



Republic of the Philippines
CIVIL AVIATION AUTHORITY
OF THE PHILIPPINES



MEMORANDUM CIRCULAR NO. 010-2024

TO : ALL CONCERNED

FROM : THE DIRECTOR GENERAL

SUBJECT : AMENDMENTS TO CIVIL AVIATION REGULATIONS
PARTS 1 AND 11

**RE: AERIAL WORKS AND REMOTELY PILOTED
AIRCRAFT SYSTEMS CERTIFICATION**

REFERENCES:

1. Philippine Civil Aviation Regulation Parts 1 and 11
2. Regulations Amendment/Revision Procedure
3. Board Resolution No. 2012-054 dated 28 September 2012
4. ICAO Model Regulations Part 101 and 102

Pursuant to the powers vested on the Director General of the Civil Aviation Authority of the Philippines under Republic Act No. 9497, otherwise known as the Civil Aviation Authority Act of 2008 and in accordance with the Regulations Amendment/Revision Procedure with Board Resolution No. 2012-054 dated 28 September 2012, I hereby approve the incorporation of the following amendments to the Philippine Civil Aviation Regulations Parts 1 and 11:

AMENDED REGULATIONS:

PHILIPPINE CIVIL AVIATION REGULATIONS PART 1

APPENDIX A: DEFINITIONS

In this Part the following definitions apply unless otherwise specified:

Accident. Means ~~a~~ An occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

- (~~a~~) (a) a person is fatally or seriously injured as a result of:
 - (~~A~~) (1) being in the aircraft, or
 - (~~B~~) (2) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or

- (C) (3) direct exposure to jet blast, *except* when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew, or
- (b) the aircraft sustains damage or structural failure which
 - (A) (1) adversely affects the structural strength, performance or flight characteristics of the aircraft, and
 - (B) (2) would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or
- (c) the aircraft is missing or is completely inaccessible.

Aerodrome. ~~The preferred spelling is Airport however the meaning is identical except the spelling. See Airport entries below.~~ A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

Airport (aerodrome). The preferred spelling is Aerodrome however the meaning is identical except the spelling. See Aerodrome entries above. ~~A defined area on land or water including any buildings, installations and equipment intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.~~

Assemblies of people. A crowd of people. It is not defined by a specific number of people, but is related to the possibility for an individual to move around in order to avoid the consequences of a drone which is out of control.

Certificate of Authorization. A certificate issued by the Authority to an operator conducting Aerial Work operation.

Indoors. The area or space inside a building.

Notice to Airmen (NOTAM). A notice distributed by means of telecommunication containing information concerning the establishment, condition, or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.

Operator. A person, organization or enterprise engaged in or offering to engage in a manned or unmanned aircraft operation.

Remote pilot. A person charged with duties essential to the operation of an unmanned aircraft and who manipulates the flight controls, as appropriate, during flight time.

Risk mitigation. The process of incorporating defenses or preventive controls to lower the severity and/or likelihood of a hazard and the projected consequences.

Remotely Piloted Aircraft visual observer. A trained and competent person designated by the operator who, by visual observation of the unmanned aircraft, assists the remote pilot in the safe conduct of the flight.

Safety. The state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable level.

Safety management system (SMS). A systematic approach to managing safety, including the necessary organizational structures, accountability, responsibilities, policies and procedures.

Safety oversight. A function performed by a State to ensure that individuals and organizations performing an aviation activity comply with safety-related national laws and regulations.

Segregated airspace. ~~Airspace of specified dimensions allocated for exclusive use to a specific user(s).~~

Shielded operation. Means an operation of an aircraft within 100 m of, and below the top of, a natural or man-made object.

State Safety Program (SSP). An integrated set of regulations and activities aimed at improving safety.

Surveillance. The State activities through which the State proactively verifies through inspections and audits that aviation license, certificate, authorization, or approval holders continue to meet the established requirements and functions at the level of competency and safety required by the State.

Training Manual. A manual containing operators training syllabus and procedures.

Unmanned aircraft (UA). an aircraft that is intended to be operated with no pilot onboard.

Unmanned Aircraft System (UAS). An unmanned aircraft and its associated components.

PHILIPPINE CIVIL AVIATION REGULATIONS PART 1

1.5 SAFETY MANAGEMENT SYSTEM

The holder of an AOC, ATOC, AMOC, Certificate of Authorization, and International – General Aviation Operators shall implement a safety management system acceptable to the Authority that as a minimum:

PHILIPPINE CIVIL AVIATION REGULATIONS PART 11

11.1.1.4 APPLICABILITY

(d) This Part applies to the operation of an RPA.

11.1.1.2 RESERVED

11.1.1.3 ABBREVIATIONS

(a) The following abbreviations are used in Part 11:

(3) IFR – Instrument Flight Rules-

11.1.1.4 COMPLIANCE WITH A CERTIFICATE OF AUTHORIZATION

11.1.1.5 APPLICATION FOR A CERTIFICATE OF AUTHORIZATION

11.1.1.6 ISSUANCE OR DENIAL OF CERTIFICATE OF AUTHORIZATION

(a) The Authority may issue a eCertificate of aAuthorization if, after investigationevaluation, the Authority finds that the applicant:

(1) Is a citizen of the Republic of the Philippines;

- (2) Has its ~~principle~~ principal place of business and its registered office, if any, located in Republic of the Philippines;
 - (3) Meets the applicable regulations and standards for ~~the holder of a~~ eCertificate of aAuthorization; and
 - (4) Is properly and adequately equipped for safe operations in aerial work and maintenance of the aircraft. ~~;~~ ~~and~~
- (b) The Authority may deny an application for a eCertificate of aAuthorization if the Authority finds that:
- (1) The applicant is not properly or adequately equipped or is not able to conduct safe aerial work operations;
 - (2) The applicant is not capable of providing proper maintenance to its aircraft;
 - ~~(2)~~ (3) The applicant previously held a eCertificate of aAuthorization which was revoked. ~~;~~ ~~or~~
 - ~~(3) An individual that contributed to the circumstances causing the revocation process of a certificate of authorization obtains a substantial ownership or is employed in a position required by this regulation.~~
- (c) The issuance of a eCertificate of aAuthorization by the Authority shall be dependent upon the operator demonstrating an adequate organization, method of control and supervision of flight operations, training program as well as ground handling and maintenance arrangements consistent with the nature and extent of the operations specified.
- (d) The continued validity of a eCertificate of aAuthorization shall depend upon the operator maintaining the requirements of paragraph (c) ~~above under the supervision of the Authority.~~

11.1.4.7 CONTENTS OF CERTIFICATE OF AUTHORIZATION AND OPERATIONS SPECIFICATIONS

- (b) The eCertificate of aAuthorization shall contain at least the following information and shall follow the layout prescribed in IS: 9.1.1.7:
- (1) ~~The State of the Operator and~~ Issuing authority, contact details and address;
 - (2) ~~The certificate of authorization number and expiration date~~ Operator's name, or trading name (if different);
 - (3) ~~The operator name, trading name (if different) and address of the principal place of business~~ Operator's contact details and address of the principal place of business;
 - (4) ~~The date of issue and the name, signature and title of the authority representative~~ Period of validity of the certificate; ~~and~~
 - (5) ~~The location, in a controlled document carried on board, where the contact details of operational management can be found~~ Date of issuance, name, title and signature of the Authority representative.
- (c) The operations specifications associated with the eCertificate of aAuthorization shall contain at least the information listed ~~as under~~ below and shall follow the layout prescribed in IS: 9.1.1.7:

- (1) ~~For each aircraft model in the operator's fleet, identified by aircraft make, model and series~~For manned aircraft;
 - (i) Issuing Authority and contact details;
 - (ii) Operator's name, trading name (if different);
 - (iii) Certificate of Authorization number;
 - (iv) Aircraft model and type;
 - (v) Type of operations; and
 - (vi) Areas of operations.
- (2) ~~For RPAThe following list of authorizations, conditions and limitations shall be included:~~
 - (i) Issuing authority and contact details;
 - (ii) Operator's name ~~and certificate of authorization number~~, trading name (if different);
 - (iii)~~Date of issue and signature of the authority representative~~Certificate of Authorization number;
 - (iv)~~Aircraft~~RPA model and type;
 - (v) ~~The authorized area of operations; and~~Type of operation;
 - (vi)~~Special limitations and authorizations.~~Areas of operations; and
 - (vii) Special authorizations - night flying, maximum altitude, distance from ARP, BVLOS, RPA controller, camera.

