
THE CIVIL AVIATION REGULATIONS- PART XVI- UNMANNED AERIAL SYSTEM OPERATIONS

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SUBSIDIARY LEGISLATION

THE CIVIL AVIATION (UNMANNED AERIAL SYSTEM OPERATIONS) REGULATIONS

*MADE BY THE MINISTER IN ACCORDANCE WITH
SECTION xxxxxxxx OF THE CIVIL AVIATION ACT*

Citation. 1. These Regulations may be cited as the Civil Aviation Regulations Part XVI- Unmanned Aerial System Operations.

Interpretation. 2. In this Part –

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

“Authority” means the Guyana Civil Aviation Authority;

“Beyond Visual Line of Sight (BVLOS)” means any operation which does not meet the definition of a visual line of sight operation;

“Commercial Operation” means operation for hire or reward;

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“Maximum Takeoff Mass” means the maximum mass an aircraft can takeoff and still be controlled effectively while in flight;

“Observer” means the person designated by the operator to carry out the activities required to maintain a visual line of sight of the aircraft;

“Operator” means the person who manipulates the flight controls or manages the flight command instructions for the aircraft;

“Property” means but is not limited to land, vessels, or vehicles;
“Recreational Operation” means any operation conducted for the operator’s personal and private purposes and where there is no commercial outcome, interest or gain;

“Unmanned Aircraft (UA)” means an aircraft which is intended to fly without a human pilot onboard and is categorised by size, such as, micro, very small, small. Medium and large;

“Micro” refers to the gross weight of 100 g or less;

“Very Small” refers to the gross weight of more than 100 g and less than 2 kg;

“Small” refers to the gross weight of at least 2 kg and less than 25 kg;

“Medium” refers to the gross weight of at least 25 kg and less than or equal to 150 kg (or, for airships, an envelope of 100 m³ or less);

“Large” refers to the gross weight greater than 150 kg (or, for airships, more than a 100 m³ envelope);

“Unmanned Aircraft System (UAS)” means an unmanned aircraft, its associated remote pilot station(s), the required command and control links and any other components as

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specified in the type design;

“Visual Line of Sight” means any operation conducted where the operator or observer maintains visual contact with the unmanned aircraft, without the use of any device other than corrective lenses, and is able to determine the aircrafts attitude, altitude, direction and location.

Applicability.

3. (1) These Regulations applies in respect of the operation of Unmanned Aerial Systems (UAS) in Guyana and shall apply to any -

- (a) Unmanned aerial system, as defined in these regulations, to be operated within the territory of Guyana;
- (b) Persons operating an unmanned aerial system, within the territory of Guyana; or
- (c) Operation associated with the use of an unmanned aerial system within and above the territory of Guyana.

Registration of owner of an unmanned aerial system

4. (1) A person issued with a unmanned aerial system certificate of registration under these regulation will be referred to as an unmanned aerial system operator.

(2) A person shall not operate an unmanned aerial system within Guyana airspace unless the person has a certificate of registration issued by the Authority.

Application for and issue of a Certificate of Registration

5. (1) A person issued with a unmanned aerial system certificate of registration under these regulations will be referred to as an unmanned aerial system operator.

(2) Application for a certificate of registration for an unmanned aerial system shall be made for those unmanned aerial systems that will be used for commercial, recreational, scientific and/or experimental purposes.

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(3) A person who wishes to register an unmanned aerial system shall –

- (a) apply to the Authority on the prescribed form for the specific category and type of unmanned aerial system;
- (b) submit all required documents as specified by the Authority;
- (c) pay the prescribed fee; and
- (d) meet the applicable requirements of these Regulations.

(4) Persons who will be considered for registration of an unmanned aerial system must be –

- (a) a citizen of Guyana;
- (b) a CARICOM national;
- (c) a permanent resident of Guyana as defined in the Immigration Act of Guyana; or
- (d) A body incorporated in Guyana or within another CARICOM State.

(5) An unmanned aerial system registered in another State may be permitted to operate in Guyana without a certificate of registration issued by Guyana once exempted or approved to do so by the Authority.

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(6) A person applying for a certificate of registration for an unmanned aerial system and who has met the requirements prescribed under these regulations will be issued with a certificate of registration.

