Remotely piloted helicopter operations in performance Class 3 shall be conducted only over a surface environment acceptable to the competent authority of the State over which the operations are performed.

Additional requirements for operations of Remotely Piloted Helicopters in performance class 3 over heavily populated areas.

(2) In approving operations by remotely piloted helicopters operating in performance Class 3 over heavily populated areas, an Operator shall ensure that the airworthiness certification of the remotely piloted helicopter is appropriate and that the overall level of safety intended by the provisions of these regulations and the Civil Aviation (Airworthiness) Regulations is provided by—

- (a) the reliability of the engines;
- (b) the operator's maintenance procedures, operating practices and crew training programmes; and
- (c) equipment and other requirements provided in accordance with these regulations.

(3) An operator of remotely piloted helicopter operating in performance Class 3 over heavily populated areas shall have a programme for engine trend monitoring and shall utilize the engine and

helicopter manufacturers' recommended instruments, systems and operational/maintenance procedures to monitor the engines.

(4) remotely piloted helicopters operating over heavily populated areas in performance Class 3 shall utilize vibration health monitoring for the tail-rotor drive system.

PART V—RPAS INSTRUMENTS, EQUIPMENT AND FLIGHT DOCUMENTS

122.(1) In addition to the minimum equipment necessary for the issuance of a certificate of airworthiness, the instruments, equipment, flight documents, information and data prescribed in these regulations shall be installed or carried, as appropriate, in the RPA or RPS according to the RPAS used and to the circumstances under which the operation is to be conducted. The prescribed instruments and equipment, including their installation, shall be approved or accepted by the Authority. General.

(2) An operator shall provide a minimum equipment list (MEL) in the operations manual, approved by the Authority which will enable the remote pilot-in-command to determine whether a flight may be commenced or continued from any intermediate stop should any instrument, equipment or systems become inoperative.

(3) Where the RPA is registered in another State other than Kenya, the Operator shall ensure that the MEL does not affect the RPA's compliance with the airworthiness requirements applicable in the State of Registry.

(4) The operator shall provide operations staff and remote flight crew with an RPAS operating manual, for each RPA type operated, containing the normal, abnormal and emergency procedures relating to the operation of the RPA/RPS. The manual shall include details of the RPA/RPS systems and of the checklist to be used. The design of flight manuals shall observe human performance principles.

123.RPAS shall be equipped with the systems and instruments necessary to enable the remote pilot to control the flight path of the RPA, carry out any required procedural manoeuvres and observe the operating limitations of the RPA in the expected operating conditions. All RPAS on all flights.

124.The C2 Link shall comply with the requirements defined in the Civil Aviation (Communications Systems) Regulations. C2 Link.

125.(1) An RPS shall be equipped with suitable controls and displays which will enable the remote pilot(s) to monitor and control the intended operation of the RPA on the ground and in the air. Remote Pilot Station.

(2) An RPS shall enable the remote pilot(s) to carry out any required manoeuvres and deal with emergencies while observing the operating limitations in the expected operating conditions.

(3) An RPS shall provide the means for the remote pilot(s) to communicate with ATS and other airspace users as appropriate.

(4) An RPS shall be equipped to provide the remote pilot with all the relevant information, alerts and warnings pertaining to the operation, in a timely and distinctive manner.

126.(1) An operator shall ensure that the RPS is located in an environment which—

RPS work environment.

- (a) allows the remote pilot(s) to concentrate on their tasks; and
- (b) minimizes distractions.

(2) An operator shall ensure that the working environment for the remote flight crew takes into account the application of Human Factors principles as provided for in these regulations.

(3) An operator shall ensure that the display(s) are so arranged as to permit the remote pilot(s) to see the indications readily from their station.

(4) An operator shall provide means of measuring and displaying time in hours, minutes and seconds shall be available to the remote flight crew.

127. (1) A remote pilot shall have the following manuals, charts and information, readily available at the RPS—

Manuals, charts and information.

