

Newsletter



Robinson Sheppard Shapiro
Avocats • Lawyers

June 5, 2019

Are you ready for the new Canadian regulations on drones?

If you are a drone user, or if you're planning to purchase one for recreational or professional purposes, you should pay attention to new federal regulations. Considering recent incidents such as the collision of a drone and a plane in its final approach at the Québec City airport, or sightings of drones at London's Heathrow and Gatwick airports, Transport Canada [TC] had no choice but to tighten the applicable rules. As of June 1, 2019, Canada followed the lead of numerous countries in adopting tougher requirements for drone operation. The key words are safety and knowledge.

Several new rules apply to remotely piloted aircraft systems [RPAS], better known as "drones", weighing 250 g up to and including 25 kg, operated under visual line-of-sight, that is, without binoculars or video feed. Bear in mind that these new rules are an addition to other rules that were already in force, and apply to those who operate drones for recreational, professional or research purposes.

Anyone who operates a drone covered by the regulations must hold a drone pilot certificate for basic or advanced operations. The basic operations certificate requires passing an online exam. The advanced operations certificate requires passing a specific online exam for

advanced operations as well as a flight review, and submitting a drone safety assurance declaration. All drones weighing 250 g and up must be registered with TC and be marked with the registration number.

For safety purposes, TC also requires that a pilot holding only a basic operations certificate maintain eye contact with the drone at all time. The drone must be flown at specified minimal distances from bystanders, emergency operations, public events, airports and heliports and other aircraft.

Even without a specific requirement, a prudent operator will make sure to have adequate liability insurance covering



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any damage that could be caused by the drone.

Finally, any new drone operator should get acquainted of Part IX — Remotely Piloted Aircraft Systems of the *Canadian Aviation Regulations*. The new rules will be enforced by TC and by the RCMP.

Failure to abide by the applicable rules can be punished by fines, and can even lead to imprisonment. We strongly urge readers to consult with a qualified professional for advice on the full scope of the new regulations.

