

ANTIGUA AND BARBUDA



**THE CIVIL AVIATION (REMOTELY PILOTED AIRCRAFT SYSTEMS) (RPAS)
REGULATIONS 2019**

STATUTORY INSTRUMENT

2019, No. 29

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ANTIGUA AND BARBUDA

**THE CIVIL AVIATION (REMOTELY PILOTED AIRCRAFT SYSTEMS) (RPAS)
REGULATIONS 2019**

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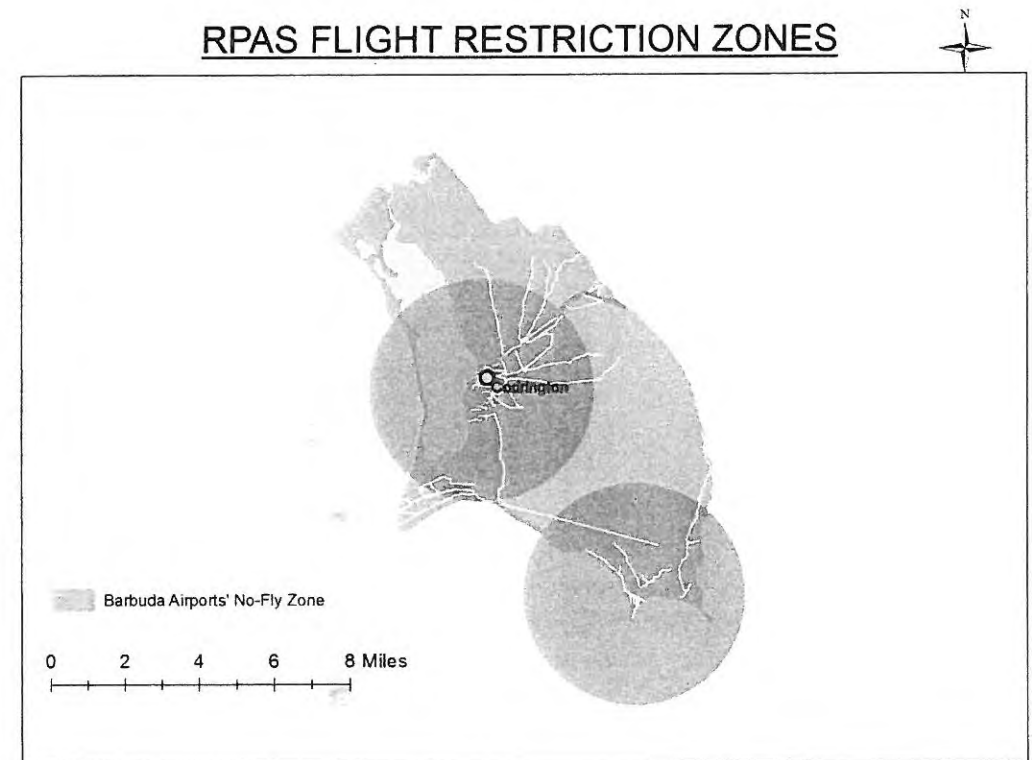
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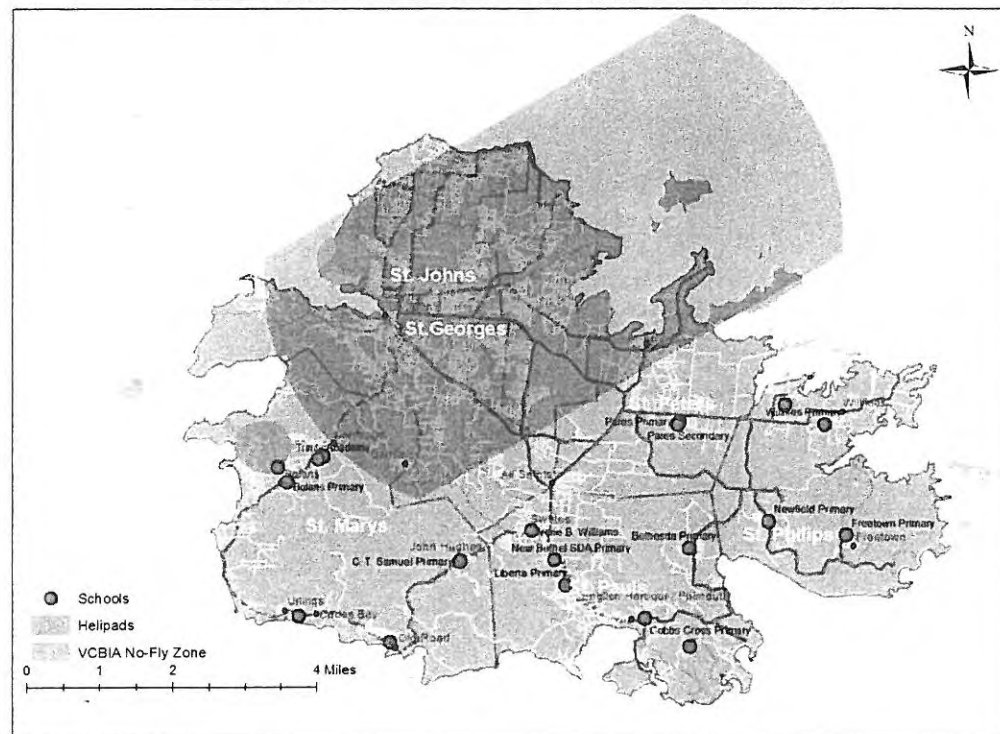
Made the 27th day of May, 2019.