- (a) the operations manual prescribed in regulation 129 or those parts of it that pertain to flight operations;
- (b) the flight manual for the RPAS, or other documents containing performance data required for the application of RPAS Performance Operating Limitations, and any other information necessary for the operation of the RPAS within the terms of its certificate of airworthiness, unless these data are available in the operations manual;
- (c) current and suitable charts for the route of the proposed flight and all routes along which it is reasonable to expect that the flight may be diverted;
- (d) procedures, as prescribed in the Civil Aviation (Rules of the Air) Regulations, for pilots-in-command of intercepted aircraft;
- (e) visual signals for use by intercepting and intercepted aircraft, if relevant for the RPA being used, as contained in the Civil Aviation (Rules of the Air) Regulations;
- (f) the appropriate licence issued in accordance with the Civil Aviation (Personnel Licensing) for each remote flight crew member;

- (g) the checklists to which regulation 78 refers; and
- (h) any information and procedures identified as relevant in the safety assessment performed by the operator including emergency and contingency procedures.

(2) Each RPS shall have available a flight manual for each RPA type capable of being, and intended to be, operated from the RPS.

128.(1) An operator shall provide the remote flight crew with the capability to contact and coordinate with the appropriate ATS unit in the event of an evacuation of the RPS. Contingency plans.

(2) The remote flight crew shall contact and coordinate with the appropriate ATS unit in the event of an evacuation of the RPS.

(3) An operator shall develop, promulgate and implement contingency plans to provide alternative RPS facilities when assigned RPS facilities are unavailable.

(4) Contingency plans in this regulation shall include, as a minimum, the following—

- (a) provisions for alternative facilities and services;
- (b) detailed agreements among the parties concerned, before the occurrence of the event requiring contingency action, including the manner and timing of promulgating such arrangements; and
- (c) details regarding alternative RPS facilities, infrastructure and remote pilots.

(5) An operator shall ensure that the contingency plans are developed in consultation with affected stakeholders.

(6) An operator shall enhance contingency arrangements if an RPS facility is located in a geographical area susceptible to adverse natural phenomena (e.g. earthquakes or floods), to ensure that an alternate RPS facility is suitable for long-term operations at short notice in the event of the total destruction of the original RPS facility.

129. An operator shall ensure that an RPA is equipped with an appropriate RPAS Recorder Systems as specified in the Civil Aviation (Equipment, Instruments and Flight Documents) Regulations. RPAS Recorder Systems.

130. An Operator shall avail the following documents, manuals and information specific to the operator, in the authentic form, at the location of the operator's operational management location or other location specified by the Authority— Documents held by the Operator.

- (a) the ROC;

- (b) operations specifications relevant to the RPA and RPS models, associated with the ROC;
- (c) special authorizations obtained from States different from Kenya, as required by the Civil Aviation (Rules of the Air) Regulations;
- (d) certificate of registration of each RPA;
- (e) certificate of airworthiness of each RPA;
- (f) radio station licence(s), if applicable;
- (g) noise certificate(s), if applicable;
- (h) documents of any additional RPAS components, if applicable;
- (i) flight manual(s) of each model of RPA;
- (j) operations manual;
- (k) maintenance control manual (MCM);
- (l) contract(s) and service level agreement(s) with third parties providing safety-related services, if applicable;
- (m) third party liability insurance certificate(s) if required;
- (n) emergency response plan (ERP) to cover actions resulting from risks to the RPS, such as earthquakes, floods, security incidents, etc.; and
- (o) any other document as may be required by the Authority.

131.(1) An operator shall ensure that a certified true copy of the ROC specified in these regulations and a copy of the operations specifications relevant to the RPA, issued in conjunction with the certificate are carried on the RPA and be available at the RPS.

Documents
carried on board
the RPA.

(2) An operator shall avail the following documents on board each RPA and at the RPS, for inspection by the Authority—

- (a) RPA certificate of registration;
- (b) RPA certificate of airworthiness;
- (c) appropriate licenses for each member of the remote flight crew;
- (d) RPA radio station licence;

- (e) noise certificate, if applicable;
- (f) RPA journey log book;
- (g) RPA technical log; and
- (h) if it carries cargo, a manifest and detailed declarations of the cargo.

(3) An operator shall include an English translation where documents listed in these regulations are issued in a language other than English.

(4) The format and access of the documents listed in this regulation shall be acceptable to the Authority.

132.(1) An operator shall avail as a minimum, the following documents, manuals and information at the RPS—

Documents at the RPS.