11.1.1-8 DURATION OF A CERTIFICATE OF AUTHORIZATION

- (a) A ~~e~~Certificate of ~~a~~Authorization, issued by the Authority is ~~effective until~~valid for a period of five (5) years from the date of issuance and remains effective unless:
 - ~~(1) Its validity for a period of five (5) years.~~
 - (2) (1) The Authority amends, suspends, revokes or otherwise terminatescancels the certificate;
 - ~~(3)~~ (2) The operator surrenders it to the Authority; or
 - (4) (3) The operator suspends operations for more than 60 days.
 - ~~(5) An operator shall make application for renewal of a certificate of authorization at least 30 days before the end of the existing period of validity.~~

11.1.1.9 RENEWAL OF CERTIFICATE OF AUTHORIZATION

- (1) An operator may apply for the renewal of its Certificate of Authorization at least thirty (30) days before the end of the existing period of validity.

11.1.1-910 AMENDMENT OF A CERTIFICATE OF AUTHORIZATION

- (a) A ~~e~~Certificate of ~~a~~Authorization may be amended—

- (1) On the Authority's own initiative, under applicable laws and regulations; or
 - (2) Upon application by the holder of that eCertificate of aAuthorization.
- (b) Each holder of a Certificate of Authorization shall ensure that the Certificate of Authorization is amended:
- (1) so that it remains a current description of the Certificate of Authorization of the holder's operations; and
 - (2) to guarantee continued compliance with the regulations that have been adopted under provision 11.1.5.
- ~~(b)~~ (c) A holder of that eCertificate of aAuthorization shall submit any application to amend ~~a~~ certificate of authorization ~~in a form and in a manner prescribed by the Authority.~~ The applicant shall file the application at least fifteen (15) days before the intended effective date ~~that it~~ of the proposed ~~the~~ amendment ~~become effective.~~
- (e) (d) The Authority will grant a request to amend a certificate if it determines that safety in aerial work and the public interest so allow.
- ~~(d)~~ (e) Within thirty (30) days after receiving a ~~refusal~~ denial to amend, the holder may file for a petition to the Authority to reconsider the ~~refusal~~ denial.
- ~~(e)~~ (f) No person may perform an aerial work operation for which an amendment to the eCertificate of aAuthorization ~~amendment~~ is required, unless it has received notice of the approval from the Authority.

11.1.4-101 ACCESS FOR INSPECTION

- (a) To determine continued compliance with the applicable regulations, the operator shall:
- (1) Grant the Authority free and uninterrupted access to ~~and co-operation with~~ any of its organizations, facilities and aircraft;
 - (2) Ensure that the Authority is granted access to ~~and co-operation with~~ any organization or facilities that it has contracted for services associated with aerial work operations and maintenance for services; ~~and~~
 - (3) Manned Aircraft: Each operator shall provide to the Authority a forward observer's seat on each of the aircraft from which the flight crew's actions and conversations may be easily observed, if applicable ~~Grant the Authority free and uninterrupted access to the flight deck of the aircraft.~~
- ~~(b) Each operator shall provide to the Authority a forward observer's seat on each of the aircraft from which the flight crew's actions and conversations may be easily observed.~~

Note: The suitability of the seat location and the ability to monitor crew member actions, conversations and radio communications is determined by the Authority.

11.1.4-112 CONDUCTING TESTS AND INSPECTIONS

11.1.13 CERTIFICATE OF AUTHORIZATION IS NOT TRANSFERRABLE

- (a) A Certificate of Authorization is not transferrable.

11.1.14 SURRENDER OF CERTIFICATE OF AUTHORIZATION

- (a) The holder of a Certificate of Authorization shall surrender the certificate to the Authority:
 - (1) If the Authority suspends or cancels the certificate; or
 - (2) If the certificate holder suspends operations for more than sixty (60) days.

11.1.15 CANCELLATION OF CERTIFICATE OF AUTHORIZATION

- (a) The Authority may cancel a Certificate of Authorization by written notice to the operator, if:
 - (1) the holder committed a violation of PCAR or limitation in the certification;
 - (2) the holder negligently operated an aircraft or recklessly endangered human life or property; or
 - (3) the holder ceases operations under the Certificate of Authorization for sixty (60) days.

11.1.16 CHANGE OF ADDRESS

- (a) Each holder of a Certificate of Authorization shall notify the Authority in writing in advance of any change in the address of its home base of operations.

11.2 AGRICULTURAL AIR OPERATIONS

~~11.2.1 GENERAL~~

~~11.2.1.1 APPLICABILITY~~

- (a) Part 11 prescribes rules governing—
 - (1) Agricultural aircraft operations within Republic of the Philippines; ~~and~~
 - (2) The issuance of Certificate of Authorization for commercial and private agricultural aircraft operator ~~certificates for these operations.~~
- (b) In a public emergency, a person conducting agricultural aircraft operations under Part 11 may, to the extent necessary, deviate from the operating rules of Part 11 for relief and welfare activities approved by an agency of Republic of the Philippines or a local government.
- (c) Each person who, under the authority of this section, deviates from a rule of Part 11 shall, within ten (10) days after the deviation send to the Authority a complete report of the manned aircraft operation involved, including a description of the operation and the reasons for it.
- (d) For agricultural air operations utilizing RPA, operators shall also conform with the requirements provided in Subpart 11.11.8.4.

~~11.2.2.2 APPLICATION FOR CERTIFICATE~~

Refer to Subpart 11.1.1.5.

~~11.2.2.3 AMENDMENT OF CERTIFICATE~~

Refer to Subpart 11.1.1.9.

11.2.2.42 ~~CERTIFICATION~~ ELIGIBILITY REQUIREMENTS

- (a) General. Except as provided by paragraph(a)(3) of this section—
- (1) The Authority will issue a Certificate of Authorization for private and commercial agricultural manned aircraft operator ~~certificate~~ to an applicant who meets the requirements of this Subpart for that certificate.
 - ~~(2) The Authority will issue a commercial agricultural aircraft operator certificate to an applicant who meets the requirements of this Subpart for that certificate.~~
 - ~~(3)~~ (2) An applicant who applies for an ~~agricultural aircraft operator~~ eCertificate of Authorization containing a prohibition against the dispensing of economic poisons is not required to demonstrate knowledge specific to economic poisons.
- (b) Pilots.
- (1) A private operator-pilot applicant shall hold a current Republic of the Philippines private, commercial, or airline transport pilot certificate and be properly rated for the aircraft to be used.
 - (2) A commercial operator-pilot applicant shall hold, or have available the services of at least one pilot who holds a current commercial or airline transport pilot certificate issued by the Authority and who is properly rated for the aircraft to be used.
 - (3) A remote pilot shall hold a current remote pilot license issued by the Authority and be properly rated for the RPA to be used.
- (c) Aircraft. ~~The applicant shall have at least one certified and airworthy aircraft, equipped for agricultural operation.~~
- (1) The applicant shall have at least one certified and airworthy aircraft, equipped for agricultural operation; or
 - (2) The applicant shall have at least one registered RPA equipped for agricultural operation.
- (d) Knowledge and skill tests. The applicant shall show ~~that it has~~ satisfactory knowledge and skill of the following ~~agricultural aircraft operations~~:
- (1) Knowledge:
 - (i) Steps to be taken before starting operations, including a survey of the area to be worked.
 - (ii) Safe handling of economic poisons and the proper disposal of used containers for those poisons.
 - (iii) The general effects of economic poisons and agricultural chemicals on plants, animals, and persons, and the precautions to be observed in using poisons and chemicals.
 - (iv) Primary symptoms of poisoning of persons from economic poisons, the appropriate emergency measures to be taken, and the location of poison control centers.
 - (v) Performance capabilities and operating limitations of the aircraft to be used.

- (vi) Safe flight and application procedures.
- (2) Skill in the following maneuvers, demonstrated at the aircraft's maximum certified take-off weight, or the maximum weight established for the special purpose load, whichever is greater:
 - (i) Short-field and soft-field takeoffs (airplanes and gyroplanes only).
 - (ii) Approaches to the working area.
 - (iii) Flare-outs.
 - (iv) Swath runs.
 - (v) Pull-ups and turnarounds.
 - (vi) Rapid deceleration (quick stops) in helicopters only.
- (3) For RPAS operations:
 - (i) All remote pilots shall demonstrate competence relevant to its specific operation in a manner acceptable to the Authority.

~~11.2.2.5 — DURATION OF CERTIFICATE~~

Refer to Subpart 11.1.1.8.