(7) The owner of an unmanned aerial system issued with a certificate of registration under these regulations shall ensure that the certificate is readily available for inspection by the Authority when so requested.

Conditions for registration and requirements for deregistration

6. (1) The conditions for registration of an unmanned aerial system shall be as follows–

(a) The unmanned aerial system will be subject to the applicable requirements of these Regulations;

(b) The unmanned aerial system must not be registered in another State. If the unmanned aerial system is registered in another State, then it must first be deregistered from that State before it can be registered in Guyana. The owner must show to the Authority proof of deregistration, if applicable.

(c) The owner/operator of the unmanned aerial system must comply with all prescribed conditions, limitations and directions issued by the Authority with respect to operating such unmanned aerial system;

(d) The owner/operator of the unmanned aerial system must allow

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access by the Authority, at any reasonable time to inspect –

- (i) the unmanned aerial system;
- (ii) any documents associated with the unmanned aerial system; and
- (iii) any equipment needed for the operation of the unmanned aerial system.

(2) The owner/operator shall obtain Public Liability.

(3) The owner of an unmanned aerial system shall notify the Authority to deregister his unmanned aerial system, where the unmanned aerial system -

- (a) is lost or permanently destroyed; or
- (b) has been sold or transferred to a new owner.

(4) Where the owner of an unmanned aerial system wishes to deregister his unmanned aerial system, he shall -

- (a) apply to the Authority in the prescribed form; and
- (b) pay the prescribed fee.

(5) Where the purpose of an application for deregistration of an unmanned aerial system is to facilitate registration of the unmanned aerial system in another State, the Authority shall deregister the unmanned aerial system.

(6) Where the Authority has deregistered a unmanned aerial system, the owner of the unmanned aerial system shall

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(a) return the certificate of registration to the Authority; and

(b) remove all Guyana nationality and registration markings from the unmanned aerial system.

Unmanned aerial system register

7. (1) The Authority shall maintain a current register of unmanned aerial systems registered in Guyana. The register shall contain information of -

(a) the certificate of registration assigned number;

(b) the unmanned aerial system registration markings assigned to by the Authority;

(c) the name of the manufacturer of the unmanned aerial system and its type design;

(d) the manufacturer serial number of the unmanned aerial system; and

(e) the name, address and contact information of the registered owner of the unmanned aerial system.

Unmanned Aerial Operator Certificate, application and requirements for granting the certificate

8. (1) A person shall not operate an unmanned aerial system in commercial operation unless such person has applied for, and issued with, an unmanned aerial operator certificate by the Authority.

(2) A person who wishes to obtain an unmanned aerial operator certificate shall -

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- (a) apply to the Authority on the prescribed form;
- (b) submit all required documents as specified by the Authority;
- (c) pay the prescribed fee; and
- (d) comply with any other requirements stipulated by the Director General.

(3) The operator of a commercial or experimental unmanned aerial system must be at least eighteen years of age before an unmanned aerial system operator certificate can be issued to him.

(4) Where the Authority is satisfied that the requirements under these Regulations has been met, it may issue to the applicant an unmanned aerial operator certificate.

(5) An unmanned Aerial System Operator Certificate will be issued after the applicant satisfies the requirements for both the issue of a certificate of registration, and an unmanned aerial system operator certificate.

Suspension or
revocation of an
Unmanned Aerial
Operator
Certificate

9. The Authority may suspend or revoke the unmanned aerial operator certificate of an operator where the Authority is satisfied that the holder of the unmanned aerial operator certificate has failed to comply with the requirements of these regulations.

Operator's licence
and requirement to
obtain an
operator's licence

10. An operator of an unmanned aerial system shall –

- (a) be required to apply for and obtain from the Authority an operator's licence with regard to

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the category of unmanned aerial system he wishes to operate;

- (b) not operate a Small Category unmanned aerial system for the purpose of commercial, recreation, scientific, aerial work or experimental unless that person has obtained a valid unmanned aerial system operator licence;
- (c) not operate a Medium Category unmanned aerial system for the purpose of commercial, recreation, scientific, aerial work or experimental unmanned aerial system unless that person has obtained a valid UAS licence -
 - (i) manufacturer training; or
 - (ii) training under the supervision of a licenced and qualified operator, and has obtained a valid unmanned aerial system licence from the Authority;
- (d) not operate a Large Category unmanned aerial system unless the operator has successfully completed -
 - (i) manufacturer training; or
 - (ii) comply with any other requirements specified by the Authority on application; and
 - (iii) be a person holding a licence in a higher class is authorised to operate aerial in a lower class provided he is trained and competent in the type and class of aerial.