- (a) appropriate licences for each member of the remote flight crew involved in the operation, during respective duty periods;
- (b) flight manual, or pertinent subset thereof, including configuration deviation list (CDL);
- (c) operations manual or pertinent subset thereof, including the minimum equipment list (MEL);
- (d) applicable checklists;
- (e) operations specifications relevant to the RPA and RPS models;
- (f) RPA journey log book;
- (g) RPA technical log;
- (h) RPS technical log;
- (i) details of the filed and the current ATS and operational flight plans, if applicable;
- (j) current and suitable aeronautical charts for the route of flight and all routes along which it is reasonable to expect that the flight may be diverted, including departure, arrival and approach charts for all relevant aerodromes/heliports, or electronic access to such charts;
- (k) information concerning search and rescue services for the area of the intended flight;

- (l) NOTAM and aeronautical information service (AIS) briefing documentation or electronic access to it;
 - (m) meteorological information;
 - (n) fuel requirements, fuel load and records;
 - (o) if the RPA carries cargo, a manifest and detailed declarations of the cargo;
 - (p) if the RPA carries dangerous goods, the notification of dangerous goods;
 - (q) mass and balance documentation; and
 - (r) any other documentation that may be pertinent to the flight or be required by the Authority.
- (2) The format and access of the documents listed in this regulation shall be acceptable to the Authority.

(3) Documents, manuals and information retained at the RPS shall be provided upon request to the Authority in the most efficient manner available.

RPAS Communication, Navigation and Surveillance Equipment

133. An operator shall provide Communication, Navigation and Surveillance equipment on the RPAS as prescribed in the Civil Aviation (Equipment, Instruments and Flight Documents) Regulations.

Communication,
Navigation and
Surveillance
Equipment.

PART VII—RPA CONTINUING AIRWORTHINESS

134. (1) An operator shall ensure that, in accordance with procedures acceptable to the Authority—

Operator's
Continuing
Airworthiness
Responsibilities.

- (a) each RPA is maintained in an airworthy condition;
- (b) the operational and emergency equipment necessary for an intended flight is serviceable;
- (c) the certificate of airworthiness of the RPA remains valid; and
- (d) each RPS conforms to the approved design and is maintained in a condition for the safe operation of the RPAS.

(2) An operator shall not operate an RPAS unless maintenance on the RPAS, including any associated engine, propeller and part, is carried out—

- (a) by an organization complying with the Civil Aviation (Airworthiness) Regulations that is either approved by the Authority or is approved by another Contracting State and is accepted by the Authority; or
- (b) by a person or organization in accordance with procedures that are authorized by the Authority; and
- (c) there is a maintenance release in relation to the maintenance carried out.

(3) An operator shall employ a person or group of persons to ensure that all maintenance is carried out in accordance with the maintenance control manual.

(4) An operator shall ensure that the maintenance of its RPAS is performed in accordance with the maintenance programme.

(5) An operator shall ensure that maintenance personnel receive initial and continuation training acceptable to the Authority that includes the application of Human Factors principles.

135.(1) An operator shall provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance control manual for the RPA and RPS, acceptable to the Authority.

Operator's
Maintenance
Control Manual.

(2) An operator shall ensure that the maintenance control manual is amended as necessary to keep the information contained therein up to date.

(3) Copies of all amendments to the operator's maintenance control manual shall be furnished promptly to all organizations or persons to whom the manual has been issued.

(4) An operator shall provide the and the Authority, and any other State that the Operator operates in, with a copy of the operator's maintenance control manual, together with all amendments and/or revisions to it and shall incorporate in it such mandatory material as they may be required.

136.(1) An operator shall provide, for the use and guidance of maintenance and operational personnel concerned, maintenance programme(s), approved by the Authority, containing the information required by these regulations for RPA, the RPS, any ground-based infrastructure and ground-based equipment under the direct control of the operator.

Maintenance
Programme.

(2) The design and application of the operator's maintenance programme shall observe Human Factors principles.

(3) Copies of all amendments to the maintenance programme(s) shall be furnished promptly to all organizations or persons to whom the maintenance programme has been issued.

137.(1) An operator shall ensure that the following records are kept for the periods mentioned in subregulation (2)—

Continuing
Airworthiness
Records.

