

Pursuant to Article 10, paragraph 3, Article 138, paragraph 2 and Article 239 of the Air Transport Law ("Official Gazette of RS", Nos. 73/10, 57/11, 93/12, 45/15 and 66/15 - other Law), Director of the Civil Aviation Directorate of the Republic of Serbia hereby adopts

## **Regulation on unmanned aircraft systems**

### Article 1

This Regulation lays down conditions for the safe operate of unmanned aircraft, their classification, recording, maintenance, including the conditions to be met by persons using unmanned aircraft.

This regulation does not apply to unmanned aircraft with an operating mass of less than 0.5 kg, if their maximum speed is less than 20 m/s, while reaching maximum distance up to 15 m and a maximum height of 10 m.

The provisions of this Regulation shall not apply to unmanned aircraft that are designed, manufactured and operated for operational purposes for the authorities responsible for defence, home affairs and customs, as well as the unmanned indoor aircraft.

### Article 2

The terms operated herein shall have the following meanings:

- 1) *allocated airspace* means a portion of the airspace established by the provider of air traffic control services, within which the unmanned aircraft is flying;
- 2) *unmanned aircraft* means a flying aircraft controlled by a computer located in the aircraft or operated remotely by an operator on the ground;
- 3) *aircraft model* means an unmanned aircraft with an operating mass up to 20 kg, excluding its fuel for the flight, which is operated for sporting or recreational purposes, not being subject of the provisions of the Convention on International Civil Aviation, Chicago, 1944;
- 4) *flight within visual line of sight* means a flight of an unmanned aircraft where the person in charge of the unmanned aircraft has a continuous visual contact with the aircraft, without using external optical or electronic aids, wherein the vision correction aids (i.e. glasses or contact lenses) are not considered as external aids;
- 5) *person in charge of the unmanned aircraft* means operator on the ground, or a natural person directly controlling the unmanned aircraft system, its flight, programming the control system and responsible for the mentioned flight;
- 6) *remote pilot* means any natural or legal person using or intending to operate one or more unmanned aircraft or unmanned aircraft systems;
- 7) *operating mass of an unmanned aircraft* means the total mass of unmanned aircraft ready for operate;
- 8) *unmanned aircraft airspace area* is portion of an airspace in which unmanned aircraft is flying, which is located above:

- (1) undeveloped and uninhabited areas where there are no people, other than the person operating the unmanned aircraft (area I);
- (2) constructed, or uninhabited areas where there are buildings not intended for human habitation, with a possibility of retaining people for a short period of time (area II).
- (3) residential area, where there are buildings designed for permanent and longer residing of people (area III);
- (4) densely populated area, urban or a city centre, as well as any area where a large number of people may gather (area IV);
- 9) *airport reference point* means a particular geographical position of the airport, expressed in degrees, minutes and seconds of latitude and longitude, having as a reference geodetic system the World Geodetic System - 1984 (*WGS-84*);
- 10) *unmanned aircraft system (Unmanned aerial system - UAS)* means a group of elements enabling the flight of an unmanned aircraft, comprising the unmanned aircraft, the elements necessary for the control or programming of the flight and the elements necessary to operate the unmanned aircraft.

### Article 3

According to their purpose, the unmanned aircraft are classified as:

- 1) unmanned aircraft operated for commercial purposes;
- 2) unmanned aircraft operated for non-commercial purposes (aviation models and unmanned aircraft operated in scientific, educational and other purposes).

According to the operational weight and performance unmanned aircraft are classified into the following categories:

- 1) Category 1 - includes an unmanned aircraft which has an operating mass of less than 0.5 kg, maximum height of flight up to 50 m, maximum speed up to 30 m/s and maximum range of 100 m;
- 2) Category 2 - includes an unmanned aircraft which has an operating mass from 0.5 kg to 5 kg, with a maximum height of flight to 150 m, maximum speed up to 30 m/s and maximum range of up to 2,500 m;
- 3) Category 3 - includes an unmanned aircraft which has an operating mass from 5 kg to 20 kg, with a maximum height of flight to 500 m, the maximum flight speed of up to 55 m/s and maximum range of up to 2,500 m;
- 4) Category 4 - includes an unmanned aircraft which has an operating mass from 20 kg to 150 kg, without limitations as regards height, flight speed and long range.

If in terms of an operating mass and some of the performances such as flight altitude, speed and range, an unmanned aircraft belongs to different category of an unmanned aircraft it shall be considered belonging to a higher category aircraft.

#### Article 4

Unmanned aircraft operated for commercial purposes, and those of categories 2, 3 and 4 operated for non-commercial purposes shall be registered in the aircraft register maintained by the Civil Aviation Directorate of the Republic of Serbia (hereinafter Directorate), and shall be have a registration mark.

The registration shall be carried out at the request of the owner or the operator of an unmanned aircraft, upon the authorization by the owner.

