

The use of drones

Regulations from the Civil Aviation Authority

Regulations concerning aircraft without a pilot on board etc (dated 30.11.2015, number 1404) has provisions regarding the use of drones. Compliance with the following rules is particularly important:

Section 4. Definitions and abbreviations

For the purpose of these Regulations, the term

- 1. aircraft without a pilot on board means a device without a pilot on board that moves through the air and where the purpose of the flying is something other than recreation, sport or competition;*
- 2. model aircraft means a device without a pilot on board that moves through the air and where the sole purpose of the flying is recreation, sport or competition*

Section 6. Flight restrictions

All model aircraft flights must be conducted in a considerate manner so that there is no risk of harm to aircraft, people, birds, animals or property and so as not to otherwise constitute a public nuisance.

The model aircraft must be clearly visible to the operator at all times so that full control of the model aircraft can be maintained. Model aircraft may only be flown during daylight hours and not

- 1. at altitudes of more than 120 metres above ground or water,*
- 2. closer than 150 metres to people, motor vehicles or buildings not controlled by the aircraft operator, except during take-off and landing.*

The restrictions in the second paragraph do not apply to flights that are securely conducted under the auspices of a model aircraft association.

If the operator of the model aircraft is assisted by a person standing next to the operator, and the model aircraft is clearly visible to him or her at all times, the flight may be conducted by use of information transmitted by a camera on board the model aircraft (first person view).

Section 7. Areas in which flying a model aircraft is not permitted

Model aircraft may not be flown over or in the vicinity of military areas, embassies or prisons, except by permission from the local person in charge.

Model aircraft may not be flown in restricted areas established pursuant to the Aviation Act or the Police Act. Model aircraft may not be flown over or in the vicinity of a place where an incident site has been established by the emergency services or the Armed Forces in connection with an accident or other extraordinary event.

Except by permission from the local air traffic services unit, model aircraft may not be flown closer than 5 km to an aerodrome.

Section 8. Strict liability for damage to third parties etc.

The operator of a model aircraft is invariably liable for damage or losses suffered outside the model aircraft as a result of the aircraft being used for flying.

Section 9. Under the influence of alcohol etc.

Nobody must fly a model aircraft under the influence of alcohol or other intoxicating or narcotic substance. Sections 6-11 and 6-13 of the Aviation Act shall apply correspondingly.

For further information, please contact the Civil Aviation Authority: www.caa.no / postmottak@caa.no

Other regulations

Flying with drones does not require a special permission from the Governor itself. Any flight activity using a UAV must however be in accordance with the general rules pursuant to the Svalbard Environmental Protection Act - Act of 15 June 2001 No. 79 relating to the protection of the environment in Svalbard. Compliance with the following rules is particularly important:

Section 5. (duty of care and duty to provide information) first paragraph:

Any person who is staying in or operates an undertaking in Svalbard shall show due consideration and exercise the caution required to avoid unnecessary damage or disturbance to the natural environment or cultural heritage.

Section 73. (general provisions relating to access to and passage through the natural environment) second paragraph:

All access and passage in Svalbard shall take place in a way that does not harm, pollute or in any other way damage the natural environment or cultural heritage or result in unnecessary disturbance to humans or animals.

Pursuant to **Regulations pertaining to environmental pollutants in Svalbard** section 7 first paragraph, it is prohibited to leave waste that may be unsightly or cause damage or nuisance

to the environment. Persons operating UAVs/drones on Svalbard must therefore ensure that the UAV/drone is not left behind in the wild.

We also remind you that:

- Photographing or filming using UAVs in some cases may require a permission from the Norwegian National Security (www.nsm.no / post@nsm.stat.no).
- Publishing or use of films or photographs, may require permissions according to the Personal Data Act. For further information, please contact the Norwegian Data Protection Authority (www.datatilsynet.no).

For further information on regulations or other matters, please see our website or contact the Governor on (+47) 79 02 43 00 or by e-mail to firmapost@sysselmannen.no.