



Isle of Man
CIVIL AVIATION ADMINISTRATION

SMALL UNMANNED AIRCRAFT FUTURE SAFETY LEGISLATION

Consultation Response

September 2019



1. Background

The Civil Aviation Administration (CAA), part of the Department for Enterprise, is the aviation safety and security regulator for the Isle of Man.

The consultation on proposals to develop aviation safety legislation for small unmanned aircraft (SUA) is part of a wider package covering all aspects of aviation in the Isle of Man.

The aim of the proposals set out in the consultation is to ensure that the safety risks posed by SUA to other aviation activities and the general public is appropriately addressed.

The consultation was open for a period of six weeks from 17 June 2019 to 29 July 2019.

It was considered that the proposals would affect drone users, as well as model aircraft enthusiasts and those who are involved in the Island's aviation industry.

2. Summary of responses and outcome

All responses to this consultation have been recorded and analysed and we have drawn out the common themes that emerged from the responses.

Of the 56 responses received the responses were broadly supportive of the proposals and respondents generally understood the rationale behind them.

Section 3 of this document contains data on the response to each of the proposals contained in the consultation and a response to the common themes is given in specific headings below.

Penalties

Some respondents felt that the penalty was too severe for a number of the proposals.

Response

The CAA work to an internal policy on the setting of offences and penalties which ensured that we used a proportionate and risk based approach when forming the penalties for remote pilots who contravene the requirements.

It should be remembered that the proposed penalties are the maximum that could be imposed by the courts and this maximum would not necessarily be used in all cases. Ultimately we must ensure that we have enough authority to deal with disruptive, reckless or dangerous behaviour to keep the skies safe.

Consequently, no change will be made to the penalties as set out in the consultation.

Flying at night

The requirement that a remote pilot must not fly a SUA at night unless they have permission was not considered appropriate by some respondents.

Response

Our primary concern would be safety and we would question whether a remote pilot could safely monitor the SUA's flight path in the dark in relation to other aircraft or persons, vehicles, vessels and structures for the purpose of avoiding collisions.

No change will be made to the requirement for a permission to fly at night. By making it an offence to fly at night without a permission we can ensure that only those who can demonstrate that they have the competence to conduct the flight safely are allowed to do so. Issuing a permission allows us to specify what conditions and limitations the remote pilot is subject to.

Flying larger SUA

The majority of respondents agreed that there should be a permission required to fly a larger SUA, however it was considered that a take-off mass of 4 kilograms was too light.

Response

Heavier small unmanned aircraft consequently pose a greater safety risk to the public. We are committed to having a restriction on the use of larger SUA and have reviewed the exact limit to ensure that it appropriately captures the higher-risk types of aircraft.

This policy is broadly in line with other European countries, which are beginning to regulate SUA based on similar weight categories.

Maximum range of 500m

One of the proposals was to create an offence for a remote pilot to fly a SUA a distance of more than 500m away from them. A number of respondents raised concern that it could be hard to tell whether a SUA has flown 500 metres from the remote pilot horizontally and ultimately it would be a hard offence to prove.

Response

We have decided not to progress the proposal to create an offence where the horizontal distance between the remote pilot and the small unmanned aircraft exceeded 500 metres. We believe that the requirement to maintain direct unaided visual contact with the small aircraft will be a sufficient safeguard in this respect.

Many additional comments were submitted as part of the consultation process which have been considered and will help inform a guidance document which will be issued at the time the new legislation comes into force.

We are grateful for all the responses received and value all the views expressed.

In case of query please email caa@gov.im.

4. Responses received

In this section, percentages have been rounded to the nearest whole number.

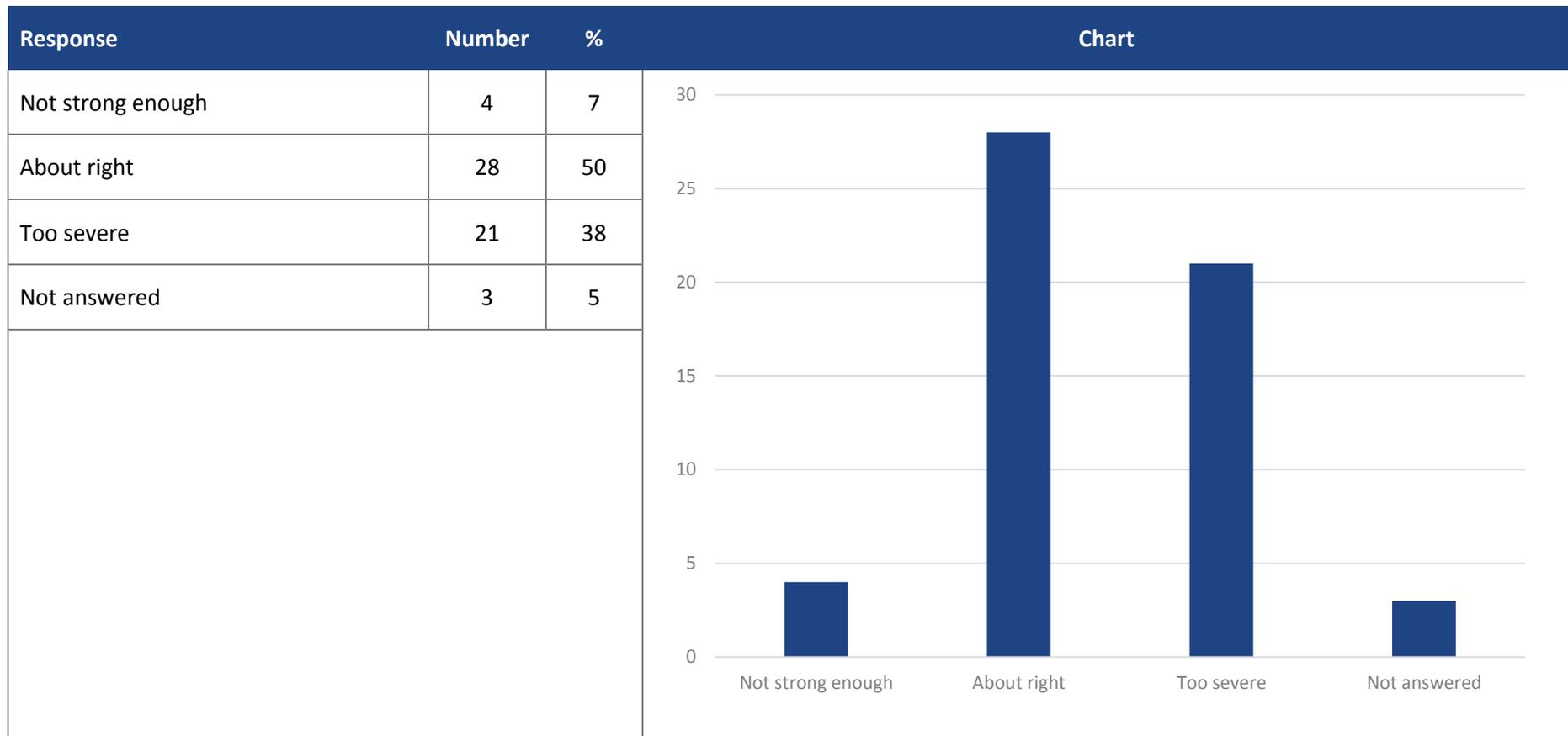
Which option best describes your interest in responding to this consultation?

Response	Number	%	Chart																				
Multi-rotor SUA flying as a hobby	19	34	<table border="1"> <caption>Chart Data</caption> <thead> <tr> <th>Response</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Multi rotor SUA hobby</td> <td>19</td> </tr> <tr> <td>Model aircraft hobby</td> <td>11</td> </tr> <tr> <td>SUA commercial (current)</td> <td>5</td> </tr> <tr> <td>SUA commercial (new business)</td> <td>0</td> </tr> <tr> <td>Airline pilot/other</td> <td>2</td> </tr> <tr> <td>Private/GA pilot</td> <td>2</td> </tr> <tr> <td>Air Traffic Control Officer</td> <td>0</td> </tr> <tr> <td>Other</td> <td>16</td> </tr> <tr> <td>Not answered</td> <td>1</td> </tr> </tbody> </table>	Response	Number	Multi rotor SUA hobby	19	Model aircraft hobby	11	SUA commercial (current)	5	SUA commercial (new business)	0	Airline pilot/other	2	Private/GA pilot	2	Air Traffic Control Officer	0	Other	16	Not answered	1
Response	Number																						
Multi rotor SUA hobby	19																						
Model aircraft hobby	11																						
SUA commercial (current)	5																						
SUA commercial (new business)	0																						
Airline pilot/other	2																						
Private/GA pilot	2																						
Air Traffic Control Officer	0																						
Other	16																						
Not answered	1																						
Model aircraft flying as a hobby	11	20																					
Commercial SUA flying (current)	5	9																					
Commercial SUA flying (planning a new business)	0	0																					
Airline pilot/other airline personnel	2	4																					
Private/general aviation pilot	2	4																					
Air traffic control officer (ATCO)	0	0																					
Other (please specify):	16	29																					
Not answered	1	2																					

Endangerment

A small unmanned aircraft must not endanger a person, property or other aircraft

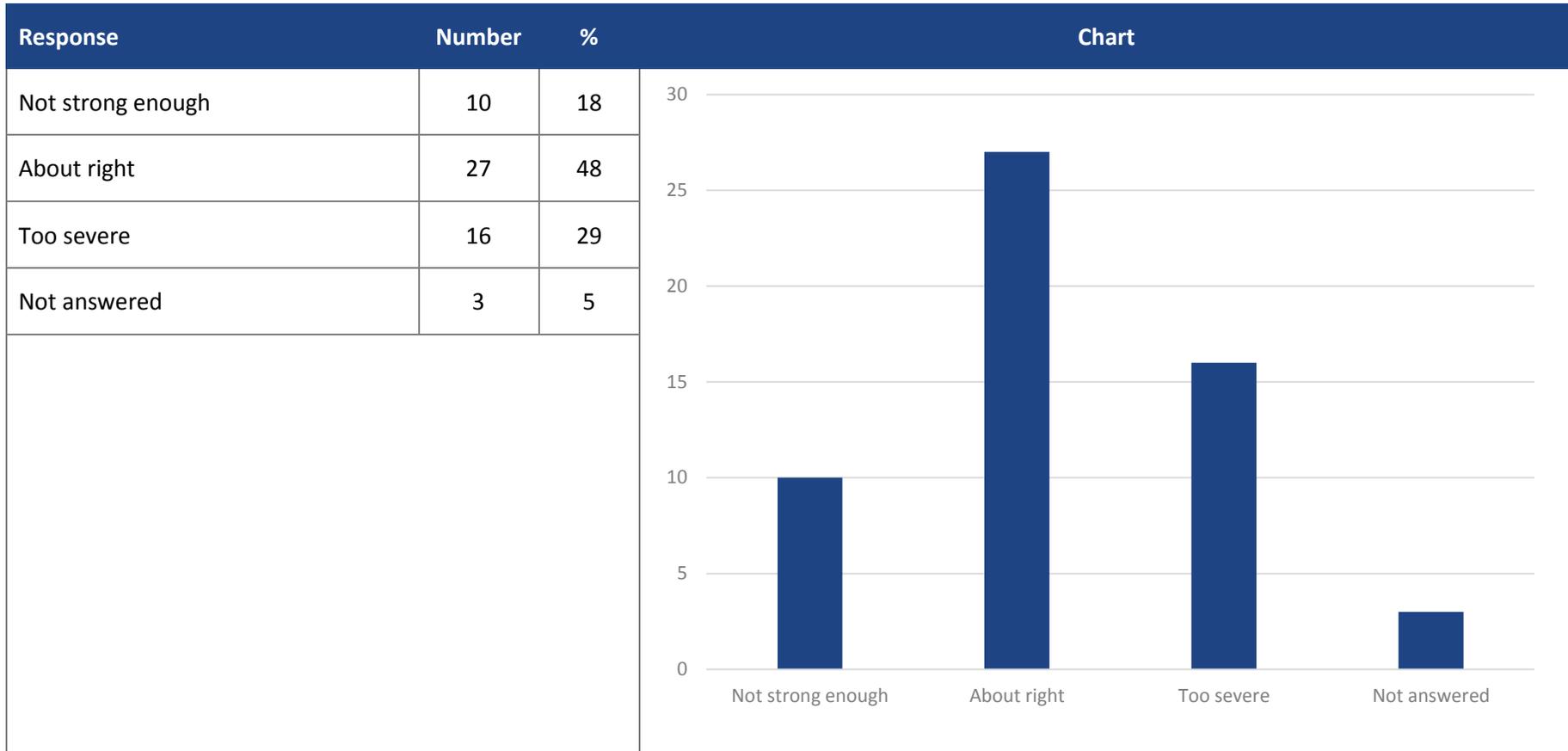
What do you think about the proposed penalty?



Avoiding aircraft

A small unmanned aircraft must always avoid other aircraft.