In addition to the requirements set out in paragraph 2 of this Article, the manufacturer's instructions manual and maintenance of the unmanned aircraft shall be submitted.

#### Article 5

Unmanned aircraft operators shall ensure that the unmanned aircraft is maintained in accordance with the manufacturer's manual.

#### Article 6

The operation of an unmanned aircraft shall take place only within the allocated portion of airspace.

Unmanned aircraft operators shall for each flight submit the application for the allocation of airspace to the unit for the civil-military coordination at the Serbia and Montenegro Air Traffic Services Agency *SMATSA* doo Beograd.

The application referred to in paragraph 2 of this Article shall be submitted not later than five working days prior to the intended flight of an unmanned aircraft.

The application referred to in paragraph 2 of this Article shall be submitted in writing, by mail, fax or e-mail, using the form as set out in Annex 1, printed with this Regulation as its integral part.

In addition to the application set out in paragraph 2 of this Article, the permission shall be submitted as referred to in Article 7 (1), Article 8 (2) and (4) and Article 9, (3) of this Regulation.

The request referred to in paragraph 2 of this Article shall be decided upon by the unit for the civil-military coordination based on the availability of the required portion of the airspace.

At the application of the ministry responsible for defence or the ministry responsible for internal affairs, in case of the special purpose flights within the air space portion allocated for flying of unmanned aircraft, the unit for the civil-military coordination shall revoke the decision on the allocation of airspace and immediately inform the operator of the unmanned aircraft thereof including the person operating the unmanned aircraft.

#### Article 7

The unmanned aircraft shall not be permitted to operate within the portion of airspace extending to 5 km from the airport reference point located in class *D* airspace unless it is so authorized by the Directorate.

At a distance greater than *5km* from the airport reference point located in class *D* airspace, to the limits of class *D* airspace, operating the unmanned aircraft shall be permitted within *30 m* above the ground.

The authorization referred to in paragraph 1 of this Article shall be issued at the request of the operator of an unmanned aircraft, accompanied by the data referred to in Article 11 of this Regulation.

#### Article 8

Unmanned aircraft shall be flown only during the day, while the person operating such aircraft ensures constant visual line of sight.

The maximum permitted flight altitude of an unmanned aircraft shall be *100 m* above the ground, unless the Directorate approves that the flight can be operated at a higher altitude.

The maximum permissible horizontal distance of the unmanned aircraft from the person operating the unmanned aircraft shall be *500 m*.

Any unmanned aircraft may be operated within the area I or II, while the commercial purposes unmanned aircraft may also be operated within the area III and IV on condition of obtaining prior permission from the Directorate.

#### Article 9

Unmanned aircraft shall not be operated if their operating mass is more than *150 kg*, including the unmanned aircraft fully controlled by a computer located in the aircraft.

The transportation of people, animals and dangerous goods by unmanned aircraft is strictly prohibited.

Ejecting liquids and objects from unmanned aircraft, carrying any external load not being an integral part of the structure and equipment of the same aircraft is strictly prohibited, unless prior permission is obtained from the Directorate.

It is strictly prohibited to operate the unmanned aircraft to or from a moving object, or to operate multiple unmanned aircraft simultaneously.

It is strictly prohibited to operate unmanned aircraft at a horizontal distance of less than *500 meters* from a major infrastructure or other facilities such as power plants, high-voltage electrical installations, government buildings, military facilities, water treatment plants, highways, correctional institutions, etc., unless the permission from the owner or an occupant of the property is obtained.

#### Article 10

A person in charge of an unmanned aircraft shall:

- 1) ensure that the flight of the unmanned aircraft does pose threat to lives, health and property of persons and that it does not disturb public peace and order;
- 2) ensure that the operation of unmanned aircraft is carried out fully within the allocated portion of airspace;

- 3) maintain safe horizontal distance from other persons, while operating the unmanned aircraft, that shall not be less than 30 *m*;
- 4) ensure functionality of the systems of the unmanned aircraft prior to the flight;
- 5) be available to the air traffic control unit for necessary communication;
- 6) not be under the influence of any intoxicant or psychoactive substance, nor shall be in such a mental or physical state so as to unsafely operate the unmanned aircraft.

#### Article 11

The operator of an unmanned aircraft may operate such aircraft for commercial purposes if the Directorate accepts the statement of qualification for the performance of the intended activities, which includes:

- 1) name / title and address / place of business of the operator;
- 2) description of the intended activities;
- 3) designator of the unmanned aircraft;
- 4) information about the person operating the unmanned aircraft;
- 5) statement that he/she is familiar with the provisions of this Regulation and that the unmanned aircraft is to be operated accordingly.

At the request of the Directorate the operator shall submit other information as deemed necessary by the Directorate for accepting the statement.

In case of any changes to the information contained in the statement referred to in paragraph 1 of this Article, the unmanned aircraft operator must inform the Directorate thereof.

#### Article 12

The person operating the unmanned aircraft operated for the non-commercial purposes shall only be an adult.