- (a) the total time in service (hours, calendar time and cycles, as appropriate) of the RPA and all life-limited components of the RPAS;
- (b) the current status of compliance with all applicable mandatory continuing airworthiness information;
- (c) appropriate details of modifications and repairs;
- (d) the time in service (hours, calendar time and cycles, as appropriate) since the last overhaul of the RPA or RPAS components subject to a mandatory overhaul life;
- (e) the current status of the RPAS compliance with the maintenance programme(s); and
- (f) the detailed maintenance records to show that all requirements for the signing of a maintenance release have been met.

(2) The records in subregulations (1)(a) to I shall be kept for a minimum period of 90 days after the unit to which they refer has been permanently withdrawn from service and the records in subregulation (1) (f) for a minimum period of one year after the signing of the maintenance release.

(3) In the event of a temporary change of operator, the records shall be made available to the new operator. In the event of any permanent change of operator, the records shall be transferred to the new operator.

(4) For each RPA and each RPS, records kept and transferred in accordance with subregulation (3) shall be maintained in a form and format that ensures readability, security and integrity of the records at all times.

138.(1) An operator of an RPAS certificated in accordance with the Civil Aviation (Airworthiness) Regulations shall monitor and assess maintenance and operational experience with respect to continuing airworthiness and provide the information as prescribed by the Authority and report through the system specified in the Civil Aviation (Airworthiness) Regulations and these regulations.

Continuing
Airworthiness
Information.

(2) An operator of an RPAS certificated in accordance with the Civil Aviation (Airworthiness) Regulations shall obtain and assess continuing airworthiness information and recommendations available from the organization responsible for the type design and shall implement resulting actions considered necessary in accordance with a procedure acceptable to the Authority.

139. All modifications and repairs shall comply with airworthiness requirements acceptable to the Authority. Procedures shall be established to ensure that the substantiating data supporting compliance with the airworthiness requirements are retained.

Modifications and Repairs.

140. An approved maintenance organization shall comply with the Civil Aviation (Approved Maintenance Organization) Regulations.

Approved Maintenance Organization.

141.(1) When maintenance is carried out by an approved maintenance organization, the maintenance release shall be issued by the approved maintenance organization in accordance with the provisions of the Civil Aviation (Approved Maintenance Organization) Regulations.

Maintenance Release.

(2) When maintenance is not carried out by an approved maintenance organization, the maintenance release shall include the following—

- (a) basic details of the maintenance carried out including detailed reference of the approved data used;
- (b) the date such maintenance was completed; and
- (c) the identity of the person or persons signing the release.

PART VIII—REMOTE FLIGHT CREW

142.(1) An operator shall ensure that the number and composition of the remote flight crew is not less than what is specified in the operations manual.

Composition of the Remote Flight Crew.

(2) When necessitated by considerations related to the type(s) of RPA and RPS used, the type of operation involved and the duration of flight between points where remote flight crews are changed, the remote flight crew shall include remote flight crew members in addition to the minimum numbers specified in the flight manual or other documents associated with the certificate of airworthiness.

(3) An operator shall develop and implement procedures for remote flight crew rostering as provided for in the Civil Aviation (Fatigue Management) Regulations.

143. Remote flight crew shall at all times during an RPAS operation, include at least one member who holds a valid Radio licence issued or rendered valid by the Authority in accordance with the Civil Aviation (Personnel Licensing) Regulations, authorizing operation of the type of communication equipment to be used.

Radio operator.

144.(1) An operator shall define the roles and task allocation of remote flight crew members for the operation of the RPAS.

Remote Flight Crew Member Duties.

(2) An operator shall, for each type of RPS, assign to all remote flight crew members the necessary functions they are to perform in an emergency or in a situation requiring emergency evacuation of the RPS.

(3) Recurrent training in accomplishing functions in subregulation (2) shall be contained in the operator's training programme and shall include instruction in the use of all emergency and life-saving equipment required to be installed, and drills in the emergency evacuation of the RPS, when appropriate.

145.(1) An operator shall establish and maintain a ground and flight training programme, approved by the Authority, which ensures that all remote flight crew members are adequately trained to perform their assigned duties.

Remote Flight
Crew Member.