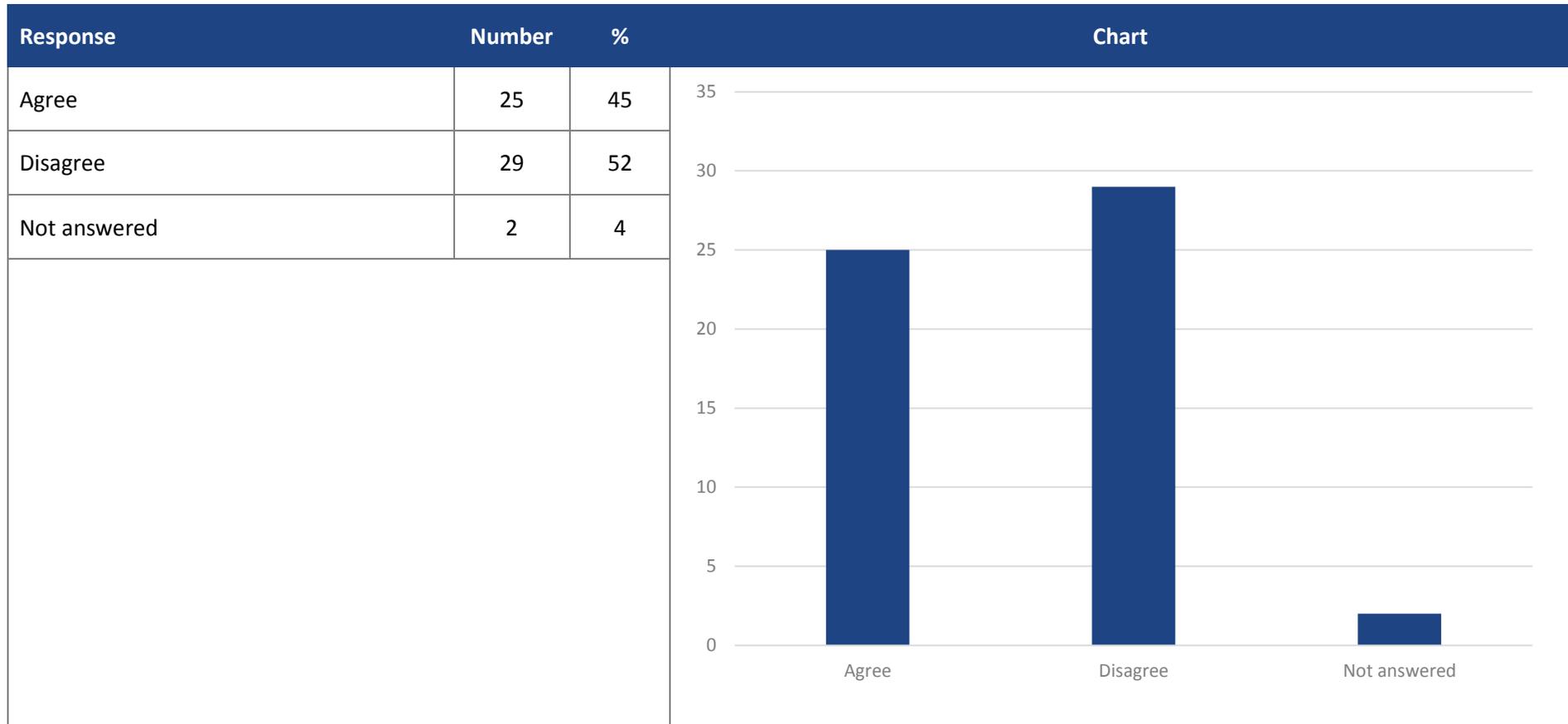
What do you think about the proposed penalty?



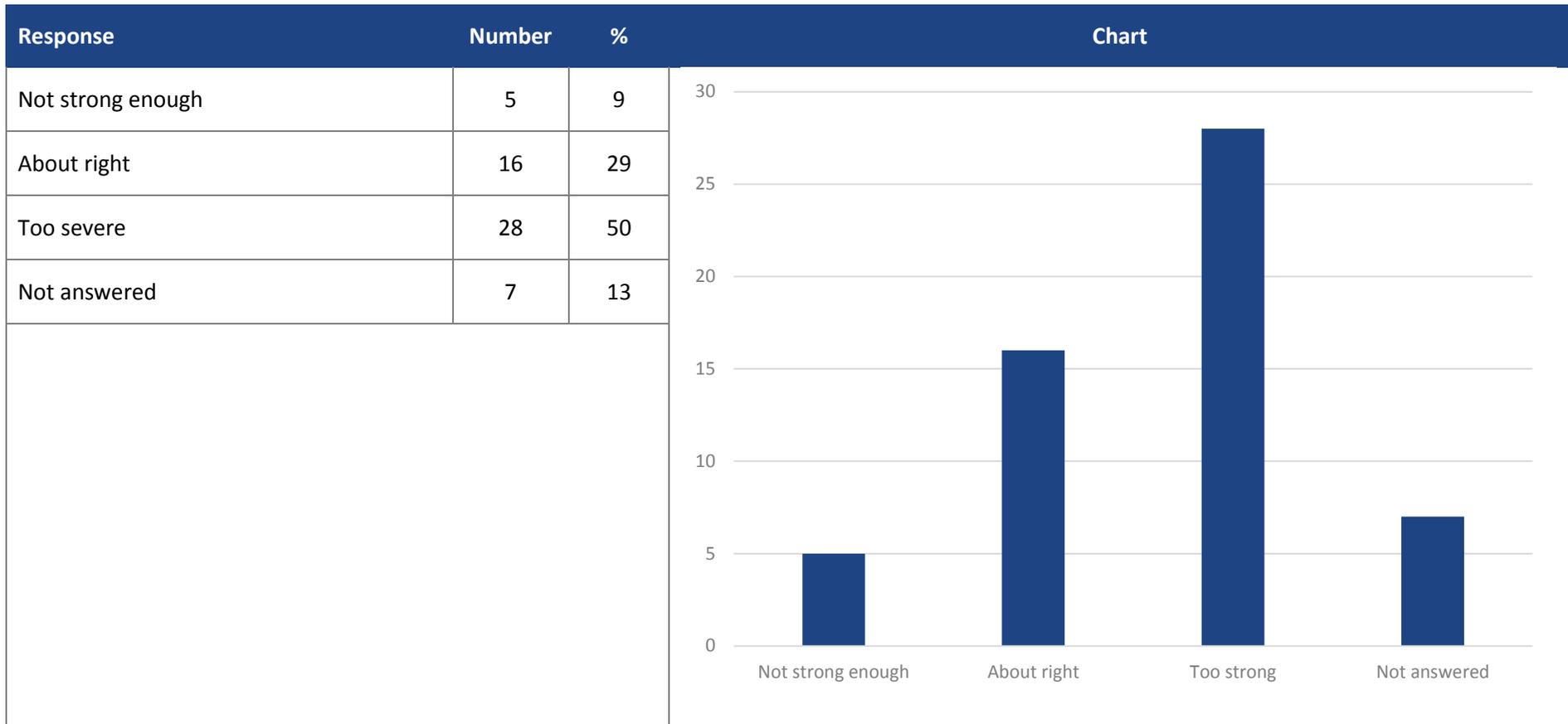
Night flying

You must not fly a small unmanned aircraft at night unless you have permission from the CAA.

Remote pilots should not be able to fly SUA at night:



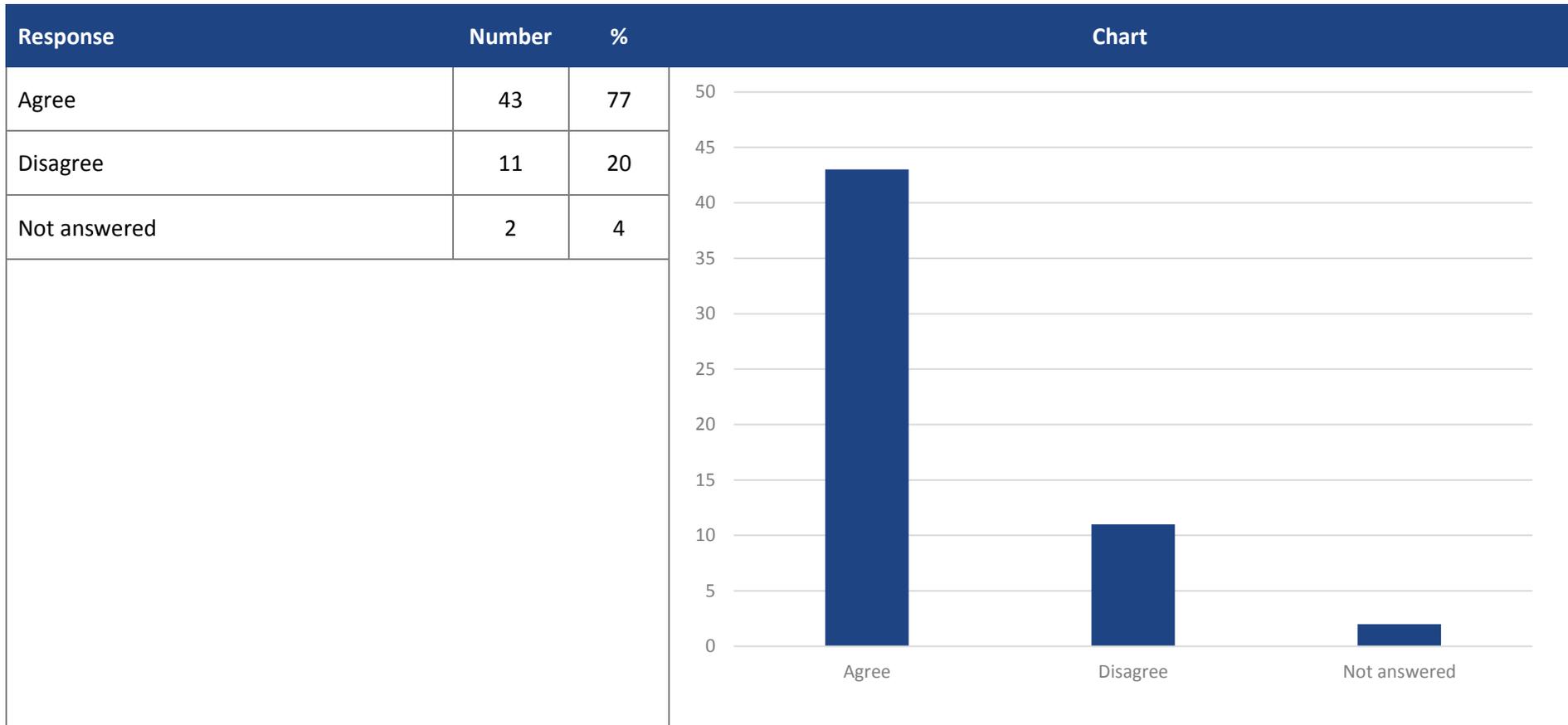
13 What do you think about the proposed penalty?



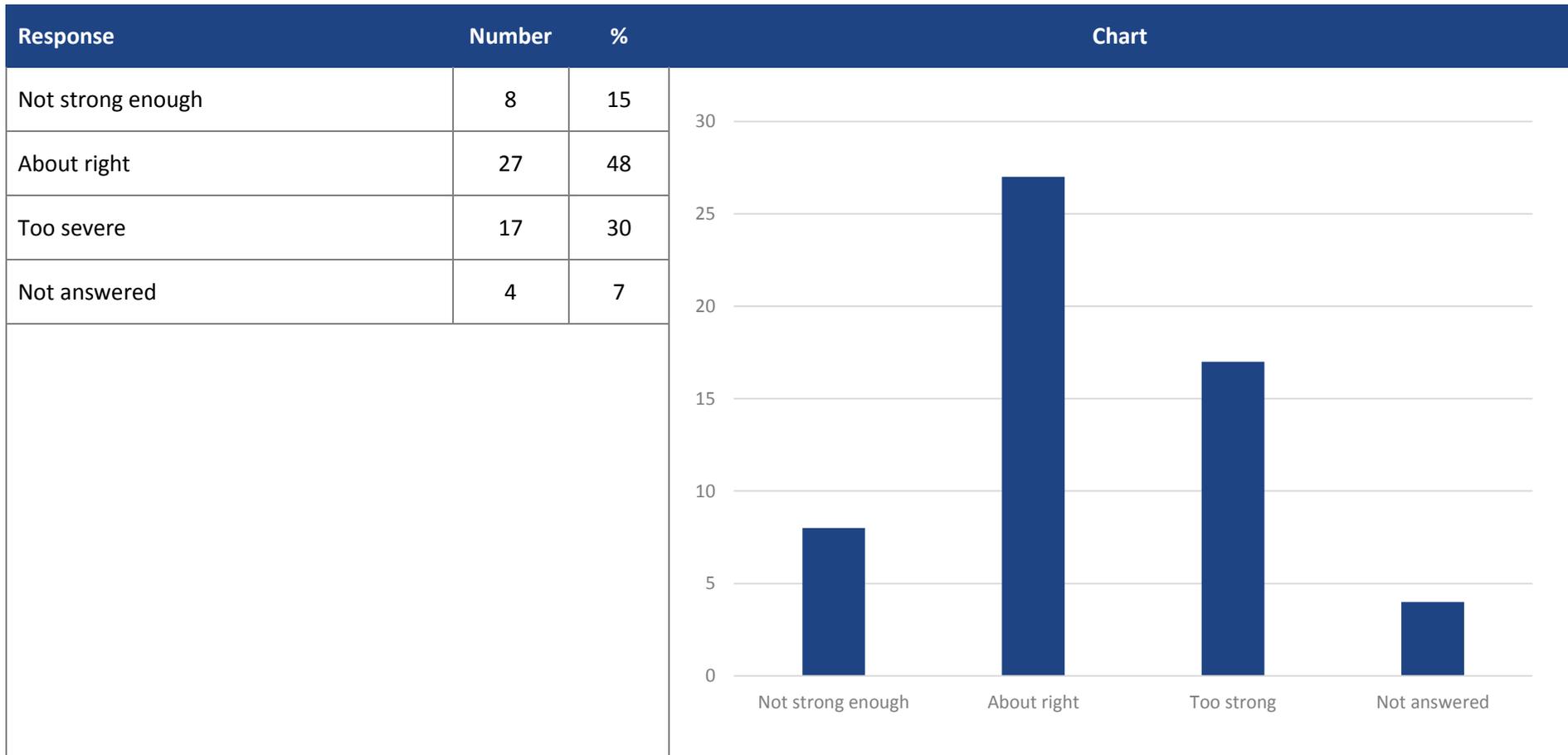
Flying multiple SUA

You must not fly more than one small unmanned aircraft at a time.