Operator to
establish and
maintain training
and operation

11. An operator of an unmanned aerial system shall establish and maintain a record of his training and

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records for operation activities and make such records available upon commercial operations request to the Authority for inspection.

Prohibition on operation of an unmanned aerial system due to a medical condition, medication or under the influence of alcohol or drug.

12. (1) An operator of an unmanned aerial system shall not operate an unmanned aerial system where the operator –

- (a) knows or has reason to believe that an existing medical condition may interfere with the safe operation of the unmanned aerial system;
- (b) is taking medication or receiving treatment for a medical condition which the operator knows or has reason to believe may interfere with the safe operation of the unmanned aerial system; or
- (c) is under the influence of alcohol or any controlled substance that might impair the operator’s judgment.

Nationality and registration marks and requirement for display.

13. (1) The operator of an unmanned aerial system shall ensure that the unmanned aerial system is marked with a group of characters representing the nationality markings assigned by the Authority.

(2) The nationality mark for an unmanned aerial system registered in Guyana under these regulations shall be a representation of the national flag of Guyana.

(3) Where, as a result of the configuration of an unmanned aerial system, it is not possible to mark the unmanned aerial system with a representation of the national flag of Guyana, the owner or operator, where applicable, shall apply to the Authority to use a different display that is acceptable to the Authority.

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(4) The nationality mark shall precede the registration mark.

(5) The Authority shall, as far as practicable advise where the nationality and registration marks shall be placed on the unmanned aerial system.

(6) A person shall not operate an unmanned aerial unless the unmanned aerial system displays the nationality and registration markings in accordance with this regulation. A micro, very small unmanned aerial system, or a unmanned aerial system in the racing and/or experimental class may not be subject to this requirement

(7) A person shall not place on an unmanned aerial system, any design, mark or symbol that modifies or confuses the nationality and registration markings required under these regulations unless otherwise authorised by the Authority.

(8) The nationality and registration markings on an unmanned aerial system shall be -

- (i) painted on the outer surface of the unmanned aerial system or affixed by other means ensuring a similar degree of permanence;
- (ii) in capital letters in Roman characters without ornamentation; and the numbers (if any) in Arabic numerals without ornamentation;
- (iii) in clear and distinct contrast with the colour of the background;
- (iv) large and legible; and
- (v) kept clean and visible at all times.

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(7) The operator of unmanned aerial system shall ensure that the nationality and registration marks on his unmanned aerial system are attached permanently to the back section of a high-visibility vest which shall be worn by the operator while operating the unmanned aerial system.

Removal of
Nationality and
registration marks

14. (1) When an unmanned aerial system is sold to a person not qualified for the grant of a certificate of registration prescribed under these regulations, the owner shall -

- (a) apply to the Authority to deregister the unmanned aerial system;
- (b) remove all nationality and registration marks before the unmanned aerial system is delivered to the purchaser; and
- (c) return the certificate of registration to the Authority.

(2) Where an unmanned aerial system is sold to a citizen of Guyana or to a person qualified for the grant of a certificate of registration under these regulations, the owner shall -

- (a) inform the Authority of such sale and change of ownership; and
- (b) return the certificate of registration for the unmanned aerial system to the Authority.

Airworthiness of an
Unmanned Aerial
System

15. (1) An operator of an unmanned aerial system shall -

- (a) maintain such system according to the manufacturers' design specifications and follow the manufacturers' specifications for all modifications to the system;

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- (b) conduct a pre-flight inspection to ensure such unmanned aerial system is in a condition that ensures safe operation; and
- (c) conduct a post flight inspection for any damage that may have occurred in flight.

(2) An operator shall follow all procedures outlined in any manual submitted and approved by the Authority and all applicable airworthiness directives.

