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DIE NASIONALE KOMMISSARIS

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PRETORIA
0001

- A. The National Head
DIRECTORATE FOR PRIORITY CRIME INVESTIGATION
- B. All Provincial Commissioners
- C. All Divisional Commissioners
- D. All District Commissioners
- E. All Heads
HEAD OFFICE
- F. All Section Heads
HEAD OFFICE
- G. All Commanders
SAPS COLLEGES AND TRAINING CENTRES
- H. All Deputy National Commissioners
- I The Secretary
CIVILIAN SECRETARIAT FOR THE SOUTH AFRICAN POLICE SERVICE

IMPLEMENTATION OF THE SOUTH AFRICAN CIVIL AVIATION ACT, 2009, (ACT NO.13 OF 2009), PART 101 (REMOTELY PILOTED AIRCRAFT SYSTEMS) OF THE CIVIL AVIATION REGULATIONS, 2011: DRONES

- A-G. 1. Members of the South African Police Service ("the SAPS") are authorised officials to carry out enforcement actions relating to Remotely Piloted Aircraft System ("RPAS") contraventions.
- 2. According to the South African Civil Aviation Authority, flying a Remotely Piloted Aircraft (or commonly known as a drone) is legal in South Africa, as long as the

operator thereof complies with the applicable legislation. Unfortunately, it appears that compliance with relevant legislation has not been effectively enforced.

3. Crime definitions relating to RPAS was developed. The crime definitions are available on CAS and is attached as Annexure "A" for easy reference. The Commercial Unmanned Aircraft Association of Southern Africa ("CUAASA") developed an "RPAS Operations - Part 101: Enforcement Guide for Private Use, Hobbyist & Illegal Operations". The CUAASA agreed that the said guide may be disseminated to members of the SAPS in order to create a better understanding of the offences (attached as Annexure "B"). Members must read the guide in order to avoid unnecessary cases from being registered and unnecessary conflict. In particular, take note of the content of paragraph 4 of the mentioned guide.
4. Commanders and members must study the crime definitions as set out in Annexure "A". Members are also reminded of paragraph 3 of National Instruction 3 of 2011 (Registration of Case Dockets on the Crime Administration System (CAS)), which *inter alia* states that the Community Service Centre ("CSC") Commander must ensure that –
 - complainants or reporters of crime, whether the crime was committed in his or her station area or in the station area of another police station, are treated courteously and that a comprehensive affidavit is taken from the complainant or reporter;
 - complainants or reporters are not referred to another station to lodge complaints of crime; and
 - all complaints or reports made by the public receive immediate attention.
5. It is essential that the correct crime codes be identified when registering a case relating to Part 101 (Remotely Piloted Aircraft Systems) of the Civil Aviation Regulations, 2011.
6. Paragraph 4(3) of Standing Order (General) 256 (Duties of the commanders on a relief and the investigation of charges) provides that a CSC Commander may

refuse the acceptance of a charge against a person when the elements of crime are absent or it is an obvious civil matter, in which case he or she must make an entry in the Occurrence Book (SAPS 10) and mention the reason(s) why the acceptance of the charge was refused. The entry must be signed by the CSC Commander. If the member who is refusing the charge, is the senior of the CSC Commander, he or she must make and sign such entry. Members are cautioned to ensure that they have taken all relevant steps to ascertain whether the report constitutes an offence before taking this decision.

7. If any uncertainty exist regarding the registration of an offence, members may approach their District-or Provincial Legal Services or send an enquiry to the South African Civil Aviation Authority at RPASInbox@caa.co.za .
8. The content of this circular must immediately be brought to the attention of all employees. Non-compliance with the instructions set out herein will constitute misconduct.

H-I. 1. For your information.