11.2.3 OPERATING RULES

11.2.3.1 GENERAL

- (a) Except as provided in paragraph (eb) of this section, this section prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under Part 11.
- ~~(b) The holder of an agricultural aircraft operator certificate may deviate from the provisions of Part 9 without a certificate of waiver when conducting aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating rules of this section.~~
- (e) (b) The operating rules of this Subpart apply to Rotorcraft External load certificate holders conducting agricultural manned aircraft operations involving only the dispensing of water on forest fires by rotorcraft external- load means.

11.2.3.2 CARRYING OF CERTIFICATE

- (a) No person may operate an aircraft unless a **facsimile-certified true copy (CTC) of the agricultural aircraft operator eCertificate of Authorization** is carried on that aircraft.
- (b) The registration and airworthiness certificates issued for the aircraft need not be carried in the aircraft provided that those certificates not carried in the aircraft shall be kept available for inspection at the base from which the dispensing operation is conducted.

11.2.3.6 PERSONNEL

- (a) Information. The holder of an ~~agricultural aircraft operator~~ eCertificate of Authorization shall ensure that each person used in the holder's agricultural manned aircraft operation is informed of that person's duties and responsibilities.
- (c) *Pilot in command.* No person may act as pilot in command of an aircraft operated under this Subpart unless that pilot—:
 - (1) Holds a pilot ~~certificate~~ license and rating prescribed by this Subpart as appropriate to the type of operation conducted; ~~or~~ and
 - (2) Has demonstrated to the holder of the ~~Agricultural Aircraft Operator Certificate~~ Certificate of Authorization conducting the operation, or to a supervisor designated by that certificate holder, that the ~~or she~~ pilot possesses the knowledge and skill requirements of this Subpart.

**11.2.3.9 OPERATION OF MANNED AIRCRAFT OVER CONGESTED AREAS:
PILOTS AND AIRCRAFT**

11.2.3.10 AVAILABILITY OF CERTIFICATE

- (a) Each holder of an ~~agricultural aircraft operator~~ eCertificate of Authorization shall keep that certificate at its home base and shall present it for inspection on the request of the Authority or any government law enforcement officer.

11.2.4.1 RECORDS: AGRICULTURAL AIRCRAFT OPERATOR

- (a) Each holder of an ~~agricultural aircraft operator~~ eCertificate of Authorization shall maintain and keep current, at the home base designated in its application, the following records—.

~~11.2.4.2 CHANGE OF ADDRESS~~

- ~~(a) Each holder of an agricultural aircraft operator certificate shall notify the Authority in writing in advance of any change in the address of its home base of operations.~~

~~11.2.4.3 TERMINATION OF OPERATIONS~~

- ~~(a) Whenever a certificate holder ceases operations under Part 11, it shall surrender that certificate to the designated office of the Authority.~~

**11.3.2.2 LIMITATIONS ON PRIVATE MANNED AGRICULTURAL
AIRCRAFT OPERATOR**

- (a) No person may conduct an agricultural manned aircraft operation under the authority of a ~~private agricultural aircraft operator~~ eCertificate of Authorization—.

~~11.3.2.3 DURATION OF CERTIFICATE~~

Refer to Subpart 11.1.1.8.

~~11.3.2.4~~ — ~~APPLICATION FOR CERTIFICATE ISSUANCE OR RENEWAL~~

~~Refer to Subpart 11.1.1.5.~~

**Adjust Numbering*

~~11.3.2.8~~ — ~~AMENDMENT OF CERTIFICATE~~

~~Refer to Subpart 11.1.1.9.~~

11.3.3.3 CREW MEMBER TRAINING, CURRENCY, AND TESTING REQUIREMENTS

- (b) No ~~AOC~~ Certificate of Authorization holder ~~may use~~, nor ~~may~~ any person may serve as; crew member or other operations personnel in Class D operations unless, within the preceding 12 calendar months, that person has successfully completed either an approved initial or a recurrent training program.

11.4 GLIDER TOWING

~~11.4.1~~ **APPLICABILITY**

~~11.4.1.2~~ **CERTIFICATE ORF AUTHORIZATION REQUIRED**

~~11.4.1.3~~ **AIRCRAFT REQUIREMENTS**

~~11.4.1.4~~ **EXPERIENCE AND TRAINING REQUIREMENTS**

~~11.4.1.5~~ **OPERATING RULES**

11.5 BANNER TOWING

~~11.5.1~~ **APPLICABILITY**

- (a) This Subpart applies to those operations involving towing by aircraft banners or other signs, lit or unlit.
- (b) For banner towing utilizing RPA, operators shall also conform with the requirements provided in Subpart 11.11.8.4.

~~11.5.1.2~~ **CERTIFICATE ORF AUTHORIZATION REQUIRED**

~~11.5.1.3~~ **AIRCRAFT REQUIREMENTS**

~~11.5.1.4~~ **EXPERIENCE AND TRAINING REQUIREMENTS**

- (a) For manned aircraft operations:
 - (a) (1) For non-revenue flights, the pilot of the tow aircraft shall hold at least a valid private pilot certificate and have a minimum of 200 hours PIC time.
 - (b) (2) When banner tow operations are conducted for compensation or hire, the pilot shall have at least a commercial pilot certificate (instrument rating not required) and at least a valid second class medical certificate.

- (e) (3) All pilots engaged in banner towing operations shall demonstrate competence to the Authority by performing at least one pickup and drop of the maximum number of letters (panels) to be used by the certificate holder.

Note: This demonstration should be observed from the ground to allow the inspector to evaluate the competence of any essential ground personnel as well as the flight operation.

(b) For RPAS operations:

- (1) All remote pilots engaged in banner towing operations shall demonstrate competence relevant to its specific operation in a manner acceptable to the Authority.

11.5.4.5 OPERATING RULES

11.6 TV AND MOVIE OPERATIONS

11.6.4.1 APPLICABILITY

- (c) For TV and movie operations utilizing RPA, operators shall also conform with the requirements provided in Subpart 11.11.8.4.

11.6.4.2 CERTIFICATE ORF AUTHORIZATION REQUIRED

- (a) The Authority will issue a certificate of authorization to each applicant who qualifies for it under the provisions of Subparts 11.1 and 11.6.

11.6.4.3 AIRCRAFT REQUIREMENT

11.6.4.4 EXPERIENCE AND TRAINING REQUIREMENTS

(a) For manned aircraft operations:

- (a) (1) No pilot may conduct television and movie operations unless he or she has:

- (+) (i) A commercial license with ratings appropriate to the category and class aircraft to be used under the terms of the waiver.
- (2) (ii) At least 500 hours as PIC.
- (3) (iii) A minimum of 100 hours in the category and class of aircraft to be used.
- (4) (iv) A minimum of five hours in the make and model aircraft to be used under the waiver.
- (5) (v) If the pilot intends to perform aerobatics below 1,500 AGL, a Statement of Aerobatics Competency for the operations to be performed.

(b) For RPAS operations:

- (1) All remote pilots engaged in TV and movie operations shall demonstrate competence relevant to its specific operation in a manner acceptable to the Authority.

11.6.4.5 OPERATING RULES AND WAIVER REQUIREMENTS

11.6.4.6 CONTENTS OF A MOTION PICTURE AND TELEVISION FLIGHT OPERATIONS MANUAL

11.7 SIGHT-SEEING FLIGHTS

11.7.4.1 APPLICABILITY

11.7.4.2 CERTIFICATE ORF AUTHORIZATION REQUIRED

11.7.4.3 EXPERIENCE AND TRAINING REQUIREMENTS

(a) No pilot may conduct sightseeing operations unless he or she has:

- (1) ~~At least a~~ A commercial license with ratings appropriate to the category and class aircraft to be used under the terms of the waiver;
- (2) At least 500 hours as PIC;
- (3) A minimum of 100 hours in the category and class of aircraft to be used; and
- (4) A minimum of five (5) hours in the make and model aircraft to be used under the waiver.

11.7.4.4 OPERATING RULES

11.8 FISH SPOTTING

11.8.4.1 APPLICABILITY

(b) For fish spotting utilizing RPA, operators shall also conform with the requirements provided in Subpart 11.11.8.4.

11.8.4.2 CERTIFICATE ORF AUTHORIZATION REQUIRED

11.8.4.3 OPERATING RULES

11.8.4.4 EXPERIENCE AND TRAINING REQUIREMENTS

(a) For manned aircraft operations:

~~(a)~~ (1) No pilot may conduct fish spotting operations unless he or she has:

- ~~(1)~~ (i) At least a commercial pilot license with ratings appropriate to the category and class aircraft to be used under the terms of the waiver.
- ~~(2)~~ (ii) At least 500 hours as PIC.
- ~~(3)~~ (iii) A minimum of 100 hours in the category and class of aircraft to be used.