Hon. Robin K.M. Yearwood,
Minister with responsibility for Aviation.

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REGULATIONS 2019**

2019, No. 29

**THE CIVIL AVIATION (REMOTELY PILOTED AIRCRAFT SYSTEMS) (RPAS)
REGULATIONS** made in exercise of the powers contained in section 52 (e) of the Civil
Aviation Act, 2003 No. 25 of 2003.

PART I

PRELIMINARY

1. Short Title

These Regulations may be cited as the Civil Aviation (Remote Piloted Aircraft Systems) (RPAS)
Regulations 2019.

2. Interpretation

In these Regulations—

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

“Aerodrome” means any area of land, water or other supporting surface used, designed,
prepared, equipped or set apart for use or designated either in whole or in part for the arrival,
departure and surface movement of aircraft and includes any buildings, installations and
equipment situated thereon or associated therewith,

Air Transport Licensing Board means the Air Transport Licensing Board established under
article 15 of the Civil Aviation Act (2003);

“beyond visual line of sight” means any operation which does not meet the definition of a
visual line of sight operation;

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

APPENDIX 5

(1) The amount to be paid in respect of the Certificate of Registration shall be EC\$60.00 for
Category 2 Remotely Piloted Aircraft Systems for one year and EC\$100 for two years.

(2) The amount to be paid for the Remotely Piloted Aircraft Systems Operators Certificate for
Category 2 shall be EC\$120.00 for one year and EC\$200.00 for two years.

APPENDIX 4

GOVERNMENT OF ANTIGUA AND BARBUDA

MINISTRY OF PUBLIC UTILITIES, CIVIL AVIATION, TRANSPORT AND ENERGY

REMOTELY PILOTED AIRCRAFT SYSTEMS (RPAS)

AIR OPERATOR CERTIFICATE: CATEGORY 2

Certificate Number V RPAS # [1]

The holder of this Certificate shall comply with all relevant requirements outlined in the Remotely Piloted Aircraft Systems (RPAS) Regulations 2019 (No. XXX of 2019).

Name of Certificate Holder:

Address of Certificate Holder:

Date of issue:

Expiry Date:

Remotely Piloted Aircraft System(s)³.....

Special Requirements (if applicable)

.....
Chairman, Air Transport Licensing Board

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

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

“proper officer” means a customs officer or a person authorized by the Comptroller of Customs to discharge any duty related to an assigned matter;

“property” means but is not limited to land, vessels, or vehicles;

“recreational use” means any operation conducted for the operator’s personal and private purposes and where there is no commercial outcome, interest or gain;

“remotely piloted aircraft (RPA)” means an aircraft which is intended to fly without a human pilot onboard and is categorized as follows-

“Category 1” has a maximum performance capability not exceeding a height of 100ft above ground level.