NATIONAL COMMISSIONER, SOUTH AFRICAN POLICE SERVICE
KJ SITOLE (SOEG)

GENERAL

NATIONAL COMMISSIONER, SOUTH AFRICAN POLICE SERVICE
KJ SITOLE (SOEG)

Date: 2022 -02- 28

Annexure A

CAS DEFINITIONS: CIVIL AVIATION REGULATIONS, 2011

CLASS E-ECONOMIC AFFAIRS
SUB-CLASS E7-TRANSPORT AND COMMUNICATION
576026 TRANSGRESSIONS OF THE ACTS REGULATING AVIATION

IMPLEMENTATION OF THE SOUTH AFRICAN CIVIL AVIATION ACT, 2009, (ACT NO.13 OF 2009), PART 101
(REMOTELY PILOTED AIRCRAFT SYSTEMS) OF THE CIVIL AVIATION REGULATIONS, 2011: DRONES

REG	DESCRIPTION OF OFFENCE	KEY WORDS
101.01.5	Sell Remotely Piloted Aircraft without notifying buyer of requirements prescribed in Document SA-CATS101 by packaging label/written notification.	Seller
		Notification
		Retail
		Drones
		SACAA Approvals
		Operations Manual
		Remotely Piloted Aircraft
		ROC
101.02.1(1)	Operation of Remotely Piloted Aircraft within the Republic without being issued letter of approval by the Director of Civil Aviation	RLA
		Registration
		Drones
		SACAA Approvals
		Operations Manual
		Remotely Piloted Aircraft
		ROC
101.03.1(1)	Remote piloting Remotely Piloted Aircraft without undergoing skill test/receiving flight instruction and not having valid Remote Pilot Licence.	Pilot License
		RPL
		Drones
		SACAA Approvals
		Operations Manual
		Remotely Piloted Aircraft
		ROC
101.04.1(1)(a)	Operation of Remotely Piloted Aircraft Systems in commercial/corporate/no-profit operations without valid Remote Operation Certificate and operations specifications.	Interest
		Advertising
		Gain
		Outcome
		Commercial
		Corporate
		Non-profit
		Drones
		SACAA Approvals
		Operations Manual
		Remotely Piloted Aircraft
		ROC
101.04.1 (1)(b)		Air services License
		ASL

IMPLEMENTATION OF THE SOUTH AFRICAN CIVIL AVIATION ACT, 2009, (ACT NO.13 OF 2009), PART 101
(REMOTELY PILOTED AIRCRAFT SYSTEMS) OF THE CIVIL AVIATION REGULATIONS, 2011: DRONES

REG	DESCRIPTION OF OFFENCE	KEY WORDS
	Operating Remotely Piloted Aircraft Systems for commercial operations without air services licence issued in terms of Air Services Licensing Act.	Air services Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.2(a)	Use of public road as place of landing/take-off of Remotely Piloted Aircraft without being the holder of Remote Operation Certificate/approved by Director of Aviation in the Operator's operation manual.	Road Landing Take off Public Road Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.3(1)	Operation of Remotely Piloted Aircraft System in controlled airspace by non-holder of Remote Operation Certificate/without approval by Director in the operator's operations manual.	Controlled Airspace Airspace Airport Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.4	Release/dispense/drop/deliver/deploy object/substance from Remotely Piloted Aircraft without Remote Operation Certificate/approval of Director in operator's operation manual	Release object/substance Spraying dispense object/substance drop object/substance deliver object/substance deploy object/substance Drones SACAA Approvals Operations Manual

IMPLEMENTATION OF THE SOUTH AFRICAN CIVIL AVIATION ACT, 2009, (ACT NO.13 OF 2009), PART 101
(REMOTELY PILOTED AIRCRAFT SYSTEMS) OF THE CIVIL AVIATION REGULATIONS, 2011: DRONES