(b) For RPAS operations:

- (1) All remote pilots engaged in fish spotting shall demonstrate competence relevant to its specific operation in a manner acceptable to the Authority.

11.9 NEWS MEDIA AND TRAFFIC REPORTING

11.9.4.1 APPLICABILITY

(b) For news media and traffic reporting utilizing RPA, operators shall also conform with the requirements provided in Subpart 11.11.8.4.

11.9.1.2 CERTIFICATE ORF AUTHORIZATION REQUIRED

11.9.1.3 OPERATING RULES

11.9.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

(a) For manned aircraft operations

(a) (1) No pilot may conduct news media or traffic reporting operations unless he or she has:

(1) (i) At least a commercial pilot license with ratings appropriate to the category and class aircraft to be used under the terms of the waiver.

(2) (ii) At least 500 hours as PIC.

(3) (iii) A minimum of 100 hours in the category and class of aircraft to be used.

(b) For RPAS operations:

(1) All remote pilots engaged in news media and traffic reporting shall demonstrate competence relevant to its specific operation in a manner acceptable to the Authority

11.10 NON-TYPE CERTIFICATED AIRCRAFT: OPERATING LIMITATIONS

11.10.1 APPLICABILITY

(b) Definition: Non-type certificated aircraft is an aircraft that does not possess an aircraft type certificate issued by any country/state. It is, of simple design and construction, either a homebuilt or a kit built variety and for recreational and sport use, day VFR condition only.

(c) A class of non-type certificated aircraft is applicable to all classifications, including: ~~powered parachutes, gyrocopter, fixed wing aircraft and helicopters.~~

(1) powered parachutes;

(2) gyrocopter;

(3) fixed wing aircraft and helicopters.

11.10.2 OPERATING LIMITATIONS

11.11 REMOTELY PILOTED AIRCRAFT SYSTEMS

11.11.1 APPLICABILITY

(a) This Part prescribes the rules governing the operation of civil Remotely Piloted Aircraft Systems (RPAS). ~~This Subpart applies to both commercial and non-commercial operations of a Remotely Piloted Aircraft.~~

11.11.2 REMOTELY PILOTED AIRCRAFT REGISTRATION AND CERTIFICATE OF REGISTRATION GENERAL RPA OPERATIONS

- (a) ~~A person must not operate a RPA over a populous area at a height less than the height from which, if any of its components fails, it would be able to clear the area. Every person lawfully entitled to possess and operate an RPA shall register the RPA and hold a valid certificate of registration for that aircraft from the Authority in compliance with PCAR Part 4.4.~~
- (b) ~~Subject to sub-regulations (c) and (d), a person operating a powered RPA must ensure that, while the RPA is in flight, or is landing or taking off, it stays at least 30 meters away from anyone not directly associated with the operation of the RPA.~~
- (c) ~~Sub-regulation (b) is not contravened if a person stands behind the RPA while it is taking off.~~
- (d) ~~Sub-regulation (b) is also not contravened if, as part of a RPA flying competition, a RPA is flown within 30 meters of a person who is judging a RPA flying competition.~~

11.11.3 ACCIDENT/INCIDENT REPORTING RPA RESTRICTED AREAS OF OPERATION

- (a) ~~The remote pilot of an RPA shall report any serious injury to a person or damage to any property other than the RPA no later than 48 hours after an RPAS operation. No person may operate RPA within the following envelope unless prior approval has been granted by the Authority:~~
 - (1) ~~400ft Above Ground Level (AGL);~~
 - (2) ~~10 km radius from the Aerodrome Reference Point (ARP);~~
- (b) ~~The owner/operator of an RPA shall file a report in accordance with Part 13 13.040. The RPA shall stay clear of populated area unless prior approval has been granted by the Authority.~~
 - (1) ~~In considering whether to give an approval under this paragraph (b), the Authority may take into account:~~
 - (i) ~~the degree of redundancy in the RPAs critical systems;~~
 - (ii) ~~any fail-safe design characteristics of the RPA; and~~
 - (iii) ~~the security of its communications and navigation systems.~~
 - (2) ~~Before giving an approval under paragraph (b), the Authority must be satisfied that the person who intends to operate the RPA will take proper precautions to prevent the proposed flight from being dangerous to people and property.~~
- (c) ~~No person may operate an RPA in a controlled or prohibited airspace unless authorized by the Authority.~~

11.11.4 AIRSPACE KNOWLEDGE RPA CONTROLLER CERTIFICATE

- (a) ~~A person who will operate an RPA shall: No person may use an RPA in commercial operation unless he or she has obtained an RPA Controller Certificate as prescribed in PCAR Part 2; 2.13.~~

- (1) ensure that before each flight, the person is aware of any applicable airspace restrictions in place in the area of intended operation; or
 - (2) conduct the operation under the direct supervision of a person aware of any applicable airspace restrictions in place in the area of intended operation.
- (b) ~~No person may use Large RPAs in non-commercial operation unless he or she has obtained an RPA Controller Certificate as prescribed in PCAR Part 2, 2.13.~~

11.11.5 ~~HAZARD AND RISK MINIMIZATION REQUIREMENT FOR CERTIFICATE OF REGISTRATION AND SPECIAL CERTIFICATE OF AIRWORTHINESS~~

- (a) ~~A person operating an RPA shall take all practicable steps to minimize hazards to persons, property and other aircraft. All RPAs used for commercial operations are required to be registered with the Authority regardless of weight.~~
- (b) ~~Non-commercial Large RPA shall be duly registered with the Authority.~~
- (c) ~~RPAs with a gross weight of 150kgs and above are required to obtain a Special Certificate of Airworthiness (SCA) or an Experimental Certificate (EC) in accordance with PCAR Part 5.~~

11.11.6 ~~RIGHT-OF-WAY REMOTELY PILOTED AIRCRAFT FOR COMMERCIAL OPERATION~~

- (a) ~~A person who is operating an RPA shall give way to and remain clear of all manned aircraft on the ground and in flight.~~

~~11.11.6.1 APPLICABILITY~~

- (a) ~~This Subpart applies to the commercial operation of a Remotely Piloted Aircraft.~~

~~11.11.6.2 RPAS OPERATOR CERTIFICATE~~

~~11.11.6.3 PRE APPLICATION REQUIREMENTS~~

- (a) ~~An applicant for an RPAS Operator Certificate shall submit the following documents with the Authority:~~
 - (1) ~~A Letter of Intent.~~
 - (2) ~~Duly accomplished Pre-application Statement of Intent (PASI) Form for RPA operator certificate which shall include:~~
 - (i) ~~details of:~~
 - (A) ~~the applicant's structure and organization;~~
 - (B) ~~its staff and their qualifications and experiences (including, in particular, the names, qualifications, experiences, duties and functions of the~~

~~persons who are to be the applicant's chief RPA controller and maintenance controller);~~

~~(C) its facilities and equipment;~~

~~(D) its practices and procedures; and~~

~~(ii) a general description of the proposed operations, including the type or types of RPA to be used:~~

~~(A) The application shall be accompanied by a copy of each of the applicant's manuals relevant to the operation of RPAs.~~

~~(B) If the Authority reasonably needs more information about the applicant, or a document, to arrive at a decision whether to certify the applicant as a RPA operator, it may ask the applicant in writing for the information or a copy of the document.~~

~~(b) The Authority may refuse to consider, or cease considering, the application until the applicant furnishes the information or copy of the document.~~

11.11.6.4 — APPLICATION REQUIREMENTS

~~(a) No person may operate an RPA for commercial operations unless the person holds an RPAS Operator Certificate.~~

~~(b) The applicant for RPAS Operator Certificate must hold the following documents:~~

~~(1) User's Manual issued by the Manufacturer;~~

~~(2) RPA Insurance/Third Party Liability (TPL);~~

~~(3) Special Certificate of Airworthiness (if applicable); and~~

~~(4) RPA Certificate of Registration issued by the Authority.~~

11.11.6.5 — ELIGIBILITY FOR ISSUANCE OF AN RPAS OPERATOR CERTIFICATE

~~(a) No person is eligible to be a RPA Operator Certificate Holder unless:~~

~~(1) the person has an organization and structure that is appropriate for safe operation of RPAs;~~

~~(2) the person has enough qualified and experienced personnel to undertake the proposed operations safely;~~

~~(3) the person has facilities and equipment appropriate to carry out the proposed operations using RPAs of the type to be used;~~

~~(4) the person has suitable practices and procedures to conduct operation; and~~

~~(5) the person has nominated suitable persons as chief RPA controller and maintenance controller.~~