A remote pilot should only be able to fly one SUA at a time



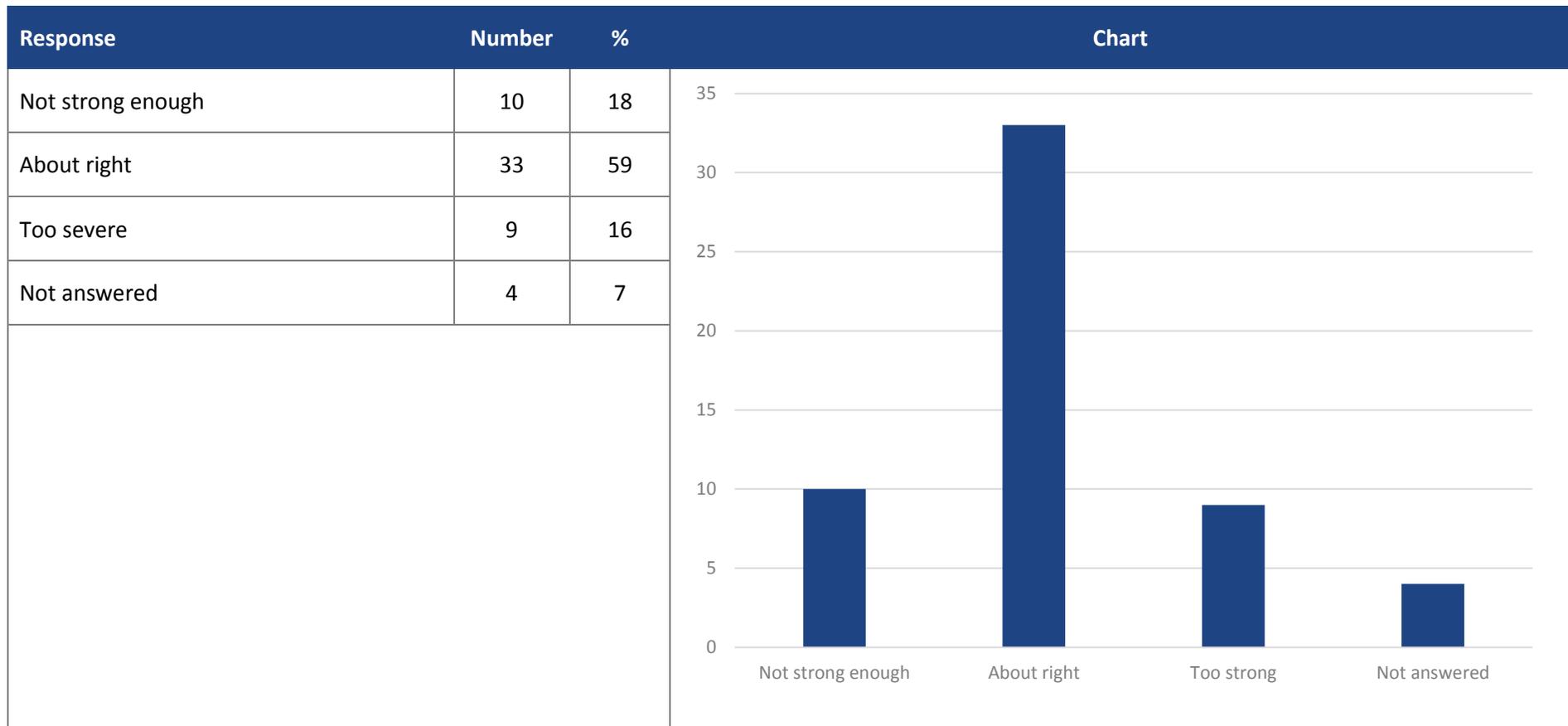
What do you think about the proposed penalty?



Dropping items

You must not drop anything from a small unmanned aircraft if it would endanger persons or property on the ground.

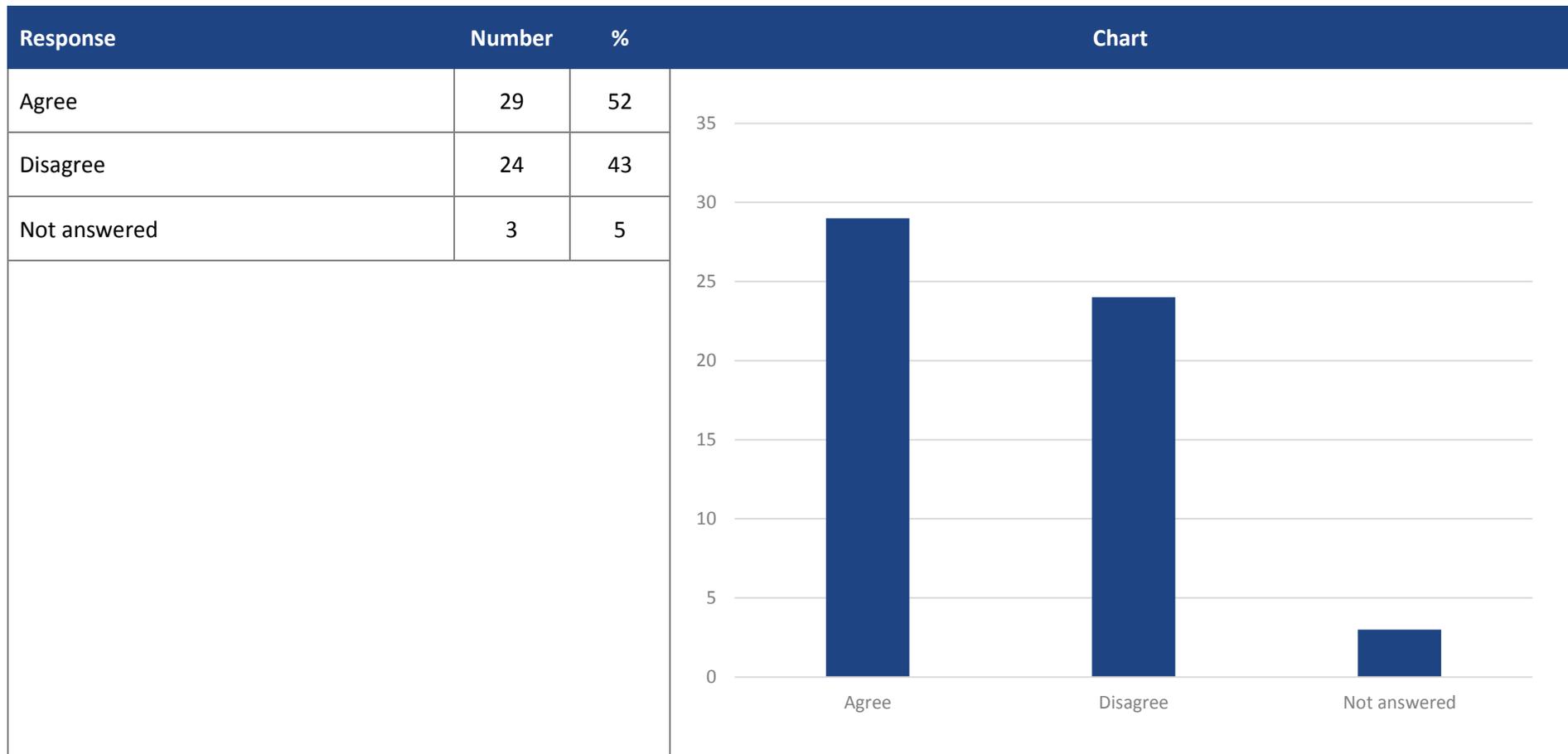
What do you think about the proposed penalty?



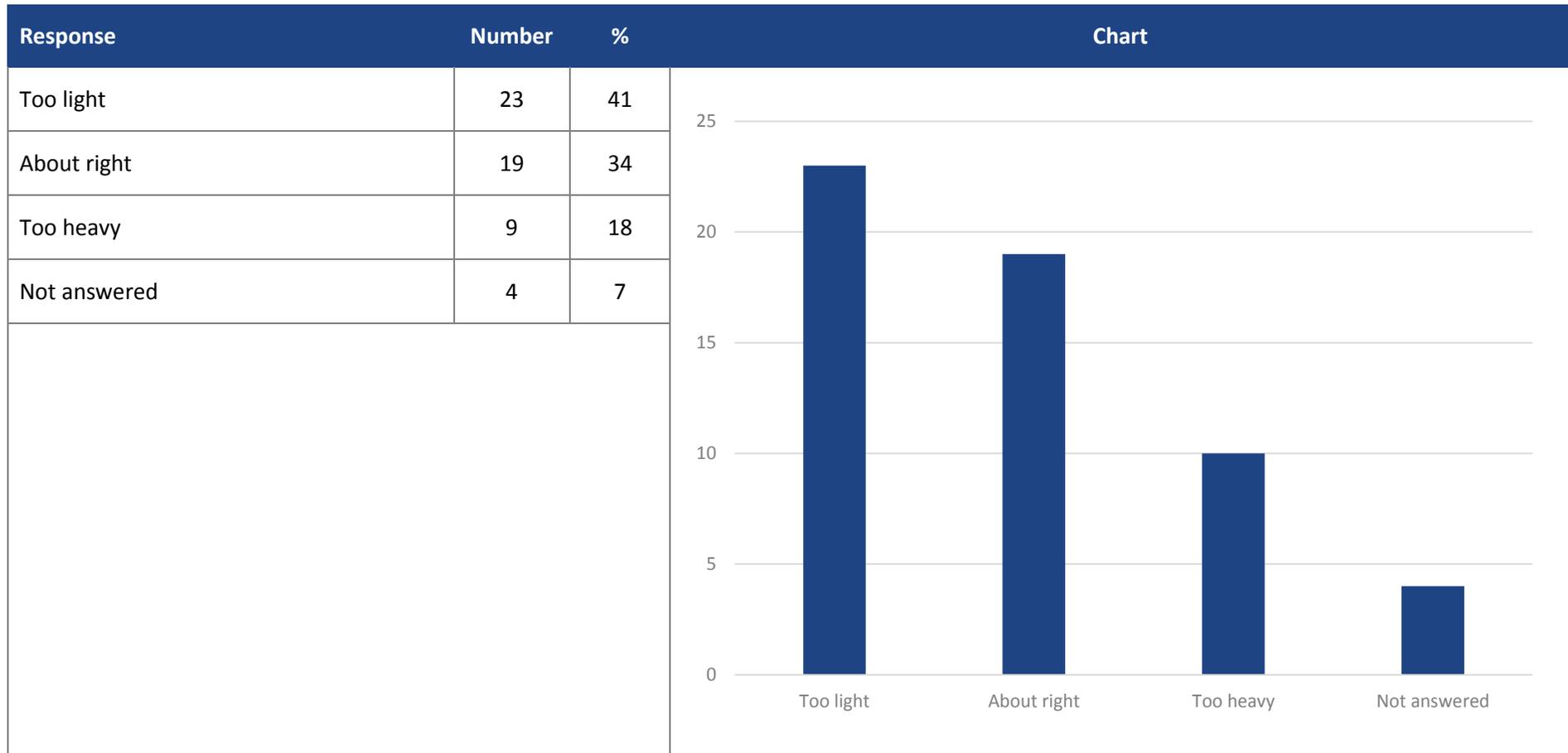
Flying larger SUA

You must not fly a small unmanned aircraft with a maximum take-off mass of 4 kilograms or more unless you have permission from the Isle of Man CAA.