“Category 2” has a maximum performance capability exceeding a height of 100ft above ground level.

“remotely piloted aircraft system (RPAS)” means a remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design;

“visual line of sight” means any operation conducted where the operator or observer maintains visual contact with the remotely piloted aircraft, without the use of any device other than corrective lenses, and is able to determine the aircrafts attitude, direction and location.

3. Application

(1) These regulations shall apply to any—

- (a) remotely piloted aircraft system, hereinafter referred to as RPAS, as defined in these regulations, to be operated within the territory of Antigua and Barbuda;
- (b) person operating a RPAS, within the territory of Antigua and Barbuda; or
- (c) operation associated with the use of a RPAS within and above the territory of Antigua and Barbuda.

³ Category of Remotely Piloted Aircraft Systems (RPAS) approved for operation by the Certificate holder.

(2) The Air Transport Licensing Board shall not be responsible or liable for any incident or damage to persons or property due to the operations associated with any RPAS.

(3) A person shall seek the written approval of the Air Transport Licensing Board before commencing any operations associated with the use of a RPAS which may not be addressed by these regulations.

**PART II
REGISTRATION**

4. Requirement for Certificate of Registration

A person shall not operate a RPAS within the territory of Antigua and Barbuda unless such RPAS has a Certificate of Registration issued by the Air Transport Licensing Board.

5. Application for Registration

(1) The owner of a RPAS who wishes to register his RPAS shall –

- (a) apply to the Air Transport Licensing Board on the prescribed form for the specific category;
- (b) submit all required documents as specified by the Air Transport Licensing Board;
- (c) present the RPAS for inspection;
- (d) pay the prescribed fee; and
- (e) meet the applicable requirements of these Regulations.

(2) The owner of a RPAS who wishes to obtain a provisional registration for his RPAS for a limited period shall –

- (a) apply to the Air Transport Licensing Board on the prescribed form for the specific category;
- (b) submit all required documents as specified by the Air Transport Licensing Board;
- (c) state the nature of the assignment which the applicant intends to undertake and the period of time for which the registration is required;
- (d) present the RPAS for inspection;
- (e) pay the prescribed fee; and

APPENDIX 3

GOVERNMENT OF ANTIGUA AND BARBUDA

MINISTRY OF PUBLIC UTILITIES, CIVIL AVIATION, TRANSPORT AND ENERGY

REMOTELY PILOTED AIRCRAFT SYSTEMS (RPAS) CERTIFICATE OF

REGISTRATION: CATEGORY 2

Remotely Piloted Aircraft Systems registered under this Certificate shall comply with all relevant requirements outlined in the Remotely Piloted Aircraft Systems (RPAS) Regulations 2019 (No. XXX of 2019).

REGISTERED OWNER:

CERTIFICATE NUMBER:

MODEL TYPE:.....

MANUFACTURERS SERIAL NUMBER:

REGISTRATION MARKINGS

ADDRESS OF REGISTERED OWNER:.....

ISSUED:

EXPIRES:

.....

**CHAIRMAN
AIR TRANSPORT LICENSING BOARD**

APPENDIX 2

REQUIRED DOCUMENTS FOR ISSUE OF REMOTELY PILOTED AIRCRAFT

SYSTEM OPERATOR CERTIFICATE

- (1) VALID PASSPORT OR OTHER GOVERNMENT ISSUED PHOTO IDENTIFICATION
- (2) ANTIGUA AND BARBUDA POLICE RECORD OF GOOD CHARACTER
- (3) PROOF OF CURRENT ADDRESS
- (4) TRAINING CERTIFICATES WHERE REQUIRED.

- (f) meet the applicable requirements of these Regulations.

6. Registration

(1) When the Air Transport Licensing Board is satisfied that an application under article 5 above has met all the requirements of these Regulations, the Air Transport Licensing Board may:

- (a) register the RPAS; and
- (b) issue a Certificate of Registration in the form approved by the Air Transport Licensing Board.

