

Note: The following is not an official legal translation of the Ministerial Decree. Where disparity occurs, the original Greek text is binding.

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Statutory Instrument 402/2015

Civil Aviation Act 2002 (as amended)

Ministerial Decree Issued in accordance with Articles 5 (1) and 260.

In accordance with Articles 5 (1) and 260 of the Civil Aviation Act 2002 (as amended) and the powers vested in him, the Minister of Transport, Communications and Works issues the following Decree:

1. This Decree shall be referred to as the Civil Aviation Decree, (Conditions for the Operation of Flights by Unmanned Aerial Vehicles in the Republic of Cyprus) 2015.
- 2-(1) In accordance with this Decree and unless a different meaning arises from the text, the following terms apply:

Competent Authority: Means the Department of Civil Aviation of the Ministry of Transport, Communications and Works.

Republic: Means the Republic of Cyprus.

Commercial Activity: Means the activity for which valuable consideration is expected. The only exceptions are charitable activities which are carried out on a non-profit basis for the benefit of an approved charity.

Unmanned Aerial Vehicles: Means unmanned aircraft, including all remotely-piloted and autonomous aircraft, irrespective of their total take-off mass.

Aeromodelling Air-strip: Means a landing strip which has been approved by the Competent Authority and which is used for air-sports or recreational purposes by unmanned aircraft.

Law: Means the Civil Aviation Act 2002 (as amended).

Minister: Means the Minister of Transport, Communications and Works.

- (2) Any other terms, included in this Decree which are not specifically defined herewith, are to be defined according to the Civil Aviation Act 2002 (as amended).
- 3-(1) The purpose of the present Decree, is to contribute to the safe and effective operation of unmanned aircraft under specific conditions.
- (2) Unmanned aircraft, operating within Approved Aeromodelling Sites, as well as unmanned aircraft with a total take-off mass of more than 150 kg, are exempt from the provisions of this Decree.
4. Every unmanned aircraft should be registered by its owner and/ or operator at the following e-mail address: uav@dca.mcw.gov.cy, by providing the information required by document DCA/UAV/01.
5. Flight operation of unmanned aircraft, is divided into two categories: The Open Category and the Special Category.
- 6-(1) **Open Category**
This includes unmanned aircraft, having a total take-off mass of less than three (3) kilogrammes, which are not involved in commercial activities, and whose maximum flight-height does not exceed 50 meters (170 feet) above the ground or water.
- (2) Unmanned aircraft that fall into the Open Category are not required to hold an Operating License from the Competent Authority, in order to operate flights within the airspace of the Republic of Cyprus.
- (3) The flight safety of unmanned aircraft, operating in the Open Category, is safeguarded through specific operational restrictions and regulations. All flight operations of such aircraft shall be carried out in accordance with the following defined conditions:

- i. Flights are not permitted unless the operator has direct visual contact with the unmanned aircraft, at a distance of not more than 500 metres. The operator must rely on this visual contact to carry out any necessary operating actions, in order to monitor the flight path of the aircraft in relation to other aircraft, persons, animals, vehicles, buildings and structures for the purpose of avoiding collisions.
- ii. The operator is only allowed to carry out flights in the Open Category, with an unmanned aircraft of a total take off-mass of less than 3 kg and which is used for recreational, sports, training, display or racing purposes and which does not involve any kind of commercial activity.
- iii. The operator has undergone the necessary training to be able to operate the unmanned aircraft.
- iv. The operator of the unmanned aircraft is only allowed to fly the aircraft during the daytime and when reasonably satisfied that the flight can be conducted safely and will immediately interrupt the flights when conditions become unsuitable.
- v. Dropping of any object or material during the flight is prohibited.
- vi. The operator of the unmanned aircraft shall not operate a flight whilst under the influence of alcohol and psychotropic drugs that may impair his/her judgement and cognitive reasoning.
- vii. The operator of the unmanned aircraft, is not allowed to operate flights with more than one aircraft at the same time.
- viii. A safety distance of one (1) kilometre from residential areas and five hundred (500) metres from isolated buildings, people, vehicles, animals, structures, etc (except with the permission of the owner), should be maintained. This does not apply to the operator, supporting staff, vehicles or other auxiliary apparatus that serve the flight.
- ix. A safety distance of at least eight (8) kilometres from an airport/landing strip and three (3) kilometres from a heliport shall be maintained.
- x. Flights within prohibited, restricted, dangerous and reserved areas as mentioned in the relevant aeronautical publications of the Competent Authority, as well as flights above, within, or in proximity to military

installations, public utility installations, archaeological sites and public or private facilities, are not permitted, except with the permission of the owner or the relevant Competent Authority.