(2) The training programme shall—

- (a) include ground and flight training facilities and properly qualified RPAS instructors as determined by the Authority;
- (b) consist of ground and flight training in the class or type of RPAS for which the remote flight crew member will be assigned;
- (c) include appropriate remote flight crew coordination and training in all types of emergency and abnormal situations or procedures caused by engine, airframe or systems malfunctions;
- (d) include RPS malfunctions, including fire, natural disaster such as earthquakes, or other abnormalities;
- (e) include training on the causes of upsets and means of prevention;
- (f) include training in knowledge and skills related to flight procedures for the intended area of operation, human performance including threat and error management and in the transport of dangerous goods;
- (g) ensure that all remote flight crew members know the duties for which they are responsible and the relation of these duties to the duties of other remote flight crew members, particularly in regard to abnormal or emergency procedures;
- (h) be given on a recurrent basis, as determined by the Authority and shall include an assessment of competence;
- (i) establish a recurrent Crew Resource Management (CRM) training programme for the remote flight crew; and

- (j) for RPAS equipped with a DAA capability, ensure that each remote flight crew member has been appropriately trained to be competent in the use of such equipment.

(3) The Authority may to the extent deemed appropriate approve training to be conducted in flight simulation training devices.

(4) The requirement for recurrent flight training for a particular type of RPA or RPS shall be considered fulfilled by—

- (a) the use, to the extent deemed feasible by the Authority, of flight simulation training devices approved by the Authority for that purpose; or
- (b)
- (c) the completion within the appropriate period of the proficiency check required in that type of RPAS.

146. (1) An operator shall only designate a remote pilot to act as remote pilot-in-command if they have— Qualifications.

- (a) the minimum level of training, experience and currency specified in the operations manual; and
- (b) in the case of multi-crew operations, completed a command course appropriate for the envisaged operations.

(2) An operator shall ensure each remote flight crew member—

- (a) holds a valid licence issued by, or rendered valid by, the Authority in accordance with the Civil Aviation (Personnel Licensing) Regulations;
- (b) holds the appropriate ratings; and
- (c) is competent to carry out assigned duties.

147. (1) An operator shall not assign a remote pilot to act as remote pilot-in-command to perform take-off and landing duties unless that remote pilot has conducted at least three take-offs and landings within the preceding 90 days with the same combination of RPA and RPS or a flight simulation training device approved for that purpose. Recent experience.

(2) An operator shall not assign a remote pilot to operate the flight controls of an RPAS during take-off and landing unless that remote pilot has conducted at least three take-offs and landings within the preceding 90 days on the same combination of RPA and RPS or in a flight simulation training device approved for that purpose.

(3) The operator shall not assign a remote pilot to act as remote pilot-in-command or remote co-pilot for any portion of a flight unless that remote pilot has conducted at least three flights within the preceding 90 days with the same combination of RPA and RPS or a flight simulation training device approved for that purpose.

148. (1) An operator shall not utilize a remote pilot as remote pilot-in-command on a route or route segment for which that remote pilot is not currently qualified until such remote pilot has complied with other relevant provisions of this regulation.

Remote pilot-in-command area, route and aerodrome qualification

(2) A remote pilot shall demonstrate to the operator an adequate knowledge of—

- (a) the route to be flown, and the aerodromes which are to be used. This shall include knowledge of—
 - (i) the terrain and minimum safe altitudes;
 - (ii) the seasonal meteorological conditions;
 - (iii) the meteorological, communication and air traffic facilities, services and procedures;
 - (iv) the search and rescue procedures; and
 - (v) the navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place;
- (b) procedures applicable to flight paths over heavily populated areas and areas of high air traffic density, obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach procedures, and applicable operating minima.

(2) A remote pilot-in-command shall have made an actual approach into each aerodrome of landing on the route, accompanied by a remote pilot who is qualified for the aerodrome, as a member of the remote flight crew or as a remote pilot observing at the RPS, unless—

- (a) the approach to the aerodrome is not over difficult terrain and the instrument approach procedures and aids available are similar to those with which the remote pilot is familiar, and a margin to be approved by the Authority is added to the normal operating minima, or there is reasonable certainty that approach and landing can be made in visual conditions;
- (b) the descent from the initial approach altitude can be made by day in visual conditions;
- (c) the operator qualifies the remote pilot-in-command to land at the aerodrome concerned by means of an adequate pictorial presentation; or
- (d) the aerodrome concerned is adjacent to another aerodrome at which the remote pilot-in-command is currently qualified to land.