REG	DESCRIPTION OF OFFENCE	KEY WORDS
		Remotely Piloted Aircraft ROC
101.05.5(1)	Carrying by Remotely Piloted Aircraft of dangerous goods as cargo without being holder of Remote Operation Certificate /approval of Director in the operations manual.	Cargo Carry Dangerous goods Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.10(3)(a)	Operation of Remotely Piloted Aircraft by non-holder of Remote Operation Certificate above 400ft above the surface without approval by Director of Civil Aviation.	Above 400ft Height restriction Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.10(3)(b)	Operation of Remotely Piloted Aircraft by non-holder of Remote Operation Certificate within a radius of 10km from an aerodrome without approval by the Director of Civil Aviation.	Drone Within 10km of aerodrome Aerodrome Airport Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.10(3)(c)	Operation of Remotely Piloted Aircraft by non-holder of Remote Operation Certificate within restricted or prohibited airspace without approval by Director of Civil Aviation.	Restricted airspace Airspace Prohibited Airspace Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC

IMPLEMENTATION OF THE SOUTH AFRICAN CIVIL AVIATION ACT, 2009, (ACT NO.13 OF 2009), PART 101
(REMOTELY PILOTED AIRCRAFT SYSTEMS) OF THE CIVIL AVIATION REGULATIONS, 2011: DRONES

REG	DESCRIPTION OF OFFENCE	KEY WORDS
101. 05.10(3)(d)	Operate Remotely Piloted Aircraft adjacent/above nuclear power plant/prison/police station/crime scene/court/national key point/strategic installation without Remote Operation Certificate or approval of Director.	Strategic Installation National Key Point Crime scene Nuclear Prison Police Station Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.11(1)	Operation of Remotely Piloted Aircraft beyond visual-line-of-sight by non-holder of Remote Operation Certificate/without approval by Director in operations manual.	visual-line-of-sight BVLOS Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101. 05.12(1)(b)	Operation of Remotely Piloted Aircraft at night without Remote Operation Certificate/without approval by Director of Civil aviation	At Night Night Ops Night flying Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.13(a)	Operate Remotely Piloted Aircraft directly overhead person/group of people/within lateral distance of 50m from person without Remote Operation Certificate/approval of Director of Civil Aviation	50m from People Crowds 50m People Concerts Public spaces Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft

IMPLEMENTATION OF THE SOUTH AFRICAN CIVIL AVIATION ACT, 2009, (ACT NO.13 OF 2009), PART 101
(REMOTELY PILOTED AIRCRAFT SYSTEMS) OF THE CIVIL AVIATION REGULATIONS, 2011: DRONES

REG	DESCRIPTION OF OFFENCE	KEY WORDS
		ROC
101.05.14(1)(a)	Operation of Remotely Piloted Aircraft within lateral distance of 50m from structure/building without Remote Operation Certificate/approval of Director of Civil Aviation in operations manual	50m from Structures 50m Building Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.15(a)	Operating a Remotely Piloted Aircraft over a public road, along the length of public road/distance less than 50m from public road without Remote Operation Certificate/approval of Director.	50m from public road 50m Road Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.16(1)	Operate Remotely Piloted Aircraft System without possession of functioning air-band radio tuned to frequency/ Air Traffic Service Unit (ATSU) providing services/control to such area/airspace/aircraft.	VHF Radio Aircraft Traffic Airspace ATSU frequency Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
101.05.18 (4)	Failure by pilot of Remotely Piloted Aircraft to pilot RPA in manner that minimizes hazards to persons/property on ground/other aircrafts in air.	Poor Pilot Skill Safety Minimize Hazzard Minimize Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft

IMPLEMENTATION OF THE SOUTH AFRICAN CIVIL AVIATION ACT, 2009, (ACT NO.13 OF 2009), PART 101
(REMOTELY PILOTED AIRCRAFT SYSTEMS) OF THE CIVIL AVIATION REGULATIONS, 2011: DRONES