(3) An operator shall not operate a unmanned aerial system unless the conditions set out in these regulations have been observed and the operator has determined that the unmanned aerial system is in a condition for safe operation.

Operations Documents for inspection by the Authority -

16. (1) An operator shall, when operating an unmanned aerial system, have readily available for inspection by the Authority or its designate at any time the following documents -

- (a) the certificate of registration for the owner;
- (b) the certificate of registration for the unmanned aerial system;
- (c) an unmanned aerial operator certificate;
- (d) the appropriate unmanned aerial system licence; and
- (e) any other document, records or reports as may be specified by the Authority from time to time that the operator shall be required to keep.

Operator to inform Air Traffic Control Unit if control of the unmanned aerial system is lost

17. (1) An operator shall immediately make a report and inform the closest Air Traffic Control Unit if the operator has lost control of the unmanned aerial system and the unmanned aerial system continues to fly.

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(2) An operator shall make a report to the Authority within ten days if while operating an unmanned aerial system an incident occurs which resulted in –

- (a) any injury to a person or animal; or
- (b) damage to any property, not owned by the operator.

Responsibilities of operator during operations

18. (1) Unmanned aerial systems shall not -

- (a) be operated in a careless or reckless manner so as to during endanger the life or property of another;
- (b) drop objects with the intent to endanger the life or property of another; or
- (c) be operated so as to pose a risk of damage to other unmanned aerial system, aircraft, person or property.

(2) An operator shall ensure that the unmanned aerial system yields the right of way to all manned aircraft operations and is restricted to the operational areas identified in this Part so as not to create a collision hazard.

(3) The operator shall discontinue the flight of the unmanned aerial system if the operator knows or has reason to believe that continuing the flight could pose a hazard to other unmanned aerial system, aircraft, person or property.

(4) An Operator of unmanned aerial system shall keep the unmanned aerial system in visual line of sight at all times.

(5) An observer may be used to satisfy the requirement of these regulations provided -

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- (a) the observer is also subject to the medical requirements set out for the operator under these regulations;
 - (b) the operator and the observer are in clear continuous communication; and
 - (c) the unmanned aerial system remains close enough to the operator for the operator to be capable of seeing the unmanned aerial system with vision unaided by any other device other than corrective lenses.
- (9) An operator of a unmanned aerial system may apply to the Authority to conduct beyond visual line of sight (BVLOS) operations and the Authority shall as far as practicable, consider each application having regard to the intentions of the operator in granting permission, on a one-on-one basis.

Operation of
multiple
unmanned
aerial
systems

19. A person shall not act as an operator or observer for more than one unmanned aerial system at any given time.

Operations over
persons

20. (1) An operator shall not operate an unmanned aerial system over another person except where that person

- (a) has consented to participate in the operation and have the aerial fly over; or
- (b) is located under a covered structure that provides reasonable protection if the unmanned aerial system was to lose control and was given sufficient notice that the unmanned aerial system is conducting operations in the vicinity.

Restrictions on
operations

21. (1) An operator shall not operate a Micro or Very Small Category unmanned aerial system -

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- (a) within two kilometers (2 km) from the boundary of an aerodrome, including the approach lighting system;
- (b) within one kilometer (1 km) of a helipad or restricted fly zones as define in the Aeronautical Information Publication, Official Residences, Official Offices, Army Camps and Bases, Police Stations, Prisons; or
- (c) above thirty metres (30 m) or one hundred feet (100 ft).

(2) An operator shall not operate a Small, Medium and Large Category UAS -

- (a) within five kilometres (5 km) from the boundary of an aerodrome including the approach lighting system and any other manned aerial operations;
- (b) within two kilometres (2 km) of a helipad;
- (c) within one kilometre (1 km) of any restricted fly zone as listed in the Aeronautical Information Publication, Official Residences, Official Offices, Army Camps and Bases, Police Stations, Prisons; or
- (d) above one hundred and twenty metres (120 m) or four hundred feet (400 ft).

(3) An operator of a unmanned aerial system shall not conduct any operation over or within private property unless he has been granted over private property permission by the owner of the property.

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(4) Operations by persons in the exercise of law enforcement are operations by exemption from this provision.