(2). The owner of a RPAS issued with a Certificate of Registration under (1) above, shall ensure that such certificate is readily available for inspection by the Air Transport Licensing Board or its designate at any time.

7. Registration requirements

The owner of a RPAS registered under these Regulations shall –

- (1) be subject to the applicable requirements of these Regulations;
- (2) comply with all prescribed conditions, limitations and directions issued by the Air Transport Licensing Board with respect to operating such RPAS;
- (3) allow access by the Air Transport Licensing Board or its designate, at any reasonable time to inspect –
 - (a) the RPAS;
 - (b) any documents associated with the RPAS; and
 - (c) any equipment needed for the operation of the RPAS.

8. Deregistration

Where the owner of a RPAS wishes to register, other than a provisional registration, the RPAS in Antigua and Barbuda and the RPAS is registered in another State, that owner shall ensure that the RPAS is deregistered and provide to the Air Transport Licensing Board proof of deregistration before proceeding to have the RPAS registered in Antigua and Barbuda.

9. Deregistration requirements

(1) An owner of a RPAS shall apply to the Air Transport Licensing Board to deregister his RPAS, where the RPAS –

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

(2) Where the owner of a RPAS wishes to deregister it, he shall notify the Air Transport Licensing Board.

(3) Where the Air Transport Licensing Board has deregistered a RPAS in accordance with these Regulations, the owner of such aircraft shall—

- (a) return the Certificate of Registration to the Air Transport Licensing Board; and
- (b) remove all nationality and registration markings from the RPAS.

10. Register of Remotely Piloted Aircraft Systems

The Air Transport Licensing Board shall maintain a current Register of RPAS which shall contain records of each RPAS registered in Antigua and Barbuda as follows:

- (a) the number of the Certificate of Registration for the RPAS;
- (b) the registration markings assigned to it by the Air Transport Licensing Board;
- (c) the name of the manufacturer of the RPAS and its type design;
- (d) the serial number of the RPAS; and
- (e) the name and address of the registered owner of the RPAS.

PART III

OPERATOR CERTIFICATE

Remotely Piloted Aircraft Operator Certificate

11. Operator Certificate requirement

A person shall not operate a RPAS unless such person has been issued with a Remotely Piloted

Maximum speed

Flight time

¹ List of modifications, if any, shall be provided

Remotely piloted aircraft system History Registration Status if Applicable:

Previous Marks (if remotely piloted aircraft system is de-registered)

Previous Owner

Previous Country of Registry (if applicable)

Intended remotely piloted aircraft system s Operations

Recreational

Aerial Work

Type of Aerial work

Nature of assignment

Provisional registration time period..... (Not exceeding one (1) month)

Evidence of Training in Use of remotely piloted aircraft system s (Certificates to be attached)

Proposed Areas of Operation

Signature:.....

Date:.....

APPENDIX 1B

**APPLICATION FOR REMOTELY PILOTED AIRCRAFT SYSTEM (PROVISIONAL)
CERTIFICATE**

Applicant – Owner

Name.....

Address.....

Tel.:

Email:

Applicant – Operator

Name.....

Address.....

Tel.:

Email:

Remotely piloted aircraft system (details must be the manufacturer’s information)

²Manufacturer

Model

Serial Number

Weight

Range of remotely piloted aircraft system

Aircraft Operator Certificate by the Air Transport Licensing Board.

12. Application for Operator Certificate

(1) A person who wishes to obtain a Remotely Piloted Aircraft Operator Certificate shall –

- (a) apply to the Air Transport Licensing Board on the prescribed form;
- (b) submit all required documents as specified by the Air Transport Licensing Board;
- (c) pay the prescribed fee; and
- (d) take any examination specified by the Air Transport Licensing Board, and
- (e) comply with the requirements set out in these Regulations.

(2) Where the Air Transport Licensing Board is satisfied that the application has met the requirements of these Regulations, it may issue to that person a Remotely Piloted Aircraft Operator Certificate.