REG	DESCRIPTION OF OFFENCE	KEY WORDS
		ROC

LAW/ORD	YEAR	TITLE OF LAW/ORDINANCE		
	2011	CIVIL AVIATION REGULATION, 2011 (DRONES)		
CODE	ART/REG	SUBARTICLE	DESCRIPTION	STATUS
576026	101	01.5	SELL REMOTELY PILOTED AIRCRAFT WITHOUT NOTIFYING REQUIREMENTS PRESCRIBED IN DOCUMENT SA-CATS 101 BY PACKAGING LABEL/WRTITEN NOTIFICATION	VALID
576026	101	02.1(1)	OPERATION OF REMOTELY PILOTED AIRCRAFT WITHIN THE REPUBLIC WITHOUT BEING ISSUED LETTER OF APPROVAL BY THE DIRECTOR OF CIVIL AVIATION	VALID
576026	101	03.1(1)	REMOTE PILOTING REMOTELY PILOTED AIRCRAFT WITHOUT UNDERGOING SKILL TEST/RECEIVING FLIGHT INSTRUCTION AND NOT HAVING VALID REMOTE PILOT LICENSE	VALID

"B"



RPAS OPERATIONS - PART 101

Enforcement Guide for Private use & Illegal Operations

Revision 5 – March 2022

This guide has been drafted in line with the SAPS charge codes in respect of Part 101 of the Civil Aviation Act of 2011



COMMERCIAL UNMANNED AIRCRAFT ASSOCIATION OF SOUTHERN AFRICA

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1. Definitions & Acronyms

AGL	Above Ground Level
C2	Command and Control Link
CAR	Civil Aviation Regulations
Op Spec	Operational Specifications
PIC	Pilot in Command
RLA	RPA Letter of Approval
ROC	RPAS Operating Certificate
RPA	Remotely Piloted Aircraft
RPAS	Remotely Piloted Aircraft System
RPL	Remote Pilot License
RPS	Remote Pilot Station
R-VLOS	Restricted Visual Line of Sight
B-VLOS	Beyond Visual Line of Sight
SACAA	South African Civil Aviation Authority
DRONE	RPAS / UAV
C of R	Certificate of Registration
ASL	Air Services License
FOM	Field Operations Manual

“Aerodrome” means any demarcated area on land or water or any building which is used or intended to be used, either wholly or in part, for the arrival or departure of an aircraft and includes any building, installation or equipment within such area which is used or intended to be used in connection with the arrival, departure or movement of aircraft and includes a heliport.

“Night operations” means the period from 15 minutes after sunset to 15 minutes before sunrise, sunset and sunrise being as given in the publication Times of sunrise, sunset and local apparent noon of the South African Astronomical Observatory or a similar publication issued by a recognised astronomical observatory.

“Operating Certificate” means the RPAS Operator Certificate (ROC) issued by the Director of Civil Aviation authorising an operator of commercial aircraft (including RPAS) to carry out specified aircraft operations e.g., Aerial Photography, Aerial Survey, Crop Spraying, etc.

“Radio line-of-sight” means a direct electronic point-to-point contact between a transmitter and receiver.



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"Remote pilot" means the person who manipulates the flight controls or manages the flight command instructions of a remotely piloted aircraft during flight time.

"Remote pilot station" (RPS) means the station at which the remote pilot manages the flight of the remotely piloted aircraft.

"Remotely piloted aircraft" (RPAS) means an unmanned aircraft which is piloted from a remote pilot station, excluding model aircraft and toy aircraft.

"Toy aircraft" means a product falling under the definition of aircraft which is designed or intended for use in play by children.

"Model aircraft" means a non-human-carrying aircraft capable of sustained flight in the atmosphere and used exclusively for air display, recreational use, sport, or competitions.

"Remotely piloted aircraft system" means a set of configurable elements consisting of a remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other system elements as may be required at any point during flight operation.

"Restricted visual line-of-sight" means an operation within 500 m of the RPA pilot and below the height of the highest obstacle within 300 m of the RPA, in which the remote pilot maintains direct unaided visual contact with the remotely piloted aircraft to manage its flight and meet separation and collision avoidance responsibilities.