~~(b) Two or more persons cannot be certified jointly as a RPA operator.~~

~~11.11.6.6 — CONDITIONS ON RPAS OPERATOR CERTIFICATE~~

- ~~(a) It is a condition of the certification of a person as a RPA operator that he/she:
 - ~~(1) maintains within its organization a position of chief RPA controller having at least the functions and duties of a chief controller;~~
 - ~~(2) employs as its chief RPA controller a person who is certified as a RPA controller and who is competent to carry out those duties and perform those functions; or~~
 - ~~(3) has an arrangement with another qualified and competent person to carry out those functions and duties; and~~~~
- ~~(b) If the RPA operator operates more than 1 RPA, the chief RPA controller must carry out the duties and functions as such on a full-time basis.~~

~~11.11.6.7 — LIMITATIONS ON RPAS OPERATOR CERTIFICATE~~

- ~~(a) The Authority may impose limitations on the certification of a person as a RPA operator in the interest of air navigation safety, to include but not limited to the following:
 - ~~(1) Allow the person to operate only a specific kind/s or type of RPAs; or~~
 - ~~(2) Allow the person to operate RPAs only for specified purposes; or~~
 - ~~(3) Limit the areas where the person may operate RPAs; or~~
 - ~~(4) Allow the person to operate RPAs only in VMC;~~
 - ~~(5) Requiring the RPA to stay within a specified area or visual line of sight (VLOS) unless authorized to conduct Beyond Visual Line of Sight (BVLOS);
 - ~~(i) BVLOS operations may be allowed by the Authority provided the RPA is equipped with the following accessories:
 - ~~(A) Detect and avoid system capability;~~
 - ~~(B) Global Positioning System (GPS) device; and~~
 - ~~(C) Homing device~~~~~~
 - ~~(6) Limiting the extent of operation of the RPA at night or in conditions other than VMC, by requiring, but not limited to, the installation of anti-collision light and navigation and position light; and~~~~
- ~~(b) If the person is certificated as a commercial operator, the proposed operation would not contravene any condition of the certification, the Authority may approve the proposed operation, but may impose limitations as above-mentioned.~~

~~11.11.6.8 — RPAS OPERATOR CERTIFICATE AND OPERATIONS SPECIFICATION: CONTENTS~~

- ~~(a) The RPAS Operator Certificate shall contain the following:
 - ~~(1) Name of operator~~
 - ~~(2) Name of accountable person~~~~

- ~~(3) Operator address~~
- ~~(4) Operator contact details~~
- ~~(5) Validity of certificate~~
- ~~(6) Certificate control number~~
- ~~(b) The RPAS Operator Certificate shall be accompanied by an Operations Specifications containing the following:~~
 - ~~(1) Name of operator~~
 - ~~(2) Operator contact information~~
 - ~~(3) RPA model~~
 - ~~(4) RPA registry number~~
 - ~~(5) Type of operation~~
 - ~~(6) Area of operation~~
 - ~~(7) Special authorization~~

~~11.11.6.9 — VALIDITY OF RPAS OPERATOR CERTIFICATE~~

- ~~(a) An RPAS Operator Certificate issued by the Authority is effective for a period of five (5) years from date of issuance and remains valid until:~~
 - ~~(1) The Authority amends, suspends, revokes or otherwise terminates the certificate;~~
 - ~~(2) The operator surrenders it to the Authority.~~

~~11.11.6.10 — RPAS OPERATOR CERTIFICATE NOT TRANSFERABLE~~

- ~~(a) RPAS Operator Certificate is not transferable.~~

~~11.11.6.11 — SHOW CAUSE NOTICE TO RPAS OPERATOR CERTIFICATE HOLDER~~

- ~~(a) The Authority may give a show cause notice to an RPA Operator Certificate Holder if there are reasonable grounds for believing that there are facts or circumstances that would justify the cancellation of the approval under Subpart 11.11.6.12.~~
- ~~(b) A show cause notice must:~~
 - ~~(1) tell the holder of the facts and circumstances that, in the Authority's opinion, would justify the cancellation of the RPAS Operator Certificate under Subpart 11.11.6.12; and~~
 - ~~(2) invite the operator to show in writing, within a reasonable time stated in the notice, why the RPAS Operator Certificate should not be cancelled.~~
- ~~(c) A show cause notice may state that the RPAS Operator Certificate is suspended if the Authority reasonably considers that there may be a serious risk to the safety of air navigation if the approval were not suspended.~~

- ~~(d) If a show cause notice states that the RPAS Operator Certificate is suspended, the certification is suspended from when the notice is given to the holder.~~
- ~~(e) The Authority may at any time revoke the suspension.~~
- ~~(f) If the approval is suspended and the Authority has not dealt with it under Subpart 11.11.6.12 within 90 days after the day it is suspended, the suspension lapses at the end of that period.~~

11.11.6.12 — CANCELLATION OF RPAS OPERATOR CERTIFICATE

- ~~(a) The Authority may cancel RPAS operator certificate by written notice to the operator, if:
 - ~~(1) The Authority has given to the operator a show cause notice under Subpart 11.11.6.11 in relation to it; and~~
 - ~~(2) The Authority has taken into account any representations made, within the period stated in the notice, by or on behalf of the operator; and~~
 - ~~(3) there are reasonable grounds for believing that:
 - ~~(i) the operator has operated a RPA in contravention of these Regulations or of a condition of the authorization; or~~
 - ~~(ii) an employee of the operator has operated a RPA negligently or carelessly; or~~
 - ~~(iii) an employee of the operator, in operating a RPA, has recklessly endangered human life or property.~~~~~~
- ~~(b) If the Authority has given a show cause notice under PCAR Part 11, Subpart 11.11.6.11 to RPAS Operator Certificate Holder, and it decides not to cancel the approval, the Authority shall:
 - ~~(1) inform the operator in writing of the decision; and~~
 - ~~(2) revoke the suspension, if the RPAS Operator Certificate is suspended.~~~~

11.11.6.13 — CANCELLATION AT REQUEST OF HOLDER

- ~~(a) The Authority may cancel RPAS Operator Certificate if asked to do so in writing by the operator.~~
- ~~(b) The cancellation takes effect upon issuance by the Authority of such order cancelling the RPAS Operator Certificate.~~

11.11.7 REMOTELY PILOTED AIRCRAFT FOR NON-COMMERCIAL OPERATIONS CONSUMPTION OF ALCOHOL OR DRUGS

- ~~(a) No person shall act as a remote pilot or an RPA observer:
 - ~~(1) within 8 hours after consuming an alcoholic beverage;~~
 - ~~(2) while under the influence of alcohol; or~~
 - ~~(3) while using any drug that impairs the person's faculties.~~~~

11.11.7.1 — APPLICABILITY

- ~~(a) This Subpart applies to the Remotely Piloted Aircrafts operated for sport and recreational purposes.~~

11.11.7.2 — VISIBILITY FOR OPERATION OF RPA

- ~~(a) An RPA Controller doing non-commercial operations may operate an RPA only within VLOS.~~

11.11.7.3 — OPERATING AN RPA AT NIGHT

- ~~(a) All RPA Controllers doing non-commercial operations are prohibited to operate an RPA at night unless authorized by the Authority.~~

11.11.7.4 — RPAs FLYING DISPLAY/AIR SHOW

- ~~(a) No person or entity may conduct an RPA Flying Display or Air Show unless duly authorized by the Authority and complies with the following:~~
- ~~(1) Pre-approved area of operations~~
 - ~~(2) At least sixty (60) calendar days before the display somebody is nominated as the organizer of the display;~~
 - ~~(3) At least sixty (60) calendar days before the display the organizer shall provide the Authority with the following information:~~
 - ~~(i) — his name, address and telephone number;~~
 - ~~(ii) — the proposed program of flying~~
 - ~~(iii) — where the display will be held, and how big the intended flying field is;~~
 - ~~(iv) — how many spectators are expected, and where they will be~~
 - ~~(4) that said organizer ensures:~~
 - ~~(i) having regards to the events making up the display, proper precautions are taken for the safety of the participants and spectators; and~~
 - ~~(ii) the RPA controllers participating in the display are competent to carry out each manoeuvre safely.~~
- ~~(b) CAAP may impose conditions on the conduct of RPA flying display or air show if in the circumstances the condition is reasonably necessary in the interest of aviation safety. (per Memorandum Circular no. 29-15, series of 2015)"~~

11.11.8 RPAS OPERATIONS

The operation of RPA is regulated according to the following categories:

- (a) **Open** (low risk). RPAS operations in the 'open' category shall be limited to the following conditions:
- (1) the RPA has a maximum take-off mass of 25 kg or less;

- (2) the remote pilot ensures that the RPA is not flown over assemblies of people and uninvolved persons;
 - (3) the RPA is operated at a safe horizontal distance of at least 30 meters from assemblies of people and uninvolved persons;
 - (4) the RPA is operated at a safe horizontal distance of at least 150 meters from residential, commercial, industrial, or recreational areas;
 - (5) the RPA is operated by a remote pilot familiar with the user's manual provided by the manufacturer of the RPAS;
 - (6) the remote pilot keeps the RPA within Visual-Line-of-Sight at all times;
 - (7) during flight, the RPA maintains an altitude within 120 m Above Ground Level (AGL); and
 - (8) during flight, the RPA shall not carry or drop any goods or material.
- (b) **Specific** (medium risk/regulated lower risk). Where one of the conditions of Open Category is not met, an RPAS operator shall be required to obtain a Certificate of Authorization pursuant to 11.1.6 from the Authority.
- (c) **Certified** (high risk, requires Certificate of Airworthiness). RPAS operations involving carriage of passengers or engaged in international operations.

