



(For Immediate Release)

MEDIA STATEMENT

06 March 2015

South Africa takes the lead in the drafting of regulations for RPAS and warns against illegal use of RPAS (drones)

Midrand, Johannesburg, 06-03-2015. The South African Civil Aviation Authority (SACAA) hereby announces that the process of drafting regulations for Remotely Piloted Aircraft Systems (RPAS) has now been completed and draft regulations have been submitted to the Minister of Transport for consideration and subsequent approval, if the Minister is in agreement. However, until the regulations are approved, the use of RPAS in terms of existing legislation remains illegal. The Civil Aviation Regulations prescribe requirements for operating any aircraft in the South African airspace. To date, no RPAS have been able to comply with these requirements.

The SACAA, as the regulator, in fulfilling its mandate in terms of section 72 of the Civil Aviation Act, 2009 (Act No 13 of 2009), with specific reference to the control and regulation of civil aviation safety and security, is obligated to put regulations in place for dealing with all the regulatory facets applicable to the operation of RPAS.

Remotely Piloted Aircraft are aircraft that can fly without a pilot on board. These aircraft come in all sorts of shapes and sizes and can be controlled remotely by an individual on the ground, from another aircraft.

“The SACAA is one of the very first entities globally to make headway in terms of developing comprehensive regulations. This demonstrates the Regulator’s ability to respond to an urgent need from the industry, and also shows our commitment in ensuring that the regulations are in place as soon as possible, as this is the only way we can ensure that RPAS operate safely,” said Poppy Khoza, Director of Civil Aviation.

“RPAS represent a relatively new component of the civil aviation framework, one which the SACAA, together with other regulators worldwide and under the guidance of the International Civil Aviation Organisation (ICAO), are working to understand, define and ultimately integrate into the civil aviation sector. As such, the process of developing policies, procedures, regulations and associated standards in order to certify and subsequently authorise the operation of RPAS is moving with speed, but also needs to be

handled with care as failure to ensure this will have devastating consequences, including loss of life,” Khoza explained.

As an ICAO member state, South Africa is actively involved in the ICAO RPAS Panel which aims to develop standards to guide contracting States in the development of their national regulations. In addition, the SACAA has worked closely with international Working Groups, the national industry and relevant agencies to develop the pending regulations. The draft regulations were published for comment in December 2014/Jan 2015 for a period of 30 days, as dictated by the consultation guidelines.

Many factors were considered in the process of developing the regulations for authorisation. “As much as we are enthusiastic about the integration of RPAS into the civilian airspace, we need to be mindful of various security and safety aspects. Key among these is that the technology installed on RPAS is able to ensure that, amongst others, mid-air collisions and incidents are minimised. There is also the need to make sure that the allocated frequency spectrum is secure, in order to ensure protection from unintentional or unlawful interference with the RPAS,” Khoza elaborated.

The SACAA has been receiving reports that there are individuals and/or organisations that are already operating or intending to operate RPAS in the South African civil aviation airspace without approval.

“It is disconcerting to hear that there are individuals or organisations that, for some reason or another, are determined to contravene the applicable civil aviation prescripts on this subject. The fact is that the SACAA has not given any concession or approval to any organisation, individual, institution or government entity to operate RPAS within the civil aviation airspace. Those that are operating any type of RPAS are doing so illegally; and as the regulator we cannot condone nor tolerate any form of blatant disregard of the applicable rules. SACAA is investigating reports received lately and shall pursue those who are illegally operating RPAS without any authorisation. Operating RPAS in an unregulated manner can have devastating consequences and no one can be allowed to operate them until such time the regulations have been approved. If anyone is considering to operate RPAS outside of regulations, they must be warned as this behaviour cannot be tolerated,” said the Director.

The approval and subsequent implementation of the new RPAS regulations in South Africa will in no way be a conclusive process. The Authority anticipates rapid changes in the very near future, as this is a new phenomenon in the civilian airspace and as such, as this facet of the industry evolves; we will adjust the regulations as dictated by the prevailing circumstances at any given time. The SACAA will still work in collaboration with ICAO and its member states, towards providing a regulatory framework through Standards and Recommended Practices (SARPs), with supporting Procedures for Air Navigation Services

(PANS) and guidance material, to underpin the routine operation of RPAS in a safe, harmonised and seamless manner, comparable to that of manned operations.

The SACAA takes its mandate very seriously and in the process of ensuring that regulations are in place to ensure a safe and secure civil aviation industry, the Regulator will not take lightly its role of enforcing the implementation of these regulations.

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About the SACAA:

The South African Civil Aviation Authority ("SACAA") is a juristic body established in terms of the Civil Aviation Act, 2009 (Act No. 13 of 2009) ("the Act"). SACAA is governed and controlled by the Civil Aviation Authority Board ("the Board"). In terms of mandate, the SACAA is tasked with promoting and maintaining a safe, secure and sustainable civil aviation environment, by regulating and overseeing the functioning and development of the industry in an efficient, cost-effective, and customer-friendly manner according to international standards.

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