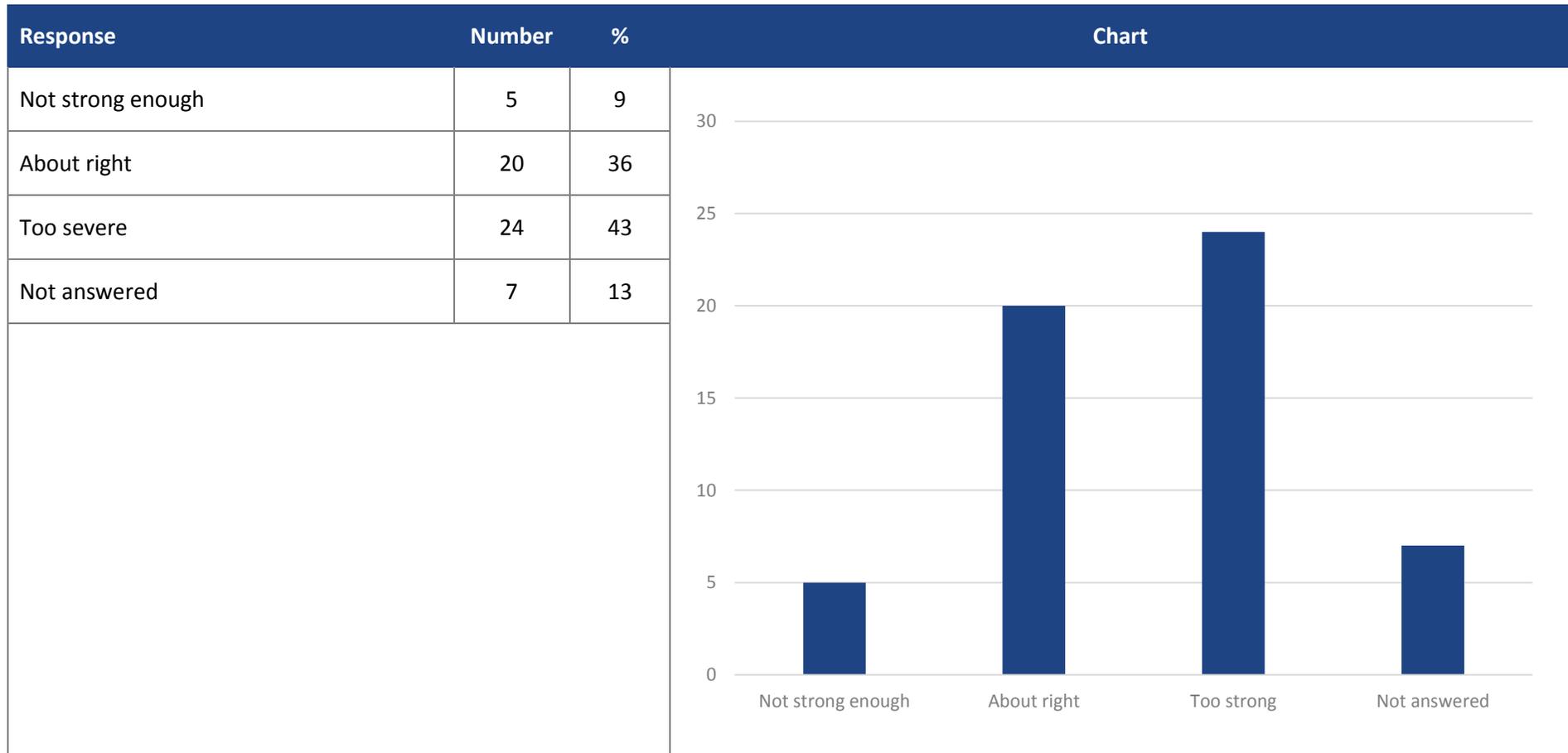
Flying heavier SUA should require Isle of Man CAA permission



What do you think about the proposed cut-off at 4kg?



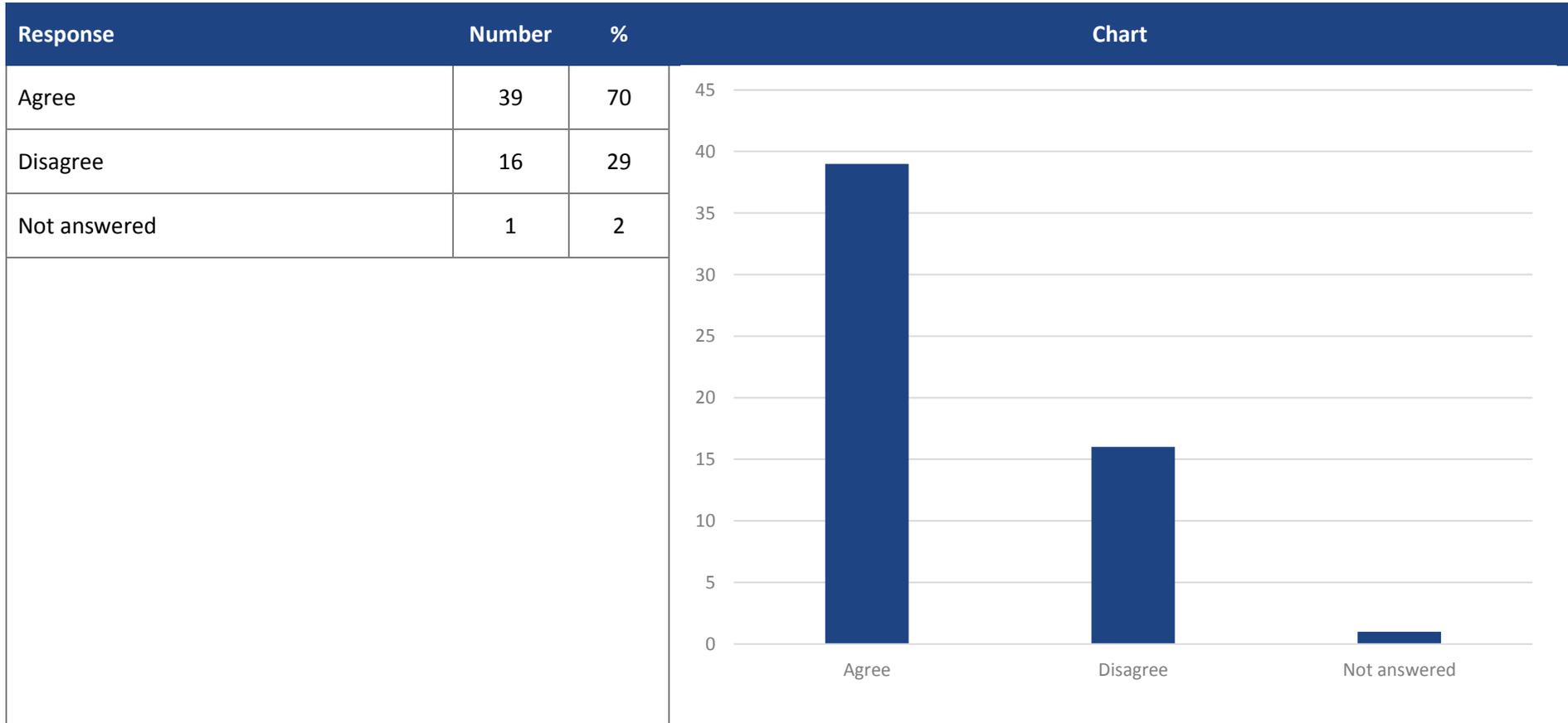
What do you think about the proposed penalty?



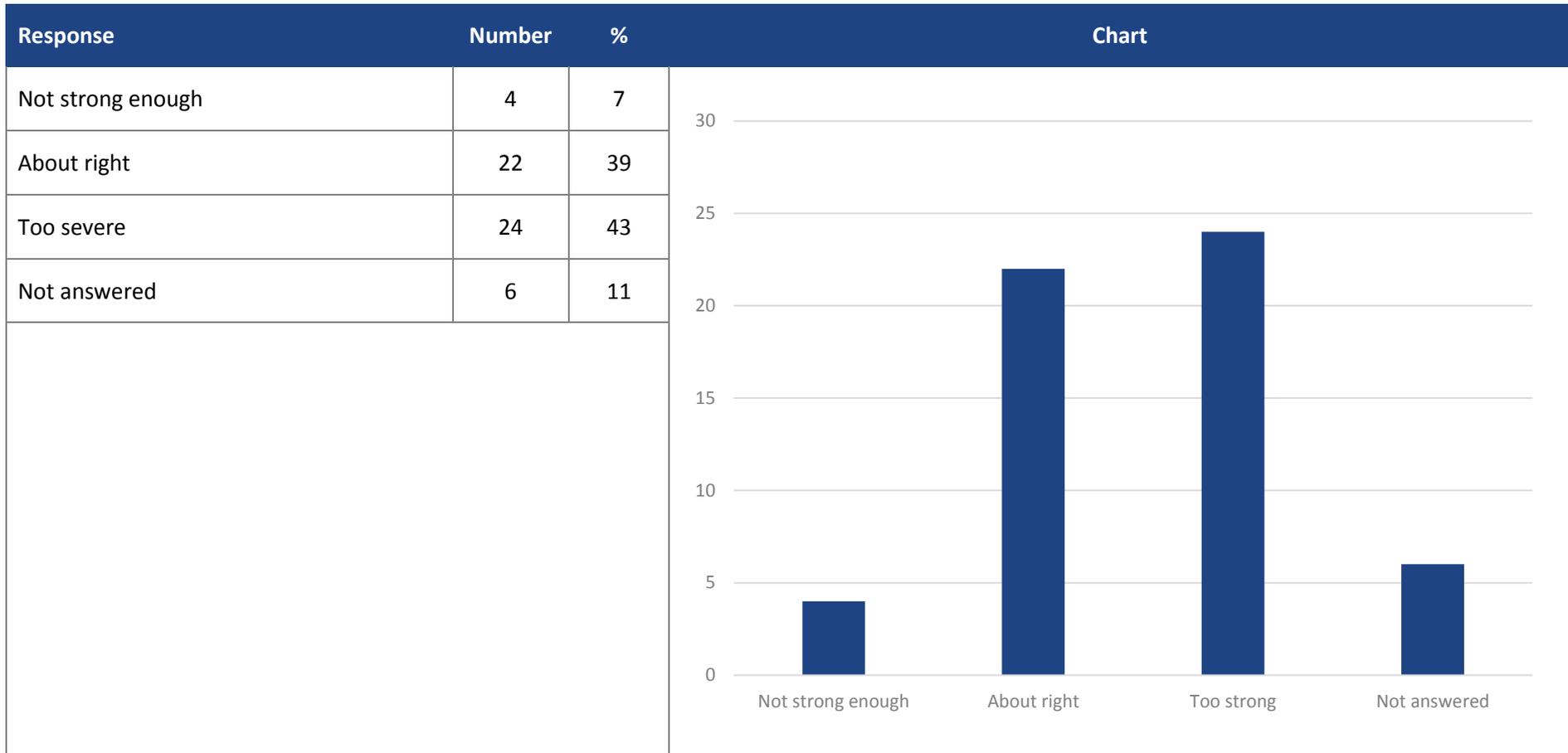
Avoiding collisions

You must maintain direct, unaided visual contact with your small unmanned aircraft at all times while it is in flight unless have permission from the Isle of Man CAA.

The remote pilot of a SUA should be required to keep the aircraft in their sight at all times



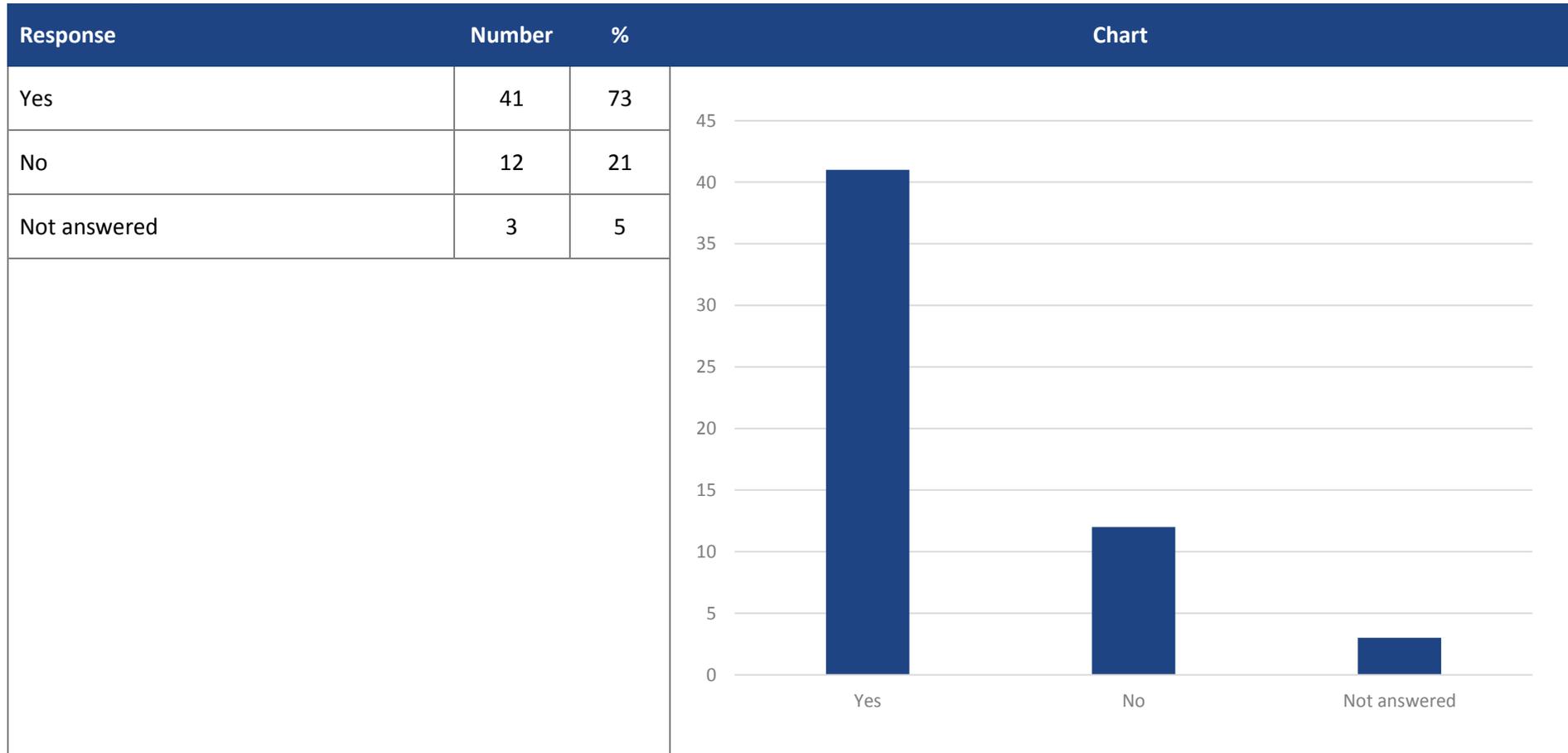
What do you think about the proposed penalty?



