



DUNKIRK ESTATE

POLICY AND PROCEDURE ESTATE RULES – 01 April 2018 POLICY ON THE USE AND FLYING OF DRONES

Drone: Officially termed Remotely Piloted Aircraft System or abbreviated as RPAS, but for the purpose of this Policy the term Drone shall be used.

1.0 General:

- 1.1 The Estate Policy limits the use and operation of Drones within the Estate boundaries to those persons who are qualified as Drone Operators/Pilots and who are registered with the Civil Aviation Authority (CAA) to fly a registered Drone. All other persons who own or wish to fly / operate a Drone are strictly prohibited from doing so on the Estate property.
- 1.2 If a Home Owner wishes to appoint a certified Drone Operator/Pilot to perform private operations on the Estate such as survey, photography or commercial related work it is incumbent of the Home Owner to ensure that the Drone Operator/Pilot is suitably qualified and has the relevant Pilot's License, CAA authorization as well as the relevant insurance cover and public liability cover.
- 1.3 It will be incumbent of the Home Owner to notify the surrounding neighbours of his intention to fly in that specific area and to obtain a signed declaration and indemnity indemnifying the Estate of any unforeseen accidents.
- 1.4 The Home Owner is to ensure that the Estate Manager has copies of the necessary documentation and is made aware of the time and date that the Drone operations will take place.

1.5 In the case of a function at which there are a number of guests, the responsible Home Owner will be held fully accountable for the safety of all such guests and ensure that the documentation provided to the Estate Manager includes a full guest list.

Annexure:

2.0 Back Ground on the Rules Regarding the Civil Aviation Authority on Drone Requirements Pertaining to the Section Part 101 of CAA Regulations.

2.1 A qualified Drone pilot will need to have a Civil Aviation Authority approved and valid remote pilot licence as well as a letter of approval to operate the drone.

2.2 The letter of approval will be valid for 12 months. When a person obtains a Drone from a seller he does not need to have the documents when buying a Drone, the seller will have to make the buyer aware of the requirements as stipulated in the South African Civil Aviation Authority regulations.

2.3 Drone pilots will be required to tune into the air traffic services for the controlled airspace they will be flying the Drone, reporting co-ordinates to the air traffic controllers – all flight activities also need to be recorded in a logbook.

2.4 All incidents involving a Drone must be reported, especially where there is any injury to a person; damage to property; or destruction of the Drone beyond economical repair.

2.5 The Drone Pilot shall observe all statutory requirements relating to liability, privacy and any other laws enforceable by any other authorities.

3.0 What happens if you are caught with or using illegal Drone Pilots?

3.1 Receive a 10 year prison sentence or a fine of R50 000, or both.

3.2 Individuals that use Drones in an irresponsible manner may also face legal liability for breaking laws enforceable by other Government agencies.

3.3 Should an accident occur the Home Owner shall be held responsible for employing an unlicensed operator and or incur public liability claims as a result of damage caused. "I did not know he was not legal" is not a defence that will work well in a court of law.

4.0 How Do You Know If the Drone Pilot is Legal?

It's quite simple to determine this. Request the Drone Pilot to provide you with the following documents:

1. CAA issued **ROC** (remote operating Certificate).
2. Dept Transport issued **ASL** (Air Services License).
3. CAA Issued **RLA** (remote letter of approval) for the Drone.
4. CAA approved **OP Spec** (operations specification).
5. Copy of Legal Operators **Operations manual** on site.
6. Proof of insurance of the Drone and public liability cover.
7. Registered aircraft (ZT-xxx) displayed on Drone.
8. ICASA issued Radio station license for the Drone being used.

All of these are legal requirements to be with any legal Drone operation. A Pilot stating that he has applied for his ROC is still an illegal operator until the day he has been approved by CAA and can supply all the above documents.

The full details of the CAA Aviation regulations related to RPAS (Drones) Part 101 can be found on www.caa.co.za.