13. Suspension or revocation of Operator Certificate

The Air Transport Licensing Board may suspend or revoke the Remotely Piloted Aircraft Operator Certificate of an operator where the Air Transport Licensing Board is satisfied that the holder of the Remotely Piloted Aircraft Operator Certificate has failed to comply with the requirements of these Regulations.

PART IV

OPERATOR REQUIREMENTS

14. Operator requirements

An operator of a Category 2 RPAS shall—

- (a) be required to apply for and obtain from the Air Transport Licensing Board a Remotely Piloted Operator Certificate in regard to the RPAS he wishes to operate.
- (b) not operate a Category 2 RPAS unless that person has obtained a valid Remotely Piloted Operator Certificate and,
- (c) comply with any other requirements specified by the Air Transport Licensing Board on application.

15. Operator’s Log

An operator of a Category 2 RPAS shall establish and maintain a record of his training and operation activities and make such records available upon request to the Air Transport Licensing Board for inspection.

16. Restrictions

An operator of a RPAS shall not operate a it where the operator—

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

PART V

NATIONALITY AND REGISTRATION MARKINGS

17. Display of markings

(1) A person shall not operate a Category 2 remotely piloted aircraft unless the aircraft displays the nationality and registration markings in accordance with this Part.

(2) A person shall not place on a Category 2 remotely piloted aircraft, any design, mark or symbol that modifies or confuses the nationality and registration markings required under these Regulations unless otherwise authorized by the Air Transport Licensing Board.

(3) The nationality and registration markings on a remotely piloted aircraft under (1) above shall be—

- (a) painted on the outer surface of the aircraft or affixed by other means ensuring a similar degree of permanence;
(b) in clear and distinct contrast with the colour of the background; and
(c) kept clean and visible at all times.

(4) The operator of a Category 2 remotely piloted aircraft shall ensure that the nationality and registration markings on his remotely piloted aircraft are attached permanently to the back section of a high-visibility vest which shall be worn by the operator while operating the remotely piloted aircraft.

Weight

Range of remotely piloted aircraft system

Maximum speed

¹ List of modifications, if any, shall be provided.

Flight time

Remotely piloted aircraft system History Registration Status if Applicable:

Previous Marks (if remotely piloted aircraft system is de-registered)

.....

Previous Owner

.....

Previous Country of Registry (if applicable)

.....

Intended remotely piloted aircraft system s Operations

Recreational

Aerial Work

Type of Aerial work

Evidence of Training in Use of remotely piloted aircraft system s (Certificates to be attached)

Proposed Areas of Operation

Signature:

Date:

50. Actual disruptive or dangerous use of RPAS

An operator who uses an RPAS which results in disruption or endangerment of civil aviation or any public or private property commits an offence and is liable to a fine of up to one million dollars and imprisonment for up to twenty-five years.

APPENDIX 1A

APPLICATION FOR REMOTELY PILOTED AIRCRAFT SYSTEM CERTIFICATE

Applicant – Owner

Name.....

Address.....

.....

Tel.:

Email:.....

Applicant – Operator

Name.....

Address.....

.....

Tel.:

Email:

Remotely piloted aircraft system (details must be the manufacturer’s information)

¹Manufacturer

Model

Serial Number

18. Placement of markings

The Air Transport Licensing Board shall, as far as practicable advise where the nationality and registration markings shall be placed on the remotely piloted aircraft.

19. Change of ownership

Where a RPAS is sold by the owner to a purchaser the owner shall –

- (a) inform the Air Transport Licensing Board of such sale and change of ownership; and
- (b) return the Certificate of Registration for the RPAS to the Air Transport Licensing Board.

PART VI

AIRWORTHINESS

20. Airworthiness requirement

(1) An operator of a RPAS shall–

- (a) maintain such system according to the manufacturers’ design specifications and follow the manufacturers’ specifications for all modifications to the system;
- (b) conduct a pre-flight inspection to ensure such RPAS is in a condition that ensures safe operation;
- (c) conduct a post flight inspection for any damage that may have occurred in flight; and
- (d) have in their possession copies of their certificate and licences during operation of a Category 2 RPAS.

(2) Notwithstanding (1) above, an operator shall follow all procedures outlined in any manual submitted and approved by the Air Transport Licensing Board.