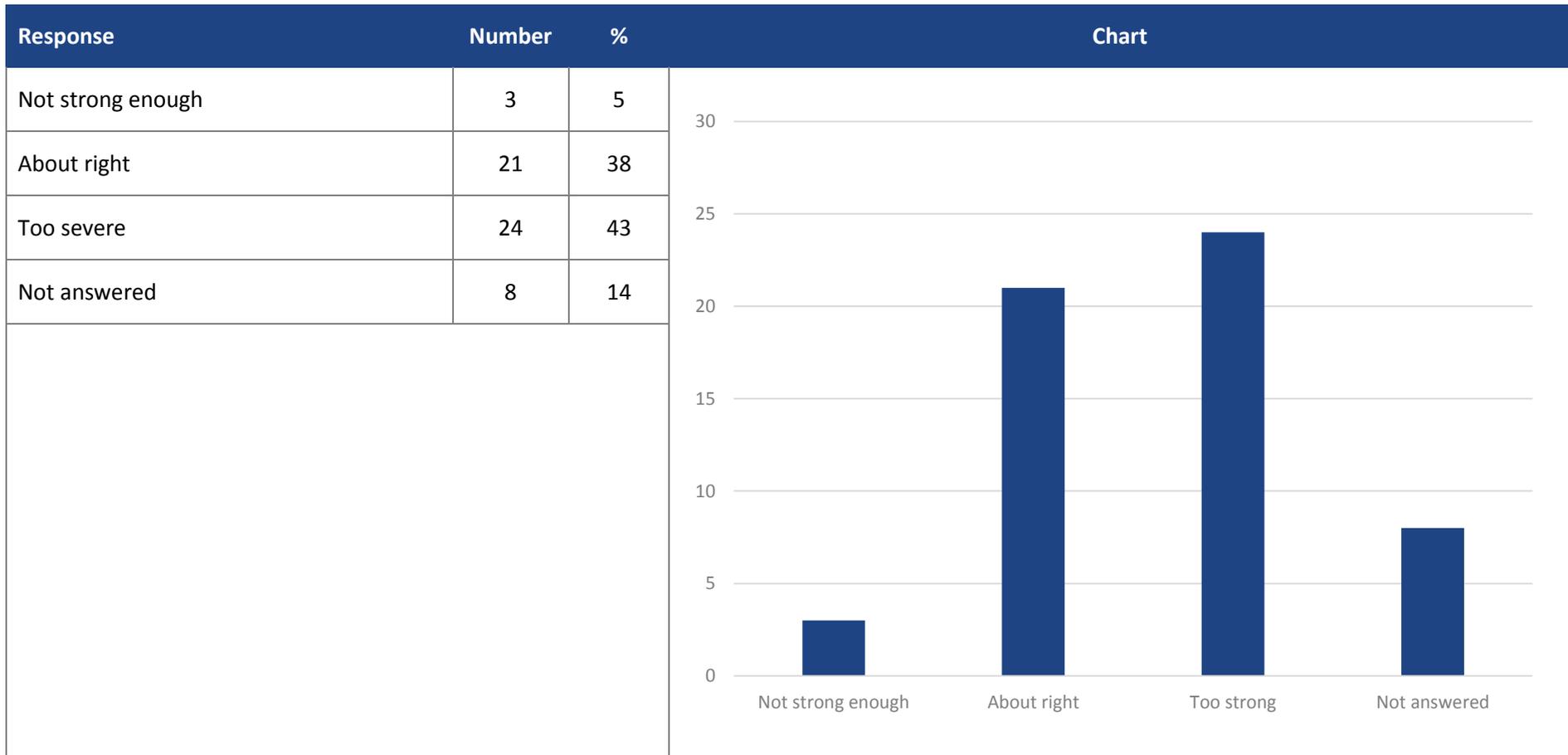
First-person-view

You may fly a small unmanned aircraft using first-person-view ('FPV') but you must have a competent observer next to you who maintains a lookout for aircraft and other hazards.

Should 'first-person-view' flying be allowed if an observer located next to the remote pilot monitors the SUA visually and warns the remote pilot of any hazards?



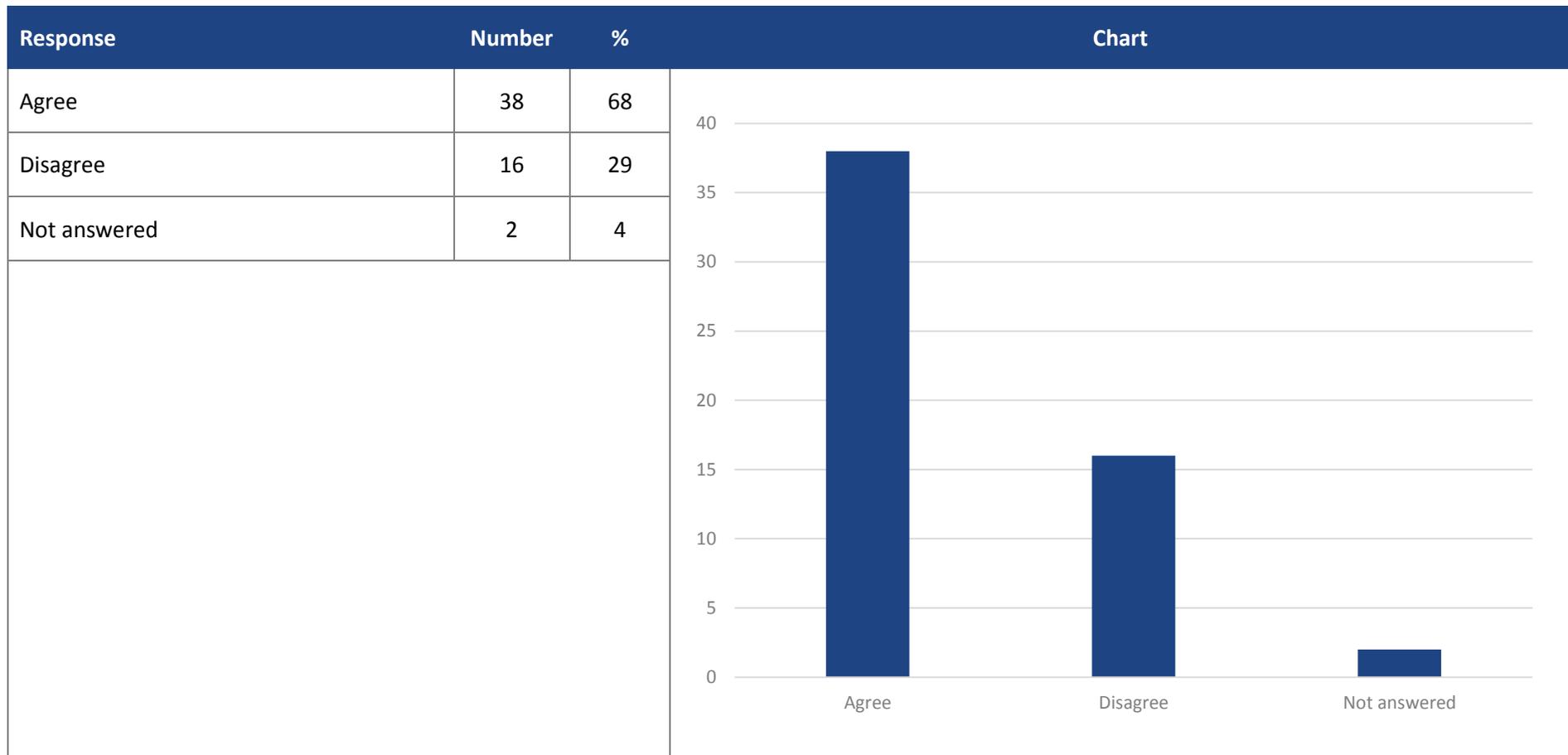
28 What do you think of the proposed penalty?



Maximum height and distance

You must not fly a SUA at more than 400 feet away from the surface of the earth unless you have permission from the Isle of Man CAA.

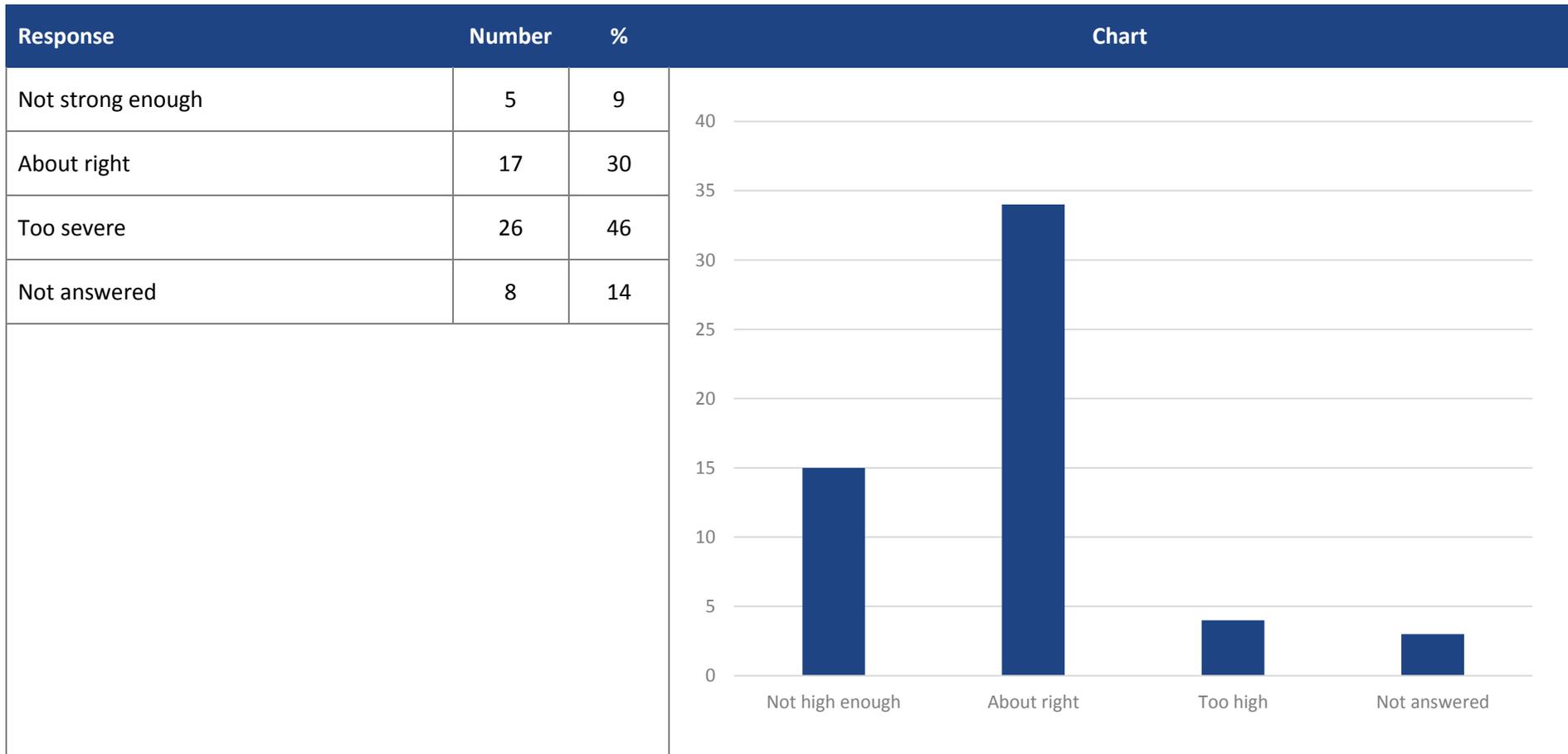
Remote pilots should not be able to fly their SUA above a certain height



What do you think of the maximum distance of 400 feet away from the surface?