"Beyond visual line-of-sight" an operation in which the remote pilot cannot maintain direct unaided visual contact with the remotely piloted aircraft to manage its flight and to meet separation and collision avoidance responsibilities visually.

"Commercial gain" means compensation in money, services, or other consideration as part of a scheme or effort to generate income or financial advantage of any kind.

"Commercial interest" means an advantage (real or speculative) relating to a business which is intended to make money:

"Commercial outcome" means wealth creation or the goal of earning an income.



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” **Private Operations**” means RPAS operations for an individual's personal and private purposes where there is no commercial gain, interest, or outcome. It is very important to note that when someone claims that they are operating under the private use /Hobbyist regulations, they must conform 100% to the Private Operations Checklist.

”**Commercial Operations**” means RPAS operations where the operator is supplying RPAS service to a third-party client for commercial gain, interest, or outcome. This includes such examples as: Aerial Surveying and Mapping / Aerial Video and Photography / Aerial Surveillance / Aerial Inspections / Aerial Crop Spraying

”**Corporate operations**” means RPAS operations where the operator is supplying RPAS service to itself only and for commercial gain, interest, or outcome. This includes as example entities such as: Commercial Farmers / Security Companies / Mines / Private Universities

”**Non- Profit operations**” means RPAS operations where the operator is supplying RPAS services to themselves only and where there is no commercial gain, interest, or outcome. This includes as example entities such as: Government / Search and Rescue / Police / Research

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2. Introduction and Background

Part 101 of the Civil Aviation Regulations stipulates the legal requirements for operating an RPAS within South Africa, whether it be for **Private use, Commercial, Corporate, or Non-profit** entities. The 4 types of RPAS operations allowed in South Africa each have their own requirement. When an RPAS user does not fall into any of these categories, such operators are guilty of a criminal offence.

	Type of Operation	Commercial	Corporate	Non-profit	Private
Required approvals					
ASL		<input checked="" type="checkbox"/>	N/A	N/A	N/A
ROC		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
RLA		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
RPL		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
C of R		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
Private operations Checklist		N/A	N/A	N/A	<input checked="" type="checkbox"/>
NOTE: Everyone needs to comply in some form and Private operations need to comply with the private operations checklist 100% or face being categorised as a illegal operation					

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Private Operations

Subject to sub regulation (2), the provisions of subparts 2, 3, 4 and 6 of Part 101 do not apply to private operation of RPAS; however, they do need to comply with subpart 5 of the regulation. Private operations are further exempted from the provisions of regulations 101.05.5 (2); 101.05.8 (1) (b), (c) and (d); 101.05.10 (1) (a) and (b) but must comply with the rest of subpart 5. These requirements have been summarised in the list below and is called the private operations checklist.

Private & Hobbyist Checklist

- ✚ Not for **commercial gain, interest, or outcome** (see definitions)
- ✚ Strictly **Clear weather** conditions
- ✚ Strictly **RVLOS** (see definitions)
- ✚ May not use a **public road as a place of landing or take-off**
- ✚ May not operate in **Controlled airspace**
- ✚ May not operate in **Restricted airspace**
- ✚ May not operate in **Prohibited airspace**
- ✚ May not release, dispense, drop, deliver, or deploy objects **or substance from an RPA**
- ✚ May not **carry Dangerous Goods**
- ✚ Must not consume **Drugs or Alcohol**
- ✚ May not operate near **Prisons, Police Stations, Court of Law, Crime Scenes, National Key Points, Strategic Installations**
- ✚ May not operate within **10km of an Aerodrome**
- ✚ May not operate within **50m of people**
- ✚ May not operate within **50m from any structure**
- ✚ May not operate within **50m from a public road**
- ✚ Only with a Class 1A or 1B RPA (**Sub 7 kg Drones**)
- ✚ May not **tow another aircraft**
- ✚ May not **perform aerial or aerobatic displays**
- ✚ May not **fly in formation or swarm.**

Any transgression for any of these would mean that they are guilty under the regulations and under the SAPS codes. For more information relating to the Act please contact SACAA directly on the contact details below.