- xi. Aerial Photography of National Guard installations and infrastructure is strictly prohibited.
- xii. The operator of the unmanned aircraft, is responsible for maintaining a safe distance from all other airspace users, giving them priority and ensuring that during the flight activity of the unmanned aircraft, no other aircraft is put into danger.
- xiii. Unmanned aircraft of the open category are not allowed to fly at a height of more than fifty (50) metres (170 feet) above the ground or water.
- xiv. The operator is responsible for complying with the legislation in force in relation to the Right to Privacy and Personal Data Protection.
- xv. Any faults, malfunctions, defects or other incidents which lead to serious injury or death should be reported to the Competent Authority.
- xvi. Flights by an unmanned aircraft which has been manufactured, modified, re-manufactured or added to, by non-qualified persons, are not permitted, except with the permission of the Competent Authority.

7-(1) Special Category

This includes unmanned aircraft, irrespective of their total take-off mass, which carry out commercial activities and also unmanned aircraft, of a total take-off mass of more than 3 kilogrammes, which carry out either commercial or non-commercial activities. Their flight-height shall not exceed 120 metres (400ft) from the ground or water, except if in accordance with a special permit issued by the Competent Authority, a temporary permission has been granted to fly higher.

- (2)** Unmanned aircraft of the special category are not allowed to operate flights within Cypriot Airspace, unless they hold an Operating Licence and the operator is a holder of an Unmanned Aircraft Pilot Licence, issued by the Competent Authority.

- (3)** The Operating Licence, issued by the Competent Authority, defines the flight activities for which the unmanned aircraft of the Special Category is licensed.
- (4)** The Unmanned Aircraft Pilot Licence, issued by the Competent Authority, defines the aircraft categories and types in each Category, for which the Unmanned Aircraft Pilot is licensed. The Unmanned Aircraft Pilot Licence should be accompanied by a valid, Category 3, Medical Certificate.
- (5)** The Competent Authority is responsible for the evaluation, the licensing and oversight of the Unmanned Aircraft Pilots Training Schools.
- (6)** Special Category Unmanned Aircraft operations, are safeguarded through operating restrictions and regulations which are described in detail in the conditions and restrictions defined by the Competent Authority and which form an integral part of the Operating Licence.
- (7)** The Special Category Unmanned Aircraft Operating Licence, the Special Category Unmanned Aircraft Pilot Licence and the Unmanned Aircraft Pilots Training Schools Licence, is granted by the Competent Authority when it is satisfied that the owner or operator complies with specific requirements as described in the "Unmanned Aircraft Operating Licence, Pilots and Training Schools Manual."
- (8)** Interested persons may obtain the "Unmanned Aircraft Operating Licence, Pilots and Training Schools Manual" from the Competent Authority, on submission of their application.
- (9)** The granting of the Special Category, Unmanned Aircraft Operating Licence, requires that the owner or operator provides for insurance cover against death, personal injury and damages, caused to third parties, for the minimum amount of one million Euros.
- 8-(1)** Those who contravene the present Decree and the orders, directions and restrictions issued by the Competent Authority, in accordance with the Decree, or those who operate flights without the required Licence or approval from the Competent Authority, or are acting beyond its scope, or are not in compliance with all its conditions, are committing an administrative offence and will be subject to penalties in accordance with articles 245,246 and 247 of the Civil Aviation Act 2002 (as amended).

- (2)** Violations which constitute a criminal act, in accordance with article 250 of the Civil Aviation Act or other laws of the Republic, are exempt from the provisions of paragraph 1 above.
- 9-(1)** As from the date of effect of this Decree, all owners and operators of unmanned aircraft, will be obliged to comply with its provisions.
- (2)** The Provisions of paragraphs (2) and (4) of Article 7, regarding the obligation on users of unmanned aircraft to be in possession of an Unmanned Aircraft Pilot's Licence, are put into force six (6) months after the publication date of the present Decree.
- 10.** The present Decree is put into force on the date of its publication in the Cyprus Government Gazette.

Done on 9th November 2015

Marios Demetriades

Minister of Transport, Communications and Works.