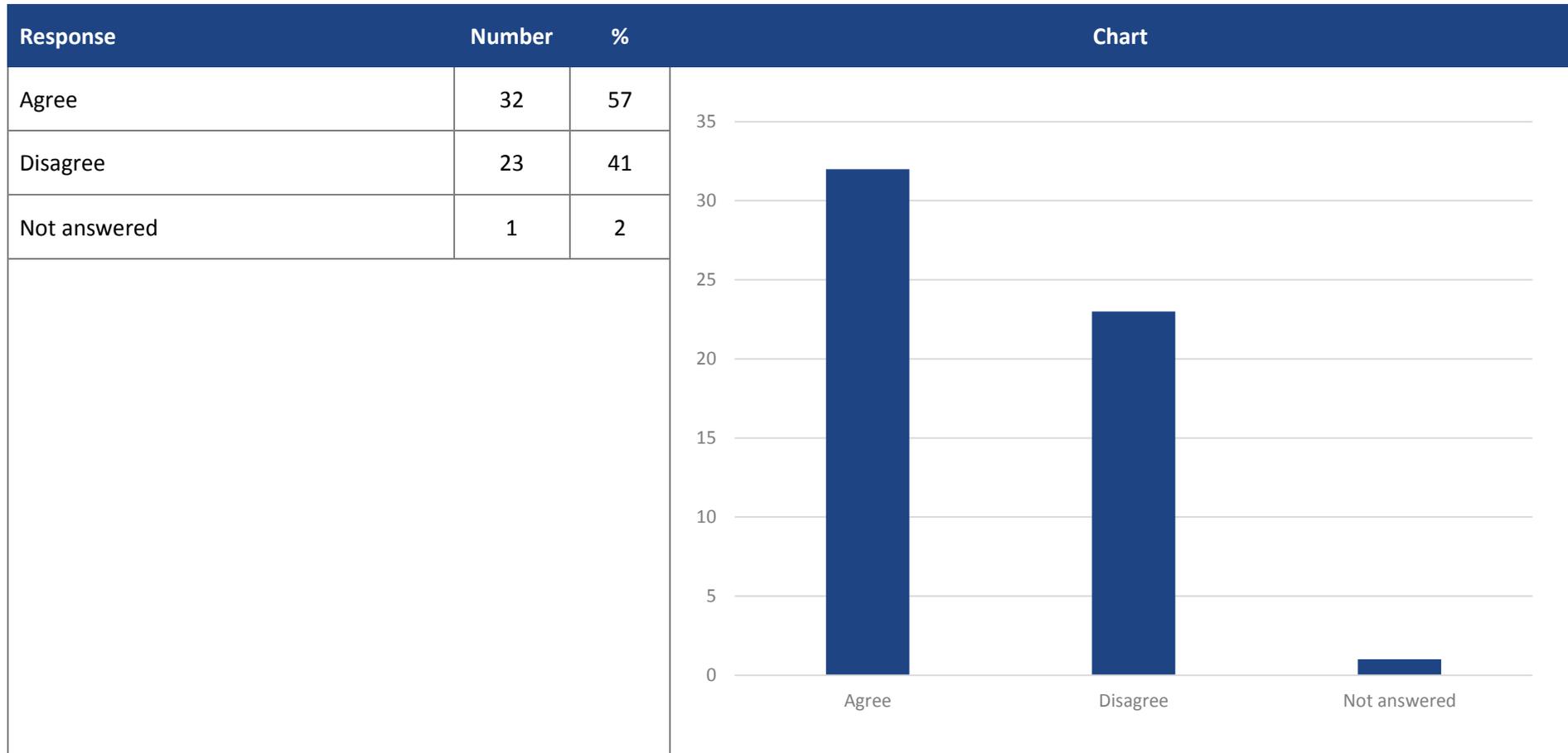
What do you think of the proposed penalty?



500 metres away from the surface

You must not fly a small unmanned aircraft at a distance of more than 500 metres away from you unless you have permission from the Isle of Man CAA.

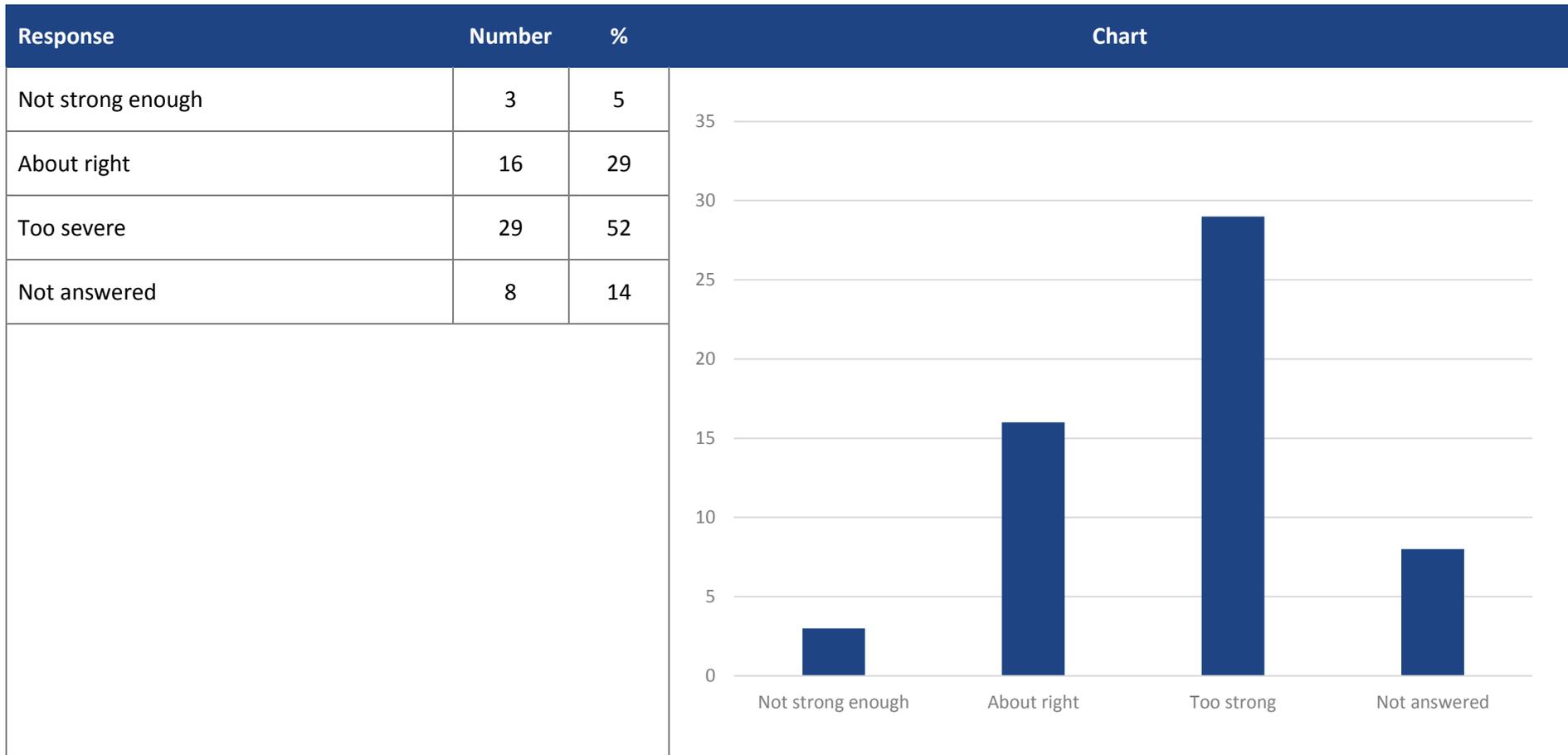
Remote pilots should have to keep their SUA flights within a certain distance of their position



What do you think of the maximum distance of 500m?



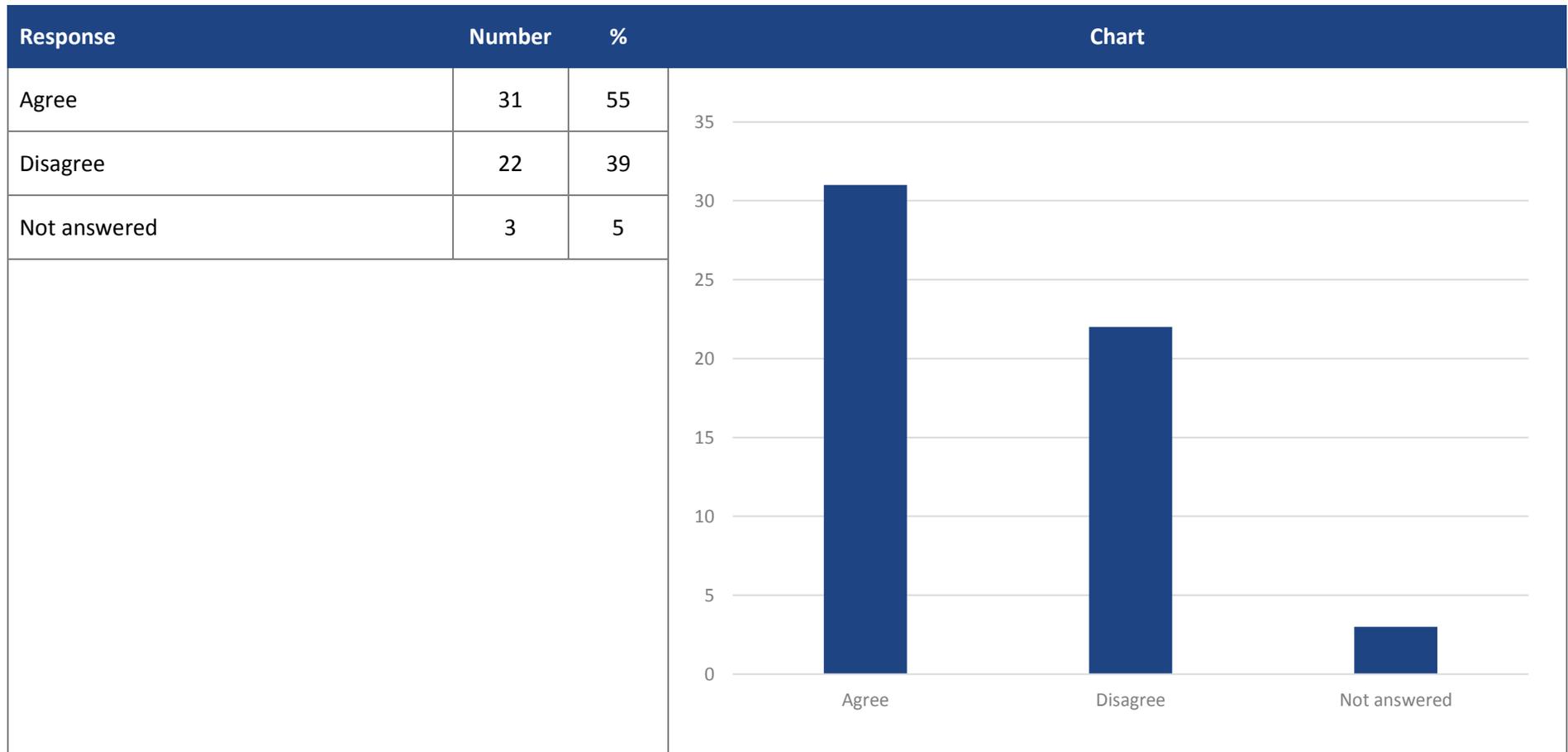
What do you think of the proposed penalty?



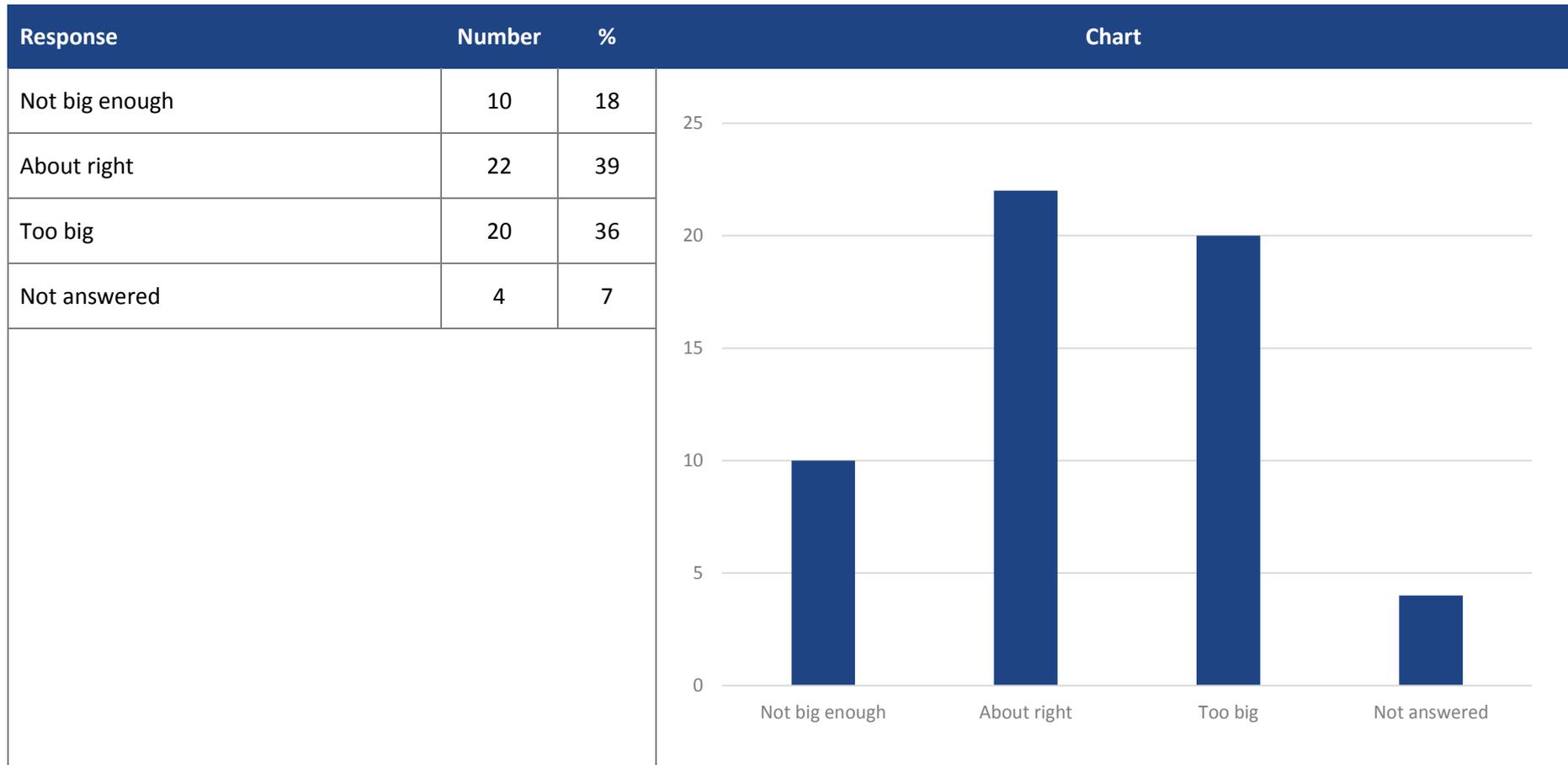
Flying near buildings and people

You must not fly a small unmanned aircraft over or within 150m of a substantially residential, industrial or recreational area unless you have permission from the Isle of Man CAA.