Notwithstanding paragraph 1 of this Article, the person operating category 1 unmanned aircraft may be a minor if supervised by an adult.

Persons operating unmanned aircraft used for commercial purposes, including the persons operating categories 2, 3 and 4 unmanned aircraft shall only be adult, medically fit persons having passed the knowledge test in Air Law.

#### Article 13

Medical fitness of a person in charge of aircraft shall be proved by producing:

- 1) the medical certificate issued in accordance with the regulation describing in more detail the health conditions to be met by drivers of certain categories of motor vehicles or
- 2) valid driver's license, which is issued in accordance with the law on road safety, with the exception of categories M and F driving licenses.

#### Article 14

A candidate shall submit a written application to the Directorate for knowledge testing as referred to in Article 12, paragraph 3 of this Regulation.

Within 30 days from the application for knowledge testing, the Directorate shall issue a decision approving the knowledge testing and shall determine the date thereof, with the obligation of its being carried out no later than two months from the date of application.

The Directorate shall publish on its official website a list of questions comprising the knowledge test.

The knowledge test shall be an objective test type in the form of the multiple choice questionnaire and conducted in the premises of the Directorate.

If the candidate successfully completes at least 75% of the knowledge test, he/she shall be considered to have passed the knowledge test.

If the candidate does not pass the knowledge test, he/she may apply for the knowledge re-evaluation within the deadline which cannot be shorter than 30 days.

The Directorate issues the appropriate certificate to the candidate having passed the knowledge test. The certificate referred to in paragraph 7 of this Article shall be issued for an indefinite period of time.

#### Article 15

When operating an unmanned aircraft, the person operating such aircraft must carry the manufacturer's manual of the unmanned aircraft, as well as the following documents:

- original of the permission of the Directorate, or the certified copy as stated in Article 7, paragraph 1, Article 8 (2) and (4) and Article 9 (3) of this Regulation;
- act of acceptance of the declaration of competence referred to in Article 11 of this Regulation;
- certificate of having passed the knowledge test referred to in Article 14 (7) of this Regulation.

#### Article 16

The request for permission under Article 7 (1), Article 8 (2) and (4) and Article 9 (3) of this Regulation, the operator or the person operating the unmanned aircraft, submitted to the Directorate not later than ten days before the intended flight.

#### Article 17

Flying of foreign unmanned aircraft within the airspace of the Republic of Serbia shall be allowed with the prior permission by the Ministry of Defence.

Operators of unmanned aircraft and persons controlling the unmanned aircraft who are foreign legal or natural persons can operate the unmanned aircraft in the territory of the Republic of Serbia in accordance with the provisions of this Regulation and provided that the Directorate approves the appropriate certificate of qualification to operate the unmanned aircraft, issued to that person by the competent authority of that state.

#### Article 18

The operator of an unmanned aircraft shall report any occurrence to the Directorate occurring while operating an unmanned aircraft that may possibly or actually pose a threat to the safety of air traffic, including persons and property, and shall do so immediately upon learning of the occurrence not later than 72 hours.

#### Article 19

The provisions of this Regulation shall not exempt the operator of an unmanned aircraft from the obligation to obtain the necessary licences from other competent authorities for the performance of the intended activities.

#### Article 20

This Regulation shall enter into force on the eighth day of its publication in the "Official Gazette of the Republic of Serbia", excluding Articles from 11 to 15 which shall be applicable as of 1 May 2016.

No 6/2-01-0011/2015-0012

In Belgrade, 11 December 2015

Director

Mirjana Cizmarov

**The application form for airspace allocation**

1. Name and surname/name of the applicant:

2. Name and airspace designation:

3. Minimum / Maximum altitude:

4. Date and time of commencement/end of the flight:

5. Purpose and description of the flight:

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7. Name of the person responsible for an immediate cessation of the flight:

Telephone: \_\_\_\_\_

8. Date of application:

Time of application: |

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## **Form completion instruction**

The form is filled in by entering the text in the appropriate fields:

- 1) name and surname of the applicant (for natural persons) or the name of the applicant (for legal entities);
- 2) data on the airspace in one of the following manners:
  - space coordinates (latitude and longitude) - from the northernmost position, and further clockwise to the starting position that should be repeated to confirm that the required airspace is horizontally described by the geographical name;
  - coordinates of the centre with the radius of the circle and the geographic name of the location;

Coordinates of the airspace should be expressed in WGS84, as ddmmsN ddmmsE (for example, 442523N 0212345E), with the circle radius and the geographic location name, street and building;

- 3) altitude in meters;
- 4) local time;
- 5) purpose and description of the unmanned aircraft flight:
- 6) technical properties of the unmanned aircraft (category, model, dimensions, mass, colour). Where unmanned aircraft is registered in the records, enter the record designator;
- 7) information on the person in charge of coordination with the air traffic control during the flight of an unmanned aircraft in the event of emergency cessation of the activities;
- 8) application date and time.