11.11.8.1 STANDARDS FOR REMOTELY PILOTED AIRCRAFT SYSTEM OPERATING CONDITIONS

- (a) An RPA is operated in *standard Remotely Piloted Aircraft operating conditions* if, during the operation:
- (1) the RPA is operated within the visual line-of-sight of the person operating the RPA;
 - (2) the RPA is operated within 120 m AGL;
 - (3) the RPA is not operated within 30 m of a person who is not directly associated with the operation of the RPA; and
 - (4) the RPA is not operated:
 - (i) at night;
 - (ii) in a prohibited area;
 - (iii) in a restricted area;
 - (iv) over national security-sensitive facilities;
 - (v) over assemblies of people;
 - (vi) within 10 kms of the movement area of a controlled aerodrome; and
 - (vii) over an area where a fire, police or other public safety or emergency operation is being conducted.
 - (viii) on-board a moving vehicle.
 - (5) The person operates only one RPA during the operation.

11.11.8.2 SPECIAL PERMIT FOR OPERATION OF REMOTELY PILOTED AIRCRAFT

- (a) A person may apply to the Authority for a Special Permit if:
 - (1) the person holds an RPL; and
 - (2) the intended operation exceeds the condition on 11.11.8.1 (a) (4) or the limitations provided in the Operations Specification of their Certificate of Authorization.
- (b) The applicant for an RPA Special Permit shall meet the requirements prescribed by the Authority.
- (c) The Authority may impose conditions on the Special Permit in the interests of the safety of air navigation.
- (d) If the Authority approves an area, it shall publish details of the Special Permit (including any condition) in a NOTAM.
- (e) The Authority may revoke the Special Permit, or change the conditions that apply to such, in the interests of the safety of air navigation, but the Authority shall publish details of any revocation or change in NOTAM.
- (f) The Authority will provide written notice of the revocation or change to the holder of the Special Permit.

11.11.8.3 OPEN CATEGORY

11.11.8.3.1 APPLICABILITY

- (a) This Part applies to the operation of Remotely Piloted Aircraft Systems with a Maximum Take-off Mass (MTOM) of 25 kg or less.

11.11.8.3.2 SHIELDED OPERATION

- (a) If a shielded operation is within 10 km of an aerodrome, there must also be a physical and solid barrier between the shield and airport that would prevent an RPA from straying into the airport should the remote pilot lose control of the RPA.
- (b) Obstacle avoidance, return-to-home and failsafe features of an RPA shall be turned off.

11.11.8.3.3 CONTROLLED AIRSPACE

- (a) A person shall not operate an RPA in a controlled airspace without a Special Permit issued by the Authority.
- (b) A person shall not operate an RPA in a controlled airspace unless that person:
 - (1) holds a relevant qualification for the use of an aeronautical radio;
 - (2) maintains a listening watch on a specified frequency or frequencies specified in the direction; and
 - (3) makes broadcasts on a specified frequency or frequencies and/or maintains other ways of communication requested by the ATC unit at the specified interval giving the specified information in the direction.

- (c) In paragraph (b), *relevant qualification* means any of the following qualifications:
- (1) an aeronautical radio operator certificate;
 - (2) a remote pilot license [or flight crew license];
 - (3) an air traffic control license; or
 - (4) a military qualification equivalent to a license mentioned in paragraph (c)(2) or (c)(3).
- (d) The Authority may direct a person not to operate an RPA, unless the person:
- (1) holds a relevant qualification for the use of an aeronautical radio;
 - (2) maintains a listening watch on a specified frequency or frequencies specified in the direction; and
 - (3) makes broadcasts on a specified frequency or frequencies and/or maintains other ways of communication requested by the ATC unit at the specified interval giving the specified information in the direction.

11.11.8.3.4 AERODROMES

- (a) A person shall not operate an RPA within 10 kms of an aerodrome, unless:
- (1) a Special Permit has been secured from the Authority;
 - (2) each remote pilot has an RPA observer in attendance while the aircraft is in flight; and
 - (3) the RPA is not operated at an altitude of more than 120 m AGL.

11.11.8.3.5 AIRSPACE

- (a) A person operating an RPA shall:
- (1) not operate within 30 m from a person, measured horizontally;
 - (2) ensure continuous observation of the airspace surrounding the RPA operational area; and
 - (3) not operate the RPA at an altitude above 120 m AGL.

11.11.8.3.6 VISUAL LINE-OF-SIGHT OPERATIONS

- (a) A person shall not operate an RPA:
- (1) in any area in which the person's view of the surrounding airspace is obstructed;
 - (2) in unfavorable meteorological conditions that obstruct the person's ability to maintain visual line-of-sight of the aircraft;
 - (3) over any cloud base; or
 - (4) without maintaining visual line-of-sight with the RPA.
- (b) For the purposes of this rule, visual line-of-sight means a straight line along which the remote pilot has a clear view and which may be achieved with the use of spectacles,

contact lenses, or a similar device used for vision correction of the user to no better than normal vision but not the use of an electronic, mechanical, electromagnetic, optical, or electro-optical instrument.

11.11.8.3.7 WEATHER AND DAY LIMITATIONS

- (a) A person shall not operate an RPA:
 - (1) in or into a cloud;
 - (2) at night; or
 - (3) in conditions other than visual meteorological conditions (VMC).

11.11.8.3.8 NIGHT OPERATIONS

- (a) A person shall not operate an RPA at night unless the operation is:
 - (1) indoors; or
 - (2) a shielded operation.
- (b) Night operations may be allowed provided that a Special Permit is secured and the RPA is equipped with, but not limited to, the following:
 - (1) anti-collision light; and
 - (2) navigation light.

11.11.8.3.9 OPERATION OVER AND NEAR PEOPLE

- (a) No person shall operate an RPA over a person unless the latter is:
 - (1) Located under a covered structure or inside a stationary vehicle that can provide reasonable protection; or
 - (2) Directly associated with the operation of the RPA or the RPA is operated no closer than 30 m, measured horizontally from a second person not directly associated with the operation of the RPA.

11.11.8.3.10 PROHIBITED RPAS OPERATIONS

- (a) No person shall operate an RPA in such a careless or reckless manner as to endanger aviation safety or the safety of any person or property.

11.11.8.4 SPECIFIC CATEGORY

11.11.8.4.1 APPLICABILITY

- (a) This Part applies to RPAS operations that exceed the conditions provided in the Open Category.
- (b) The types of operations that fall under the Specific Category include, but are not limited to, the following:
 - (1) Agricultural operations (handling of chemical, restrictions, procedures);

- (2) Surveying/ mapping;
- (3) Aerial Photography/ Videography/ advertisement;
- (4) Pipeline and powerline inspections;
- (5) Media and entertainment/ flying display (for scenarios where the flight is observed by the general public);
- (6) Delivery/ carriage of item;
- (7) Conduct of training involving flying / operating of RPA;
- (8) Discharge of substances;
- (9) Flight competition;
- (10) Flight demonstration;
- (11) Flight trials/ experimentation;
- (12) Research and development (environment, wildlife, marine and underwater, contamination measurement)
- (13) Construction;
- (14) Observation and patrol;
- (15) Search and rescue, disaster and relief; and
- (16) Highway and road traffic monitoring.

11.11.8.4.2 GENERAL OPERATING RULES

- (a) No person shall operate an RPA unless the RPA is registered with the Authority.
- (b) No person shall operate an RPA unless the person operating the RPA holds a remote pilot license.
- (c) No person shall operate an RPA without:
 - (1) a Certificate of Authorization as prescribed in Subpart 11.1; and
 - (2) Third Party Liability Insurance.