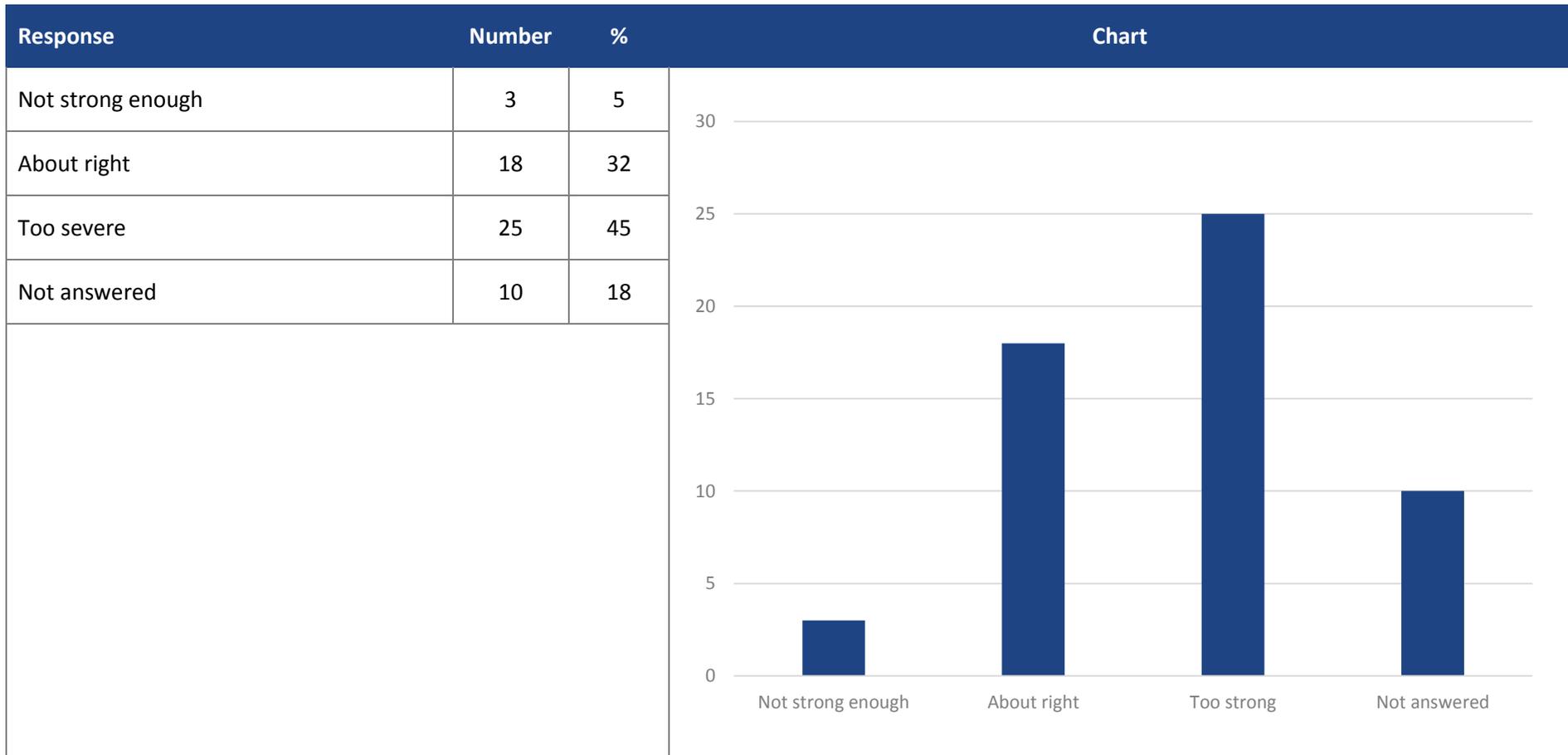
Remote pilots should not be able to fly their SUA near substantially residential, industrial or recreational areas



What do you think of the 150m buffer zone?

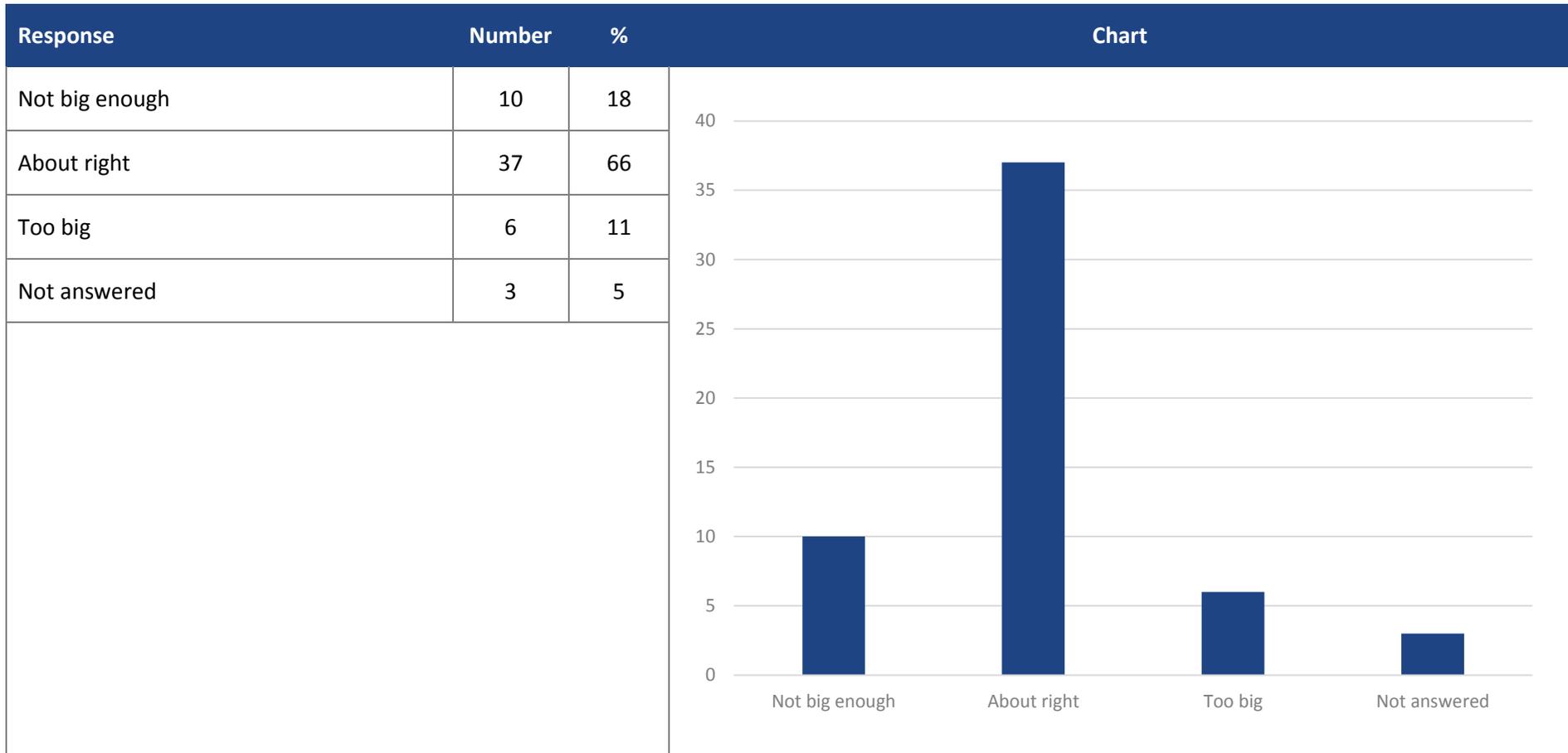


What do you think of the proposed penalty?

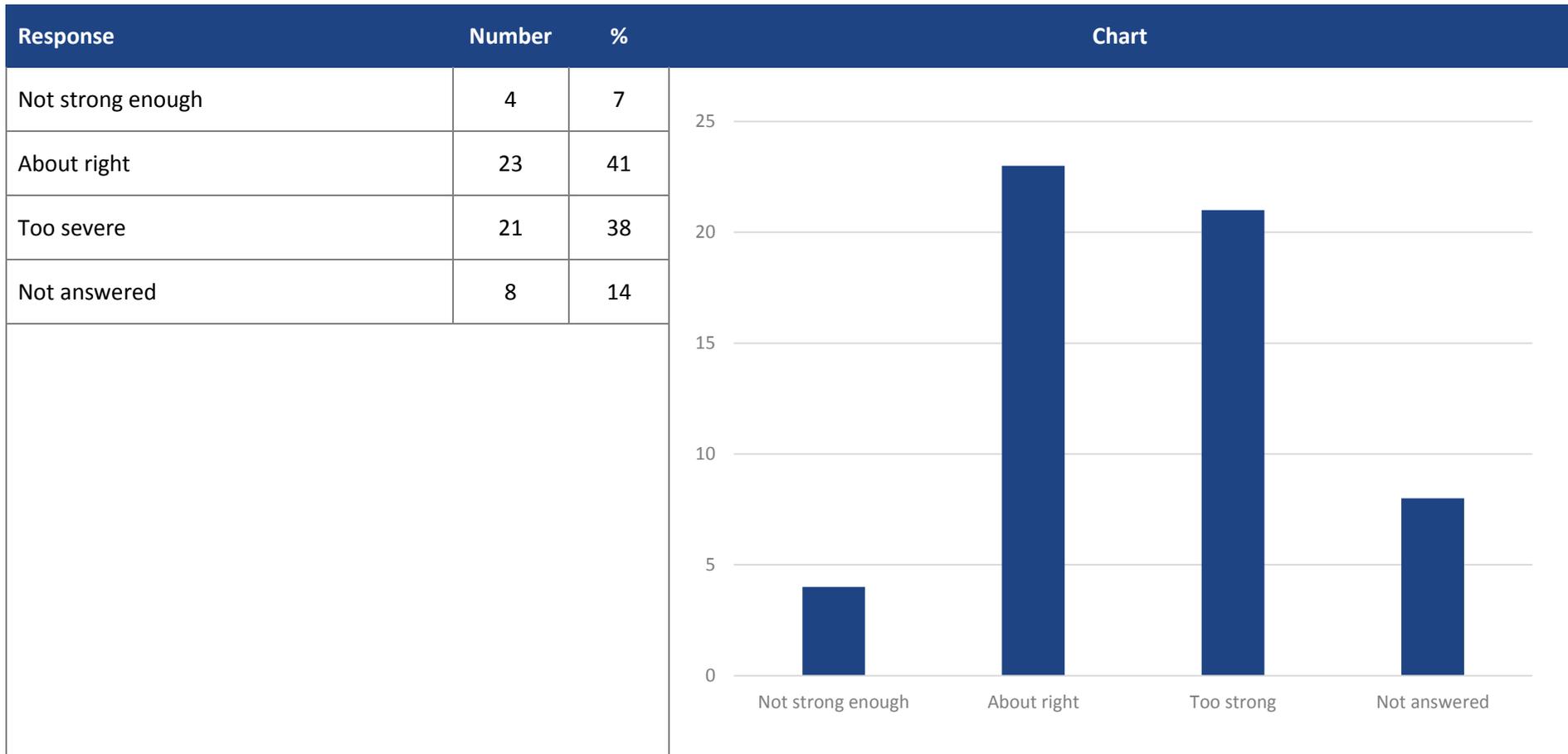


You must not fly a small unmanned aircraft over or within 150m of an organised open-air assembly of more than 1000 people.

What do you think of the 150m buffer zone?

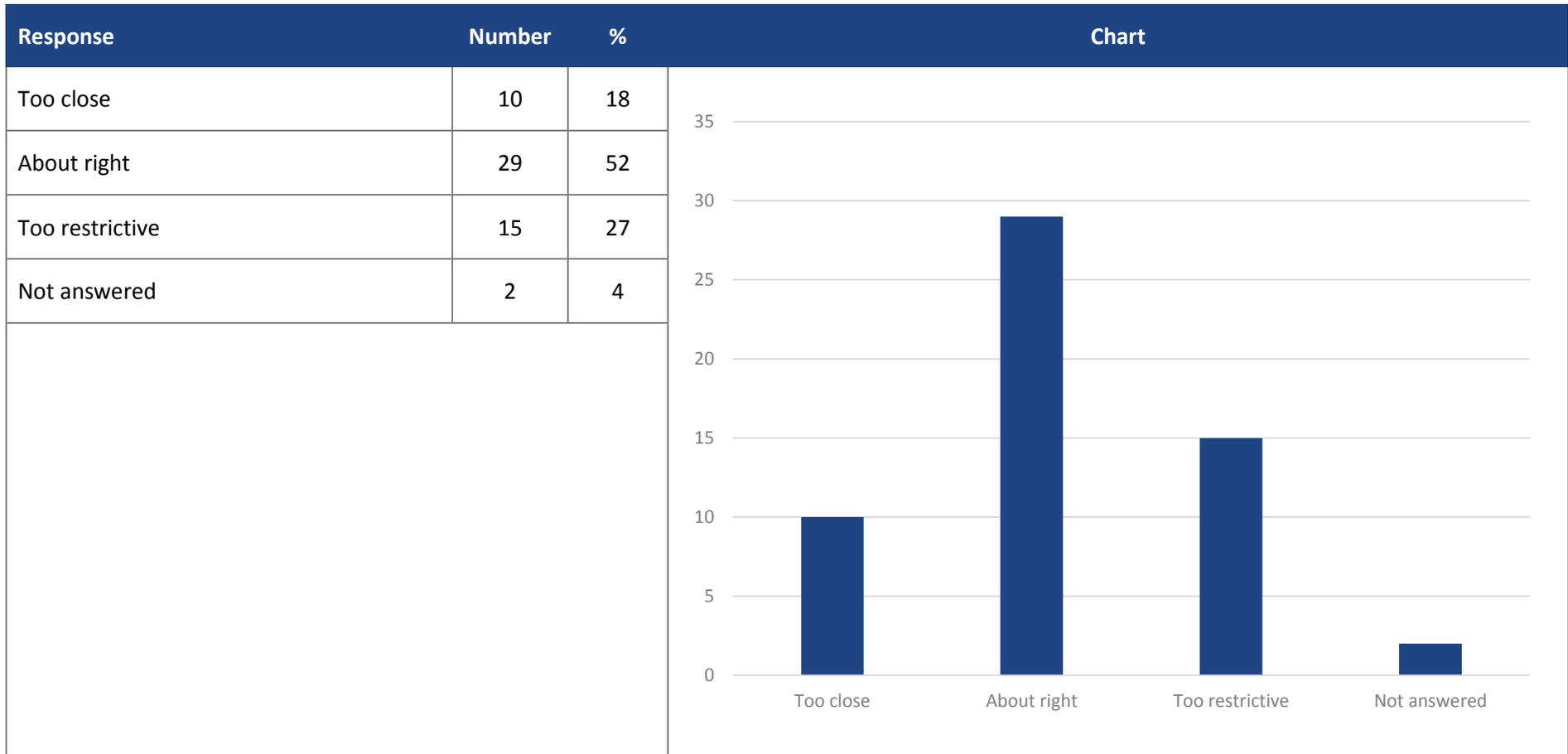


What do you think of the proposed penalty?