(3) An operator shall follow all applicable airworthiness directives.

(4) An operator shall not operate a RPAS unless the conditions set out in subregulation (1) have been observed and the operator has determined that the RPAS is in a condition for safe operation.

**PART VII
OPERATIONS**

21. Inspection

An operator shall, when operating a Category 2 RPAS have readily available for inspection by the Air Transport Licensing Board or its designate at any time the following documents—

- (a) certificate of registration for the RPAS;
- (b) Remotely piloted aircraft Operator Certificate;
- (c) any other document, records or reports as may be specified by the Air Transport Licensing Board from time to time that the operator shall be required to keep.

22. Reporting loss of control of RPAS

An operator shall immediately make a report to the airport Air Traffic Control department if the operator has lost control of the RPAS and it continues to fly.

23. Reporting injury or damage caused by operation of RPAS

(1) An operator of a Category 1 shall make a report immediately to the Police if any operation has resulted in—

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

(2) An operator of a Category 2 RPAS shall make a report immediately to the Police and Air Transport Licensing Board if any operation has resulted in—

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

24. Exercising care when operating a RPAS

(1) During operation of a RPAS, the operator shall ensure that—

- (a) the RPAS is not operated in a careless or reckless manner so as to endanger the life or property of another;

44. Customs clearance

Imported Category 2 RPAS shall not be delivered or removed from a customs controlled area except—

- (a) with the permission of the proper officer after entry has been made in the prescribed form and manner and accepted;
- (b) with the production of a Remotely Piloted Aircraft Operator Certificate issued by the Air Transport Licensing Board; or
- (c) as otherwise provided by any other provision of these Regulations.

45. Operators of RPAS to comply with Regulations

The Air Transport Licensing Board shall take such actions as necessary to ensure that persons operating an RPAS comply with the requirements of these Regulations.

**PART XI
PENALTIES**

46. Unsafe flight operation penalty

Where the Air Transport Licensing Board has determined that an operator has conducted an unsafe flight operation, the Air Transport Licensing Board may suspend or revoke any or all approvals, authorizations or certificates issued to him.

47. Contravention of Airworthiness penalty

An operator of a RPAS who is in contravention of the requirements of Part VI “Airworthiness” commits an offence and is liable to a fine of up to \$5,000.00 or imprisonment for up to six months.

48. Contravention of Operations penalty

An operator of a RPAS who is in contravention of the requirements of Part VII “Operations” commits an offence and is liable to a fine of up to \$20,000.00 or imprisonment for up to two years.

49. Intentional disruptive or dangerous use of RPAS

An operator who uses an RPAS with the intent to disrupt or endanger civil aviation or any public or private property commits an offence and is liable to a fine of up to three hundred and fifty thousand dollars and imprisonment for up to five years.

PART IX

RECREATIONAL USE OF REMOTELY PILOTED AIRCRAFT SYSTEMS

37. Exemptions

An operator of a RPAS shall comply with these regulations unless specifically exempted under this part.

38. Recreational use exemption

An operator, who operates a Category 1 RPAS solely for recreational use as defined in these Regulations, shall not be required to register the remotely piloted aircraft.

39. Compliance requirements for recreational use

An operator of a Category 1 RPAS solely for recreational use shall comply fully with all aeronautical, security and safety restrictions as required by the aeronautical authorities and by the Air Transport Licensing Board.

40. Certificate not required for recreational use

An operator who operates a Category 1 RPAS, solely for recreational use shall not be required to apply for a Remotely Piloted Aircraft Operator Certificate or keep a proficiency record provided the operator is over public lands with the requisite authority's permission or over private land with the land owners' permission.

PART X

IMPORTATION

41. Imported RPAS subject to customs control

All RPAS imported into Antigua and Barbuda shall be subject to the requirements of the Customs Control and Management Act 2013, and landed under the supervision of a Customs officer and be stored immediately in the Customs controlled area.

42. Declaration entry requirements

The importer of RPAS, other than those that are exempt from the requirements of these Regulations, shall submit to the proper officer a truthful declaration of entry of the RPAS.

