



MINISTRY OF ROADS AND TRANSPORT
EXPLANATORY MEMORANDUM TO THE CIVIL AVIATION
(UNMANNED AIRCRAFT SYSTEMS) REGULATIONS, 2025

Name of the statutory instrument	Kenya Gazette Supplement No. Legislative Supplement No.
Name of the Parent Act	The Civil Aviation Act (CAP 394)
Enacted Pursuant to	Section 82 of The Civil Aviation Act
Name of the Ministry	Ministry of Roads and Transport
Gazetted on	, 2025
Tabled on	

1. Purpose of the Statutory Instrument

The purpose of the instrument is to provide a robust legal framework for the operation, management, and regulation of unmanned aircraft systems (UAS), commonly referred to as drones, within Kenya's airspace. The primary purpose of these regulations is to ensure the safe, secure, and efficient integration of UAS into the national aviation system while addressing emerging risks and promoting the use of UAS for innovation, economic development, and service delivery.

2. Legislative Context

In 2020, Kenya introduced initial regulations for unmanned aircraft systems to address the growing use of drones in various sectors. However, rapid advancements in UAS technology, increased demand for drone operations, and evolving international standards necessitate an update to the regulatory framework. The Regulations align Kenya's UAS framework with the latest provisions of the International Civil Aviation Organization (ICAO), particularly guidance in Annex 2 (Rules of the Air) and Annex 11 (Air Traffic Services), as well as the regulatory best practices adopted by leading aviation markets.

3. Policy Background

The adoption of these Regulations is driven by the recognition of the transformative potential of drone technology in various sectors, including agriculture, healthcare, infrastructure development, and e-commerce. UAS technology is increasingly being used for precision farming, medical supply delivery, mapping, and surveillance, among other applications.

By creating a conducive environment for the safe and legal operation of drones, the regulations aim to promote economic growth by encouraging innovation and investment in drone technology, creating jobs and fostering growth in sectors such as logistics, agriculture, and energy, implement stringent safety protocols and operational standards to protect the public, aviation operations, and critical infrastructure.

The Integrated National Transport Policy, 2012, aims to create an enabling framework that will nurture the development of a safe, efficient and affordable air transport system, whilst keeping at the leading edge of technological advancement in a rapidly changing and globalize environment. In addition, the Kenya Civil Aviation Authority developed procedures for development and amendment of the Civil Aviation Act, Regulations, and Technical Guidance Materials through Order CAA-O-GEN002F. The procedures provide for continuous monitoring of the aviation regulatory framework to align with ICAO SARPs through periodic review of applicable laws.

4. Consultation Outcome

In the development of the Regulations, Stakeholder engagement was held from 12th to 14th June 2024 at the Panari Hotel, Nairobi where proposed amendments to the Regulations and stakeholder comments were incorporated in the Regulations.

The list of attendees and the matrix of stakeholder comments is attached as Appendix 1.

5. Regulatory Impact Assessment

A regulatory impact assessment was prepared in respect of this statutory instrument. The Ministry received an expert opinion from the Kenya Law Reform Commission confirming that the regulatory impact statement and assessment were adequate and conformed with the Statutory Instruments Act.

6. Monitoring and Review

As part of the KCAA mandate provided for under the Civil Aviation Act, KCAA shall be responsible for ensuring the implementation and monitoring of the Regulations.

Review of the regulations shall be conducted after three years or as and when there are changes in the corresponding SARPs that may require review.

7. Contact

The contact person in respect of this statutory instrument is:

Mr. Emile Nguza Arao
Director General
Kenya Civil Aviation Authority
PO Box 30163 – 00100
NAIROBI
info@kcaa.or.ke