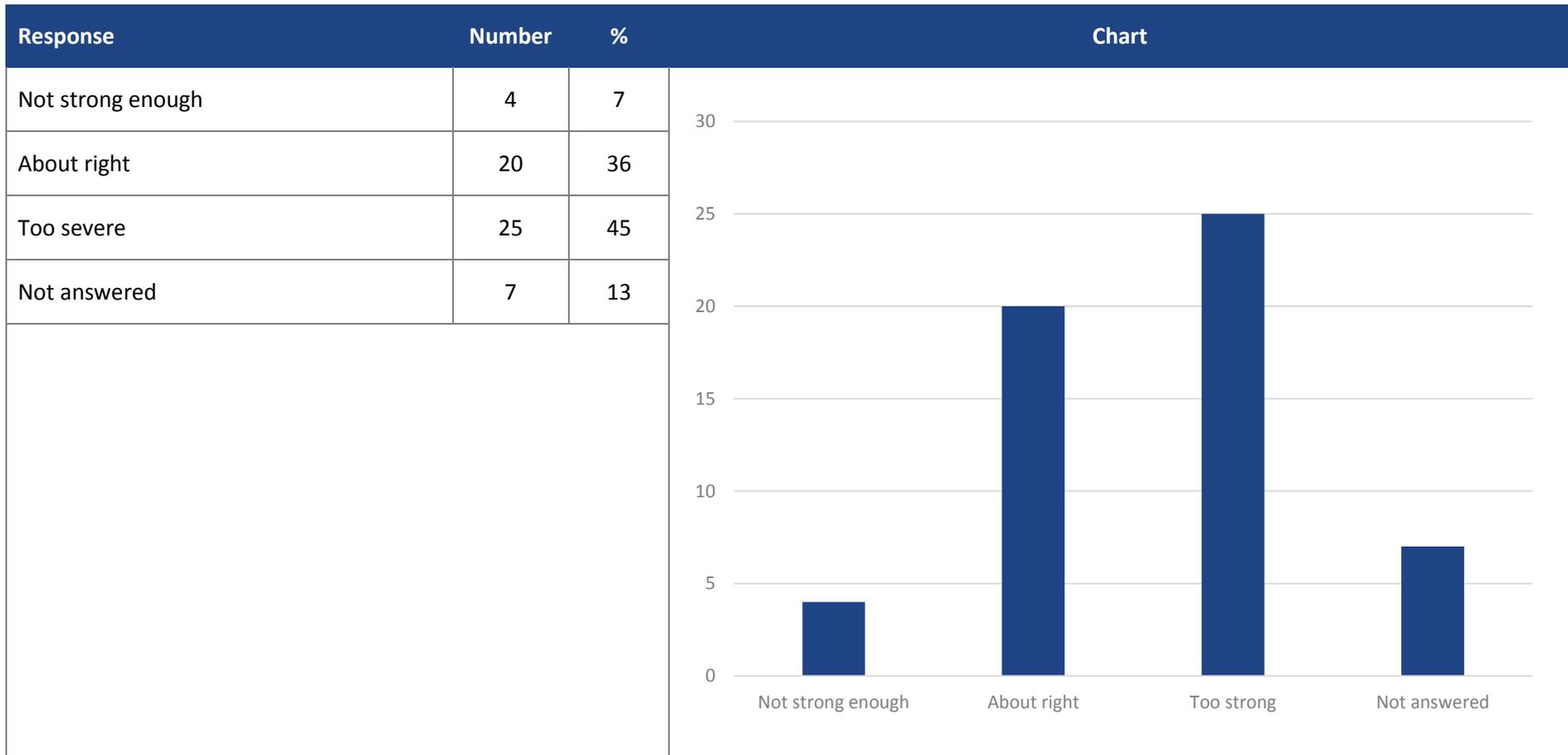


You must not fly a small unmanned aircraft within 50 metres of a vessel, vehicle or structure that is not under your control unless you have permission from the Isle of Man CAA.

What do you think of the minimum distance of 50m?

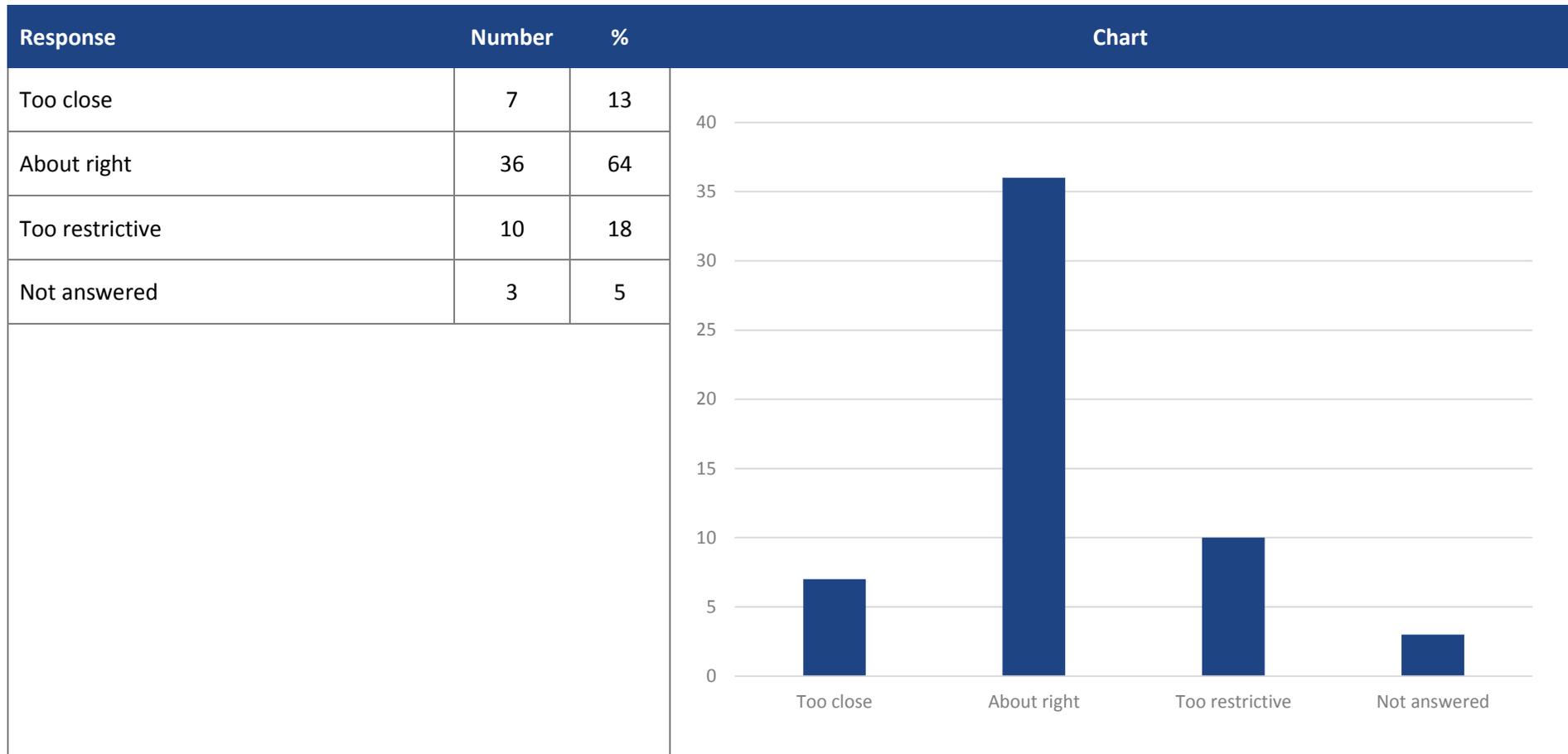


What do you think of the proposed penalty?

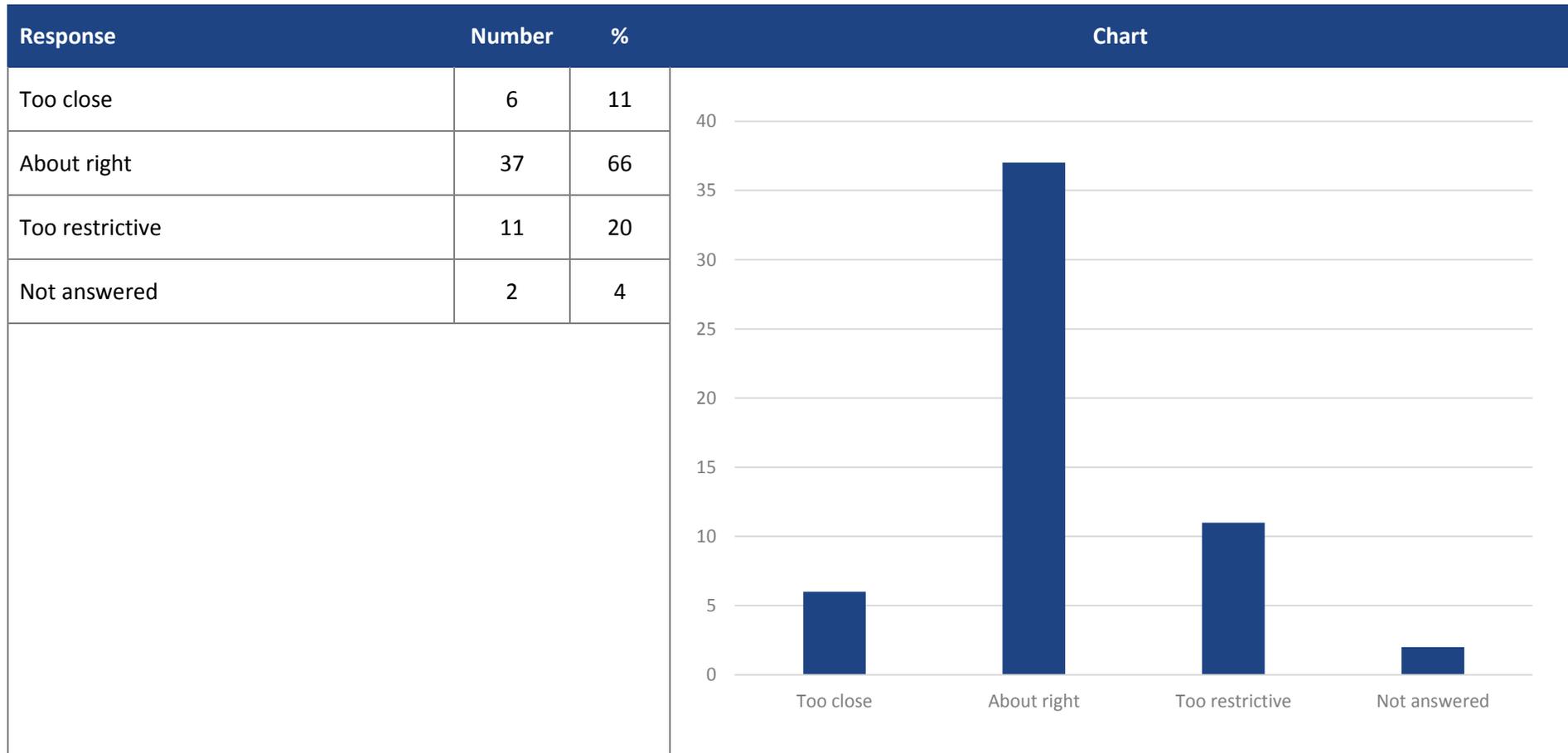


You must not fly a small unmanned aircraft within 50 metres of a person not under your control, except during taking-off or landing, when you may not fly within 30 metres of such a person, unless you have permission from the Isle of Man CAA.

Do you think 50m is an acceptable distance from uninvolved people during flight?



Do you think 30m is an acceptable distance from uninvolved people during take-off and landing?



What do you think of the proposed penalty?