(3) An operator shall maintain a record, sufficient to satisfy the Authority of the qualification of the remote pilot and of the manner in which such qualification has been achieved.

(4) An operator shall not continue to utilize a remote pilot as a remote pilot-in-command on a route or within an area specified by the operator and approved by the Authority unless, within the preceding 12 months, that remote pilot has made at least one trip as a remote pilot, or as a remote check pilot, or as a remote pilot observing at the RPS—

(a) within that specified area; and

(b) if appropriate, on any route where procedures associated with that route or with any aerodromes intended to be used for take-off or landing require the application of special skills or knowledge.

(5) In the event that more than twelve months elapse in which a remote pilot-in-command has not made such a trip on a route in close proximity and over similar terrain, within such a specified area, route or aerodrome, and has not practiced such procedures in a training device which is adequate for this purpose, prior to again serving as a remote pilot-in-command within that area or on that route, that remote pilot must requalify in accordance with regulation 130.

149.(1) An operator shall ensure that piloting technique and the ability to execute emergency procedures is checked in such a way as to demonstrate the remote pilot's competence on each combination of RPA and RPS.

Remote pilot
proficiency
checks.

(2) Where the operation may be conducted under IFR, the operator shall ensure that the remote pilot's competence to comply with such rules is demonstrated to either a remote check pilot of the operator or a representative of the Authority.

(3) The proficiency checks shall be performed twice within any period of one year. Any two such checks which are similar and which occur within a period of four consecutive months shall not alone satisfy this requirement.

(4) Flight simulation training devices approved by the Authority may be used for those parts of the checks for which they are specifically approved.

150. A remote flight crew member assessed as fit to exercise the privileges of a licence, subject to the use of suitable correcting lenses, shall have a spare set of the correcting lenses readily available when exercising those privileges.

Remote Flight
Crew Equipment.

PART IX—FLIGHT OPERATIONS OFFICER

151.(1) A flight operations officer shall be licensed in accordance with the Civil Aviation (Personnel Licensing) Regulations.

Qualifications and
Duties.

(2) A flight operations officer shall not be assigned duty unless that person has—

- (a) satisfactorily completed the operator-specific training course that addresses all the specific components of its approved method of control and supervision of flight operations;
- (b) made, within the preceding 12 months, at least one qualification flight observing the remote flight crew at the RPS over any area for which that individual is authorized to exercise flight supervision. The flight should include landings at as many aerodromes as practicable;
- (c) demonstrated to the operator a knowledge of—
 - (i) the contents of the operations manual as described in by the Authority;
 - (ii) the radio equipment used by the RPAS; and
 - (iii) the navigation equipment used by the RPAS;
- (d) demonstrated to the operator a knowledge of the following details concerning operations for which the officer is responsible and areas in which that individual is authorized to exercise flight supervision
 - (i) the seasonal meteorological conditions and the sources of meteorological information;
 - (ii) the effects of meteorological conditions on C2 Link and radio reception in the RPAS used;
 - (iii) the peculiarities and limitations of each navigation system which is used by the operation;
 - (iv) the RPA loading instructions;
 - (v) demonstrated to the operator knowledge and skills related to human performance relevant to dispatch duties; and
 - (vi) demonstrated to the operator the ability to perform his duties.

(3) A flight operations officer assigned to duty shall maintain complete familiarization with all features of the operation which are pertinent to such duties, including knowledge and skills related to human performance.

(4) Flight operations officer shall not be assigned to duty after 12 consecutive months of absence from such duty, unless the provisions of proficiency checks are met.

PART X— MANUALS, LOGS AND RECORDS

152. The flight manual shall contain the information specified in the Civil Aviation (Airworthiness) Regulations. Flight Manual.

153.(1) An operator shall maintain a journey log book for every RPA engaged in RPAS operations in which particulars of the RPAS and its crew shall be entered at the end of the duty period of each remote pilot-in-command. Journey Log Book.

(2) The RPA journey log shall contain information as prescribed by the Authority.

(3) An operator shall ensure that a completed journey log book is retained to provide a continuous record of the last six months' operations.