11.11.8.4.3 INSPECTION, TESTING, AND DEMONSTRATION OF COMPLIANCE

- (a) The remote pilot, operator/owner, or RPA observer shall allow the Authority to conduct surveillances, tests, and inspections, at any time or place, to determine compliance with the applicable laws, regulations, and the terms and conditions provided in the Certificate of Authorization.
- (b) A remote pilot or operator operating an RPA shall make available to the Authority the following upon request:
 - (1) Certificate of Authorization;
 - (2) The remote pilot license;
 - (3) Operations Manual;

- (4) A current list of individual positions responsible for each record, document, and report required to be kept by the holder of a Certificate of Authorization under applicable aviation laws, regulations, or standards; and
 - (5) Any other documents, records, or reports required to be kept under this part.
- (c) Failure by any operator to make available to the Authority upon request, all portions of the Certificate of Authorization, Operations Manual, and any required record, document, or report is a ground for suspension of all or part of the Certificate of Authorization. The suspension shall be for a minimum period of thirty (30) days and a maximum period of ninety (90) days.

11.11.8.4.4 ELIGIBILITY FOR SPECIFIC CATEGORY OPERATIONS

- (a) To be able to conduct operations in the specific category, a remote pilot shall hold a remote pilot license and the RPAS shall:
- (1) be designed, produced, or modified such that it does not contain any safety defects identified by the Authority;
 - (2) have a current user's manual that applies to the operation of the RPAS. Such user's manual shall address, at a minimum:
 - (i) a system description that includes the required RPAS components, any system limitations, and the declared category or categories of operation;
 - (ii) modifications that will not change the ability of the RPAS to meet the requirements for the category or categories of operation the RPAS is eligible to conduct; and
 - (iii) procedures on how to verify and change the mode or configuration of the RPA.
 - (3) have a current Certificate of Registration.
 - (4) have a certificate of authorization for the intended specific operation.

11.11.8.4.5 OPERATIONS UNDER EXTENDED VISUAL LINE OF SIGHT (EVLOS)

- (a) A remote pilot shall maintain uninterrupted situational awareness of the airspace in which the RPA operation is being conducted via visual airspace surveillance through one or more human visual observers, possibly aided by technological means.
- (b) EVLOS operations are to be considered to be BVLOS.
- (c) All VLOS requirements are applicable to EVLOS. EVLOS may have additional requirements over and above those of VLOS. The EVLOS verification and communication latency between the remote pilot and the visual observers shall be less than 15 seconds.
- (d) The remote pilot has direct control of the RPA at all times

11.11.8.4.6 RECORD RETENTION

- (a) Each holder of a Certificate of Authorization shall maintain:

- (1) A record containing the names of the remote pilots and RPA Observer involved in each flight.
- (2) A record of the time of each flight or series of flights; and
- (3) A record containing maintenance action, modification, or repair performed on the RPAS, including:
 - (i) the name of person who performed the work;
 - (ii) the dates when the work was performed;
 - (iii) in the case of modification, the manufacturer, model, and description of parts or equipment modifying the RPAS; and
 - (iv) if applicable, any instructions provided to complete the work.
- (b) Each owner of an RPAS who transfers ownership to another person shall, at the time of transfer, provide the new owner with all records referred to in paragraph (a).
- (c) Each owner of an RPAS shall ensure that all records are stored and protected from damage alteration and theft.
- (d) Records should be traceable, available and retrievable throughout the required retention period of 5 years.
- (e) The retention period starts when the record was created or last amended.
- (f) Adequate back ups should be ensured.

11.11.8.4.7 COMPLIANCE WITH RPAS OPERATOR'S OPERATIONS MANUAL

- (a) An operator shall make an operations manual that includes the practices and operational procedures.
- (b) All personnel employed by an operator or who assist with an operator's operation shall comply with the operator's operations manual.

11.11.8.4.8 FUNCTIONS AND DUTIES OF THE CHIEF REMOTE PILOT

- (a) An operator shall nominate an RPA-licensed person as Chief Remote Pilot.
- (b) The functions and duties of a chief remote pilot are as follows:
 - (1) ensuring the operator's RPA operations are conducted in accordance with the civil aviation regulations;
 - (2) maintaining a record of the qualifications held by each person operating an RPA for the operator;
 - (3) monitoring the operational standards and proficiency of each person operating an RPA for the operator; and
 - (4) maintaining a complete and up-to-date reference library of operational documents for the types of operations conducted by the operator.

11.11.8.4.9 FUNCTIONS OF REMOTE PILOT

- (a) The remote pilot shall:
 - (1) Not perform duties under the influence of psychoactive substances or alcohol or when it is unfit to perform its tasks due to injury, fatigue, medication, sickness or other causes;
 - (2) Have the appropriate RPL;
 - (3) Be familiar with the manufacturer's instructions provided by the manufacturer of the RPA;
- (b) Before starting an RPA operation, the remote pilot shall comply with the following:
 - (1) Obtain updated information relevant to the intended operation about any geographical zones;
 - (2) Ensure that the operating environment is compatible with the authorized limitations and conditions;
 - (3) Ensure that the RPA is in a safe condition to complete the intended flight safely; and
 - (4) Ensure that the information about the operation has been made available to the relevant ATS unit, other airspace users and relevant stakeholders.
- (c) During the flight, the remote pilot shall:
 - (1) Comply with the authorized limitations and conditions;
 - (2) Avoid any risk of collision with any manned aircraft and discontinue a flight if continuing it may pose a risk to other aircraft, people, animals, the environment, or property;
 - (3) Comply with the operator's procedures; and
 - (4) Not fly close to or inside areas where an emergency response effort is ongoing unless they have permission to do so from the responsible emergency response services.
- (d) The remote pilot shall ensure that checklists are complied with in detail.
- (e) The remote pilot shall be responsible for reporting all known or suspected defects in the RPAS to the operator at the earliest practicable time.
- (f) The remote pilot shall be responsible for the journey logbook containing information, including but not limited to remote pilot flight time, type of operation, area of operation, and accident or incident occurrence

11.11.8.4.10 FUNCTIONS AND DUTIES OF AN RPA VISUAL OBSERVER

- (a) An RPA Visual Observer shall:
 - (1) Maintain a thorough airspace scan of the airspace surrounding the RPA in order to identify any risk of a collision with any manned aircraft;
 - (2) Maintain awareness of the position of the RPA through direct airspace observation or through assistance provided by electronic means;
 - (3) Alert the remote pilot when a hazard is detected and assist in avoiding or minimizing the potential negative effects;

- (4) Provide clear and concise information on the geographical position of the RPA, its speed, and its height above the surface or take off point; and
- (5) Use the same system provided to the remote pilot.

11.11.8.4.11 COMPLIANCE WITH RPAS OPERATOR'S PRACTICES AND PROCEDURES

- (a) Persons who are employed by an operator to provide assistance in its operations shall comply with the practices and procedures documented by the operator.

11.11.8.4.12 RESPONSIBILITIES OF RPAS OPERATOR

- (a) An operator shall:
 - (1) Comply with established procedures and limitations on RPAS operations and risk involved, including:
 - (i) Operational procedures to ensure the safety of the operations;
 - (ii) Procedures to ensure that security requirements applicable to the area of operations are complied with in the intended operation; and
 - (iii) Measures to protect against unlawful interference and unauthorized access;
 - (2) Designate a remote pilot for each flight;
 - (3) Ensure that all operations effectively use and support the efficient use of radio spectrum in order to avoid harmful interference;
 - (4) Ensure that before conducting operations, remote pilots comply with all of the following conditions:
 - (i) Have the competency to perform their tasks in line with the applicable training for the operation identified in the Certificate of Authorization; and
 - (ii) Have been informed of the RPAS operator's operations manual, if required by the risk assessment and procedures established in accordance with paragraph (a).
 - (5) Ensure that personnel in charge of duties essential to the RPAS operation, other than the remote pilot itself, comply with the following conditions:
 - (i) Have completed the on-the-job-training developed by the operator;
 - (ii) Have been informed about the RPAS operator's operations manual, if required by the risk assessment, and procedures; and
 - (iii) Have obtained updated information relevant to the intended operation about any geographical zones.
 - (6) Carry out each operation within the limitations, conditions, and mitigation measures defined in the Certificate of Authorization;
 - (7) Keep an up-to-date record of all the relevant qualification and training records;
 - (8) Develop procedures in order to coordinate the activities between its employees;

- (9) Allocate functions and responsibilities in accordance with the level of autonomy of the RPAS during the operation;
 - (10) Be responsible for logging of flight activities and record keeping;
 - (11) Have an accountable manager, acceptable to the Authority, with corporate authority to ensure that all operations can be financed and carried out to the highest degree of safety standards required by the Authority. This individual shall also be responsible for the maintenance of an effective safety management system;
 - (12) State in the general policy provisions of the operations manual the duties and responsibilities and authority of personnel required;
 - (13) List in the operations manual the names and business addresses of the individuals assigned to those positions; and
 - (14) Notify the Authority within 10 days of any change in personnel or any vacancy in any position listed.
- (b) The Authority may approve a position or number of positions, if the operator is able to show that it can perform the operation with the highest degree of safety under the direction of fewer or different categories of management personnel due to the:
- (1) The kind of operations involved;
 - (2) The number of aircraft used; and
 - (3) The area of operation.