(5) An operator of an unmanned aerial system shall not conduct operations any operations within, or over public property, unless written over public property permission is sought and obtained prior to the operation of the unmanned aerial system from the relevant Authority with responsibility for the area in which the operator wishes to conduct operations.

Responsibilities of operator during operations

22. (1) Where a person, group of persons, an organisation or a nationally registered club wishes to be registered as an unmanned aerial system flying club for the recreational flying of unmanned aerial systems, an application shall be made to the Authority to be registered as an unmanned aerial flying club.

(2) An unmanned aerial flying club shall -

- (a) be registered with the Authority before operations can begin;
- (b) confine its operations to those areas specified in the club's application under these regulations and any other limitations imposed by the Authority in granting approval;
- (c) keep an updated registry of all persons who are members of the unmanned aerial flying club and make such register available for the Authority's inspection upon request; and
- (d) comply with any other applicable requirements as set out in these Regulations.

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(3) Notwithstanding the requirements of these regulations, a registered unmanned aerial flying club may apply to the Authority for exemption from any requirement of these Regulations and the Authority may, after having considered the request, grant the exemption.

(4) An exemption granted under these regulations shall apply only to registered members of the unmanned aerial flying club which requested the exemption and only within the area specified in the club's application under these regulations.

(5) An application for the formation of an unmanned aerial flying club shall -

- (a) be made to the Authority on the prescribed form;
- (b) in the case of a nationally registered club, also include with the application, documentation showing proof of registration of the club;
- (c) specify the area of land to be used by the club for operations;
- (d) pay the prescribed fee;
- (e) submit an operations manual to the Authority detailing the types of unmanned aerial systems it intends to operate and the manner of the operations to be conducted by the club;
- (f) provide any other documentation as required by the Authority; and
- (g) satisfy any other applicable requirements as set out in this Part.

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(6) An application for the registration of an unmanned aerial system flying club under these regulations may be made by a –

- (a) Guyanese citizen, company or organisation;
- (b) CARICOM national;
- (c) permanent resident of Guyana as defined in the Immigration Act; or
- (d) body incorporated within a member State of CARICOM.

Issue, suspension and revocation of an unmanned aerial flying club certificate.

23. (1) Where the Authority is satisfied that an application made under these regulations has met the requirements of these regulations, it may issue to the operator an unmanned aerial flying club certificate.

(2) The Authority may suspend or revoke the unmanned aerial flying club certificate where the Authority has given written notice to the club administrator of the failure by members of the club to comply with the requirements of the applicable regulations and the Authority is satisfied that the unmanned aerial flying club has had sufficient time to comply with the notice.

Authority to conduct surveillance on unmanned aerial flying club activities.

24. (1) No one shall obstruct or hinder the Authority from inspecting the equipment, documents and land areas used by an unmanned aerial flying club.

(2) The Authority shall surveillance and inspection activities of an unmanned aerial flying club to ensure compliance with these regulations.

(3) Where the Authority is refused permission, obstructed or hindered to carry out surveillance and inspection activities of an unmanned aerial flying club as set

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out under these regulations, the Authority may suspend or revoke the unmanned aerial flying club certificate.

Recreational use of
unmanned aerial
systems –
Exemptions

25. (1) An operator of an unmanned aerial system shall comply with these Regulations unless specifically exempted under these regulations.

(2) An operator who operates a Micro, Very Small Category UAS, solely for recreational use, shall not be required to-

- (a) register the unmanned aerial system;
- (b) apply for an Unmanned Aerial Operator Certificate;
- (c) keep a proficiency record; or
- (d) obtain an Unmanned Aerial System Licence, provided the operator is –
 - (i) operating under the designation of a registered unmanned aerial flying club in the club's designated area; or
 - (ii) under the direction of a qualified pilot; or
 - (iii) over private land with the land owner's permission.

Enforcement and
Penalties

26. (1) The Authority may take such actions as to ensure that persons operating unmanned aerial systems comply with the requirements of these Regulations.

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(2) Where the Authority has determined that an operator has conducted an unsafe flight operation, the Authority may suspend or revoke any or all approvals, authorisations, licences or certificates issued to him.

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