154.(1) An operator shall establish a system of record-keeping that allows adequate storage and reliable traceability of all activities, covering in particular all the elements related to RPAS operations as defined in the operations manual and management system processes as defined in these regulations. Operator Record-Keeping.

(2) An operator shall specify the format of the records in the operator's procedures.

(3) An Operator shall store Records in a manner that ensures protection from damage, alteration and theft, for a period determined by the Authority.

155.(1) An operator shall ensure that, in the event the RPAS becomes involved in an accident or incident, the preservation of all related RPA-RS and RPS-RS records and the associated recorders, and their retention in safe custody pending their disposition as determined in accordance with the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations. Flight Recorder Records.

(2) An operator shall ensure that, in the event a contracted RPS service provider is used, the operator shall ensure, in the event the RPAS becomes involved in an accident or incident, the preservation of all related RPS-RS records and, if necessary, the associated recorders, and their retention in safe custody pending their disposition as determined in accordance with the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations.

PART XI—SECURITY OF RPAS

156. An operator shall develop and implement the structure, responsibilities, processes and procedures to promote and establish a culture of continuous improvement and enhancement of aviation security for RPAS operations in accordance with the Civil Aviation (Security) Regulations. General requirement.

157. An operator of an aerodrome serving RPAS operations shall include within their written airport security programme measures for RPAS operations appropriate to meet the requirements of the Civil Aviation (Security) Regulations and applicable National Civil Aviation Security Programme.

Aerodrome
Operations.

158. An operator shall ensure the development and implementation of RPAS-related training programmes and a certification system that ensures that RPAS instructors are qualified in the applicable subject matters in accordance with the Civil Aviation (Security) Regulations and the applicable National Civil Aviation Security Programme.

RPAS Operators

PART XII—DANGEROUS GOODS

159. An operator shall not transport dangerous goods as cargo on board RPA unless in accordance with the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations.

Dangerous Goods.

PART XIII— CARGO COMPARTMENT SAFETY

160. The transport of items in the cargo compartment shall be conducted in accordance with the Civil Aviation (Safety Management) Regulations and the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations.

Transport of items
in the cargo
compartment.

161. (1) An operator shall provide in the flight manual or other documentation supporting the operation of the RPAS and a summary of the demonstrated cargo compartment fire protection certification standards, the elements of the cargo compartment(s) fire protection system, as approved by the Authority.

Fire Protection
operation.

(2) An Operator shall establish policies and procedures that address the items to be transported in the cargo compartment to ensure that in the event of a fire involving those items, it can be detected and sufficiently suppressed or contained by the elements of the RPA design associated with cargo compartment fire protection, until the RPA makes a safe landing.

SECTION C

MISCELLANEOUS PROVISIONS

162. (1) No matter or action taken by the Authority or by any member of staff or agent of the Authority shall, if the matter or action taken was in good faith for the purposes of performing the functions of the Authority under the Act or these regulations, render the Authority or the person liable for any action, claim or demand.

Protection from
personal liability.

(2) Any expenses incurred or to be incurred by any person mentioned in subsection (1) in defending an action, claim or demand in any suit brought against that person in respect of any act or omission

done or purported to be done by that person under these Regulations, or on the direction of the Authority, shall be reimbursed or borne by the Authority unless the act or omission was done in bad faith.

163. The Authority may suspend or revoke the licence, certificate, approval, authorisation, exemption or other document of a person who contravenes any provision of these Regulations.

Contravention of Regulations.

164. A person aggrieved with the decision of the Authority under these Regulations may within 21 days of such decision appeal to the Tribunal.

Appeals to the Tribunal.

165. (1) Any person who fails to comply with any direction given under these Regulations by the Authority or by any authorized person under any provision of the Act or these Regulations commits an offence and shall be liable upon conviction, to a fine not exceeding two million shillings or to imprisonment for a term not exceeding three years, or to both.

Offences and Penalties.

(2) A person who contravenes any provision specified as an "A" provision in the Schedule to these Regulations commits an offence and is liable on conviction to a fine not exceeding one million shillings for each offence or to imprisonment for a term not exceeding one year, or to both.

(3) A person who contravenes any provision specified as a "B" provision in the Schedule to these Regulations commits an offence and is liable upon conviction to a fine not exceeding two million shillings for each offence or to imprisonment for a term not exceeding three years, or to both.