11.11.8.4.13 RPAS SAFETY MANAGEMENT SYSTEM

- (a) An RPAS operator shall have a system for safety management that includes:
- (1) a safety policy on which the system for safety management is based, and should:
 - (i) Be endorsed by the Accountable Manager;
 - (ii) Be communicated, with visible endorsement, throughout the organization;
 - (iii) Include internal reporting principles, and encourage personnel to report errors related to RPAS operations, incidents and hazards;
 - (iv) Include a commitment to apply the human factors principles; and
 - (v) Apply “just culture” principles to attribute blame or liability to someone for reporting something which would not have been otherwise detected;
 - (2) a process for risk management that identifies hazards to aviation safety and that evaluates and manages the associated risks;
 - (3) safety assurance measures that ensure:
 - (i) hazards, incidents and accidents are internally reported and analysed and action is taken to prevent recurrence;
 - (ii) goals for the improvement of aviation safety are set and the attainment of these goals are measured; and
 - (iii) there is a safety management program that includes conducting internal audits and regular reviews of the system for safety management.
 - (4) training that ensures personnel are competent to fulfil their safety responsibilities.

- (b) The operator shall document all processes required to establish and maintain the system for safety management.
- (c) The operator's system for safety management shall be commensurate with the size of the organization, the nature and complexity of the activities undertaken by the operator, and the hazards and associated risks inherent in the activities undertaken by the operator.
- (d) The operator shall appoint key personnel on operations, maintenance, and trainings.

11.11.8.5 RESERVED FOR CERTIFIED CATEGORY

IS: 11.1.5 APPLICATION FOR A CERTIFICATE OF AUTHORIZATION

- (a) An operator applying for a Certificate of Authorization for RPAS operations to the Authority shall submit;
 - (1) A Letter of Intent;
 - (2) An application form – Pre-Application Statement of Intent (PASI) - prescribed by the Authority;
 - (3) User's Manual;
 - (4) Operations Manual;
 - (5) Third Party Liability Insurance;
 - (6) Photocopies of the following:
 - (i) RPA Controller's Certificate;
 - (ii) Certificate of Registration of the aircraft to be used; and
 - (iii) Official receipt of appropriate fees;
 - (7) Corporate Documents:
 - (i) SEC (Securities and Exchange Commission) (if applicable); or
 - (ii) DTI (Department of Trade and Industry);
 - (8) Secretary's Certificate (for corporation);
 - (9) Organizational Chart;
 - (10) Photos of facilities, equipment and the aircraft to be used; and
 - (11) Certificate of Public Convenience and Necessity (CPCN) issued by the Civil Aeronautics Board (CAB) for agricultural operations.
- (b) The application for a certification of authorization for RPAS operations shall indicate the following:
 - (1) Identity of the accountable manager who shall have primary responsibility for the overall operation;
 - (2) Identity of the chief remote pilot;
 - (3) Details of the physical locations to be used in the operation;

- (4) Procedures for reporting information to the Authority including incidents and accidents;
- (5) Includes remote pilot and remote flight crew qualifications, training, competency and medical requirements;
- (6) Details of the number and specifications of the RPA to be used, including any registration number or serial number of RPA;
- (7) Details of the control system to be used to pilot the aircraft;
- (8) Procedures for the maintenance of aircraft and measures to ensure continued airworthiness;
- (9) Inflight procedures, including minimum distances from persons or property; and
- (10) Procedures for handling cargo, including dangerous goods, or dropping items, if such operations are intended.

IS: 11.11.8.2 SPECIAL PERMIT FOR OPERATION OF REMOTELY PILOTED AIRCRAFT

- (a) A special permit shall submit the following requirements:
 - (1) Flight details:
 - (i) purpose;
 - (ii) type of operation;
 - (iii) area of operation;
 - (iv) date/ alternative date of operation;
 - (v) duration of the flight; and
 - (vi) exact time and coordinates.
 - (2) Company name;
 - (3) Contact details;
 - (4) Email address;
 - (5) Photocopy of operator's RPAS Operator Certificate (ROC);
 - (6) Photocopy of remote pilot's license;
 - (7) Photocopy of operator's operations specifications (OpSpecs); and
 - (8) Photocopy of certificate of registration of the aircraft to be used.
- (b) Applicant may be required to secure, depending on the conditions and limitations issued by ATS, the following:
 - (1) J2 clearance/ Aerial Photography clearance; and
 - (2) LGU Clearance.

IS: 11.11.8.4.11 COMPLIANCE WITH RPAS OPERATOR'S PRACTICES AND PROCEDURES

- (a) An operator shall provide the following for the use and guidance of operations personnel:
- (1) An Operations Manual (OM) that should contain at least the following:
 - (i) Binder cover page identifying the RPAS Operator with the title “Operations Manual”, contact information and OM revision number;
 - (ii) Title page. For organization, the registered entity name as listed in DTI or SEC, or a legally-recognized name is to be indicated.
 - (iii) Operator’s address and contact details. For organization, the address of the principal place of business is to be indicated. For an individual, the applicant’s residential address is to be indicated;
 - (iv) Foreword;
 - (v) Corporate Commitment by the Accountable Manager;
 - (vi) List of Effective Pages (LEP);
 - (vii) Table of Contents;
 - (viii) Acronyms, Abbreviations and Definitions;
 - (ix) Administration and Control of the Manual - amendment procedures / record of revisions, manual distribution, rules of construction, control number and label, pagination, and content format;
 - (x) Company policies, Organization profile, organizational structure, place of business;
 - (xi) Functions and duties of key management personnel - Accountable manager and delegation of duties;
 - (xii) Functions and duties of the Operator, chief remote pilot, remote pilot, remote pilot controller, visual observer, maintenance personnel;
 - (xiii) Description of RPA;
 - (xiv) Concept of Operations/ Normal procedures;
 - (xv) General RPA operating procedures;
 - (xvi) Emergency procedures;
 - (xvii) Flight procedures;
 - (xviii) Maintenance plan;
 - (xix) Contingency procedures;
 - (xx) Security procedures;
 - (xxi) QMS procedures;
 - (xxii) Management of records and checklists;
 - (xxiii) SMS procedures;
 - (xxiv) Incident/ accident reporting, management of casualties; and
 - (xxv) Internal training requirements.

- (b) Checklist shall be used by remote flight crews prior to, during and after all phases of operations, and in emergencies, to ensure compliance with the operating procedures contained in the manual.
- (c) Persons who are employed by an operator or who assist with an operator's operation shall comply with the operator's documented and implemented procedures.
- (d) The manuals shall be amended or revised as necessary to ensure that the information contained therein is kept up to date. All such amendments or revisions shall be issued to all personnel that are required to use this manual.

"End of Text"

Separability Clause. If, for any reason, any provision of this Memorandum Circular is declared invalid or unconstitutional, the other part or parts thereof which are not affected thereby shall continue to be in full force and effect.

Repealing Clause. All orders, rules, regulations, and issuances, or parts thereof which are inconsistent with this Memorandum Circular are hereby repealed, superseded, or modified accordingly.

Determination of Changes. To highlight the amendments and/or revisions in the Memorandum Circular, the deleted text shall be shown with strikethrough and the new inserted text shall be highlighted with grey shading, as illustrated below:

Text deleted: ~~Text to be deleted is shown with a line through it.~~

New text inserted: New text is highlighted with grey shading.

New text replacing existing text: ~~Text to be deleted is shown with a line through it~~ followed by the replacement text which is highlighted with grey shading.

Effectivity. This Memorandum Circular shall take effect _____ after compliance with the requisite publication in a single newspaper of general circulation and a copy filed with the U.P. Law Center – Office of the National Administrative Register, these amendments shall be incorporated into the Philippine CAR, series of 2024.

Signed this 14 day of MAY 2024, CAAP, Pasay City


CAPTAIN MANUEL ANTONIO L. TAMAYO
Director General