43. Customs Inspection

Where the proper officer directs, the importer shall present the RPAS for inspection.

- (b) no object is dropped from the RPAS if such action can endanger the life or property of another; or
- (c) operation of the RPAS poses no undue hazard to other aircrafts, persons or property.

(2) An operator shall ensure that the RPAS yields the right of way to all manned aircraft operations and is restricted to the operational areas identified from time to time by aeronautical authorities and by the Air Transport Licensing Board.

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

25. Visual line of sight

An operator of an RPAS shall keep the RPAS in visual line of sight.

26. Observer

An observer may be used to satisfy the requirement of article 25 provided—

- (a) the observer is also subject to the medical requirements set out above for the operator in article 15;
- (b) the operator and the observer are in clear continuous communication; and
- (c) the RPAS remains close enough to the observer for the observer to be capable of seeing the aircraft with vision unaided by any other device other than corrective lenses.

27. Use of RPAS beyond visual line of sight

Notwithstanding 25. above, an operator of an RPAS shall apply to the Air Transport Licensing Board to conduct beyond visual line of sight operations and the Air Transport Licensing Board may consider such application having regard to the technological capabilities involved in granting permission.

28. Restrictions on operating or observing more than one RPAS at a time

A person shall not act as an operator or observer for more than one RPAS at any given time.

29. Restricted areas of operation of RPAS

(1) An operator shall not operate an RPAS within any of the restricted areas identified by the Air Transport Licensing Board except where written permission is given by the Air Transport

Licensing Board. This restriction includes all aerodromes, hospitals, military bases and facilities, Police stations and facilities, educational institutions, prisons and any other areas identified as a restricted area.

30. Operation of RPAS over private property

An operator of an RPAS shall not conduct any operations over or within private property at a height of less than 150 feet unless he has been granted permission by the owner of the property.

31. Operation of RPAS over public property

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

PART VIII

REMOTELY PILOTED AIRCRAFT CLUB

32. Registration as a club

Where a person, group of persons or a nationally registered club, wishes to be registered as a remotely piloted aircraft club for the recreational use of RPAS, an application shall be made to the Air Transport Licensing Board to be registered as a remotely piloted aircraft club.

33. Application for registration as a club

An application for the formation of a remotely piloted aircraft club shall –

- (a) be made to the Air Transport Licensing Board;
- (b) in the case of a nationally registered club, also include with the application, documentation showing proof of registration;
- (c) specify the area of land to be used by the club for operations;
- (d) pay the prescribed fee;
- (e) submit an operations manual to the Air Transport Licensing Board detailing the types of RPAS it intends to operate and the manner of the operations to be conducted by the club;
- (f) provide any other documentation as required by the Air Transport Licensing Board; and

- (g) satisfy any other applicable requirements as set out in these Regulations.

34. Certificate of Registration

(1) Where the Air Transport Licensing Board is satisfied that an application made under article 33 has met the requirements of these regulations, it may issue to the operator, a Remotely Piloted Aircraft Club Certificate.

(2) The Air Transport Licensing Board may suspend or revoke the Remotely Piloted Aircraft Club Certificate of a remotely piloted aircraft club where the Air Transport Licensing Board has given written notice to the club administrator of the failure by members of the club to comply with the requirements of these Regulations.

35. Inspection of club facilities

(1) The Air Transport Licensing Board may inspect equipment, documents and land areas used by the club in order to conduct surveillance and inspection activities to ensure compliance with these Regulations.

(2) Where the Air Transport Licensing Board is refused permission the Air Transport Licensing Board may suspend or revoke the Remotely Piloted Aircraft Club Certificate of a remotely piloted aircraft club.

36. Club requirements

A remotely piloted aircraft club shall—

- (a) be registered with the Air Transport Licensing Board before operations can begin;
- (b) confine operations to those areas specified in the club's application under article 33 and any other limitations imposed by the Air Transport Licensing Board in granting approval;
- (c) keep an updated registry of all persons who are members of the remotely piloted aircraft club and make such register available for the Air Transport Licensing Board's inspection upon request; and
- (d) comply with any other applicable requirements as set out in these Regulations.