(4) If any provision of these Regulations is contravened in relation to an Unmanned Aircraft System, the operator of that System and the pilot, even if the operator or the pilot is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed to have contravened that provision unless he or she proves that the contravention occurred without his or her consent or connivance and that he or she exercised all due diligence to prevent the contravention.

(5) Any Unmanned Aircraft System operator who contravenes the provisions of these Regulations and whose penalty has not been specified in this Regulations commits an offence and shall be liable upon conviction, to a fine not exceeding two million shillings or to imprisonment for a term not exceeding three years, or to both.

166. The Authority shall develop pamphlets and manuals to assist owners and operators in complying with these Regulations.

Pamphlets and manuals.

167. An owner of an Unmanned Aircraft System already imported into Kenya at the commencement of these Regulations shall apply to the Authority for registration within six months from the date of commencement of these Regulations.

Savings and transitional provisions.

SCHEDULE

(r.165(2)&(3))

PENALTIES

REG. NO	TITLE	PART
6	Categorization of UAS operation	B
7	Eligibility to Own UAS	A
8	Import and Export of UAS	B
9	Manufacture, Assembly and Testing of UAS	B
10	Sale, resale and Distribution of UAS	B
11	Registration of UAS	A
16	Airworthiness of UAS	B
17	Inspection, testing and demonstration of compliance	A
19	Approved Aviation Organization	B
23	Authorization of UAS operations	B
24	RPAS Operator Certificate (ROC)	B
30	Licence	A
31	Use of psychoactive substances	B
32	Training	A
38	UAS operating limitations	B
39	Night operation of UAS	B
43	Reporting of UAS incidents and accidents	A
45	Prohibited operation of UAS	B
46	Carriage of dangerous goods	B
47	Operations in congested areas and crowds	B
50	Collision avoidance	B
51	International UAS operations	B
52	Filing of flight plans	A
54	Command and control	A
56	Operation in the vicinity of aerodromes	B
58	Record keeping	A
59	Insurance	A
60	Privacy of persons and property	B
61	Discharge or dropping goods	B
66	Interference of UAS operations	B
71	Safety-Critical Services	B
72	Safe Operation of C2 Link	B
73	Safe Operation of RPS	B
74	Operating facilities	B
75	Operations Manual	A
80	Aerodrome Operating Minima	A

82	Fuel and Oil Records	B
83	Remote Crew	B
84	Flight preparation	A
85	Operational flight planning	A
86	Alternate Aerodrome	A
89	Meteorological conditions	A
90	Fuel requirements	A
92	Time capability of cargo compartment fire suppression system	B
96	Remote Flight Crew Members at duty stations	A
97	In-flight operational instructions	A
104	Establishment, Assurance and Termination of C2 Link	B
105	Visual Line of Sight	A
106	Take-off and Landing	A
107	Launch and Recovery equipment	A
108	Loss of C2 Link	B
109	Duties of Remote Pilot-in-Command	A
110	Duties of Flight Operations Officer	A
111	Fatigue Risk Management	A
113	Operation of Certificated RPA	A
114	Mass Limitations	B
115	Take-off Phase	A
116	En-route phase	A
117	Approach and Landing Phase	A
118	Obstacle data	A
124	C2 Link	B
125	Remote Pilot Station	A
126	RPS Work Environment	A
127	Manuals, Charts and information	A
128	Contingency Plans	B
129	RPAS Recorder Systems	B
130	Documents held by the Operator	A
131	Documents carried on board the RPA	A
132	Documents at the RPS	A
133	Communication, Navigation and Surveillance Equipment	A
134	Operator's Continuing Airworthiness Responsibilities	A
135	Operator's Maintenance Control Manual	A
136	Maintenance Programme	A
137	Continuing Airworthiness Records	A
142	Composition of the Remote Flight Crew	B
146	Qualifications	A

147	Recent Experience	A
149	Remote Pilot proficiency checks	A
150	Remote Flight Crew Equipment	A
151	Qualifications and Duties	A
153	Journey Logbook	A
160	Transport of items in the cargo compartment	B
161	Fire Protection operation	B

Made on the 15th December, 2025.

DAVIS CHIRCHIR,
Cabinet Secretary for Transport and Roads.