General email: RPASInbox@caa.co.za
Responsible Acting Manager: GqibitoleZ@caa.co.za



COMMERCIAL UNMANNED AIRCRAFT ASSOCIATION OF SOUTHERN AFRICA

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Commercial, Corporate and Non-Profit Operations Checklist

These operators should be fully licensed. However, Corporate and Non-Profit operators do not need to have an Air services License (ASL).

Commercial operations Checklist

- ✚ Must have an **ASL**
- ✚ Must have a **valid ROC**
- ✚ Must have a **SACAA approved Ops Spec (Rating)** for type of operations being executed:
 - **BVLOS** operations
 - Use a **public road as a place of landing or take-off**
 - Operations in **Controlled airspace**
 - Operations in **Restricted or Prohibited airspace**
 - Release, dispense, drop, deliver, or deploy objects **or substance from an RPA**
 - Operate near **Prisons, Police Stations, Crime Scenes, National Key Points**
 - Operate within **10km of an Aerodrome**
 - Operate closer than **50m from any people**
 - Operate closer than **50m from any structure**
 - Operate closer than **50m from any public road**
- ✚ Must have an **RLA for RPAS being operated**
- ✚ Must have a **FOM**
- ✚ Must have an **RPL**
- ✚ Must have **VHF radio** to listen out for other air traffic
- ✚ Must have a **Restricted Radio License**
- ✚ Must have **first aid kit & fire extinguisher on hand**
- ✚ Landowner of site or **permission letter from the landowner**

To verify evidence or to report a commercial, corporate, or non-profit operator for non-compliance please contact SACAA directly on the below contact details. If for whatever reason the details below stop working contact CUAASA for the latest contact details.

General email: RPASInbox@caa.co.za
Responsible Acting Manager: GqibitoleZ@caa.co.za



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ENFORCEMENT OF RPAS RELATED CONTRAVENTIONS

4. Part 101 of the Civil Aviation Regulations, 2011 ("CAR") outlines the rules relating to the use and operation of RPAS in South Africa. Your attention is further drawn to the requirements of the CAR, which require the commercial use of an RPAS in South Africa to adhere at least to the following requirements:
 - 4.1 Obtaining an air services licence ("ASL") issued in terms of the Air Services Licensing Act, 1990 (Act No. 115 of 1990)
 - 4.2 A valid RPAS Operating Certificate ("ROC"), including an operations specifications which guides the scope of the approved operations, issued in terms of Part 101.04.2 of the Civil Aviation Regulations, 2011.
 - 4.3 Operation of an RPAS by a pilot in possession of a valid RPAS Pilot Licence ("RPL") for such operations; and,
 - 4.4 A SACAA registered RPAS with a valid registration certificate and RPAS Letter of Approval ("RLA").
5. It should be noted that the requirements listed above are not only for operators that operate a business where they are supplying RPAS services to a third party in exchange for remuneration. In terms of Part 101 of the Civil Aviation Regulations, 2011 ("CAR") an RPAS user is classified as a commercial operator whenever the use of RPAS is connected to any commercial interest, outcome or gain.



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ENFORCEMENT OF RPAS RELATED CONTRAVENTIONS

6. The SACAA continues to receive a growing number of complaints relating to illegal use of RPAS. We have numerous finalised cases with successful enforcement action, as well as investigations that are underway regarding RPAS related contraventions. We encourage the reporting of RPAS related transgressions to the SACAA, particularly in relation to SACAA approval holders.
7. We equally advise that RPAS related contraventions may be reported to the South African Police Services ("SAPS"), as the SACAA may be limited in carrying out successful enforcement action, especially against persons who hold no SACAA issued approvals. SAPS officials are recognised, in terms of the Civil Aviation Act, 2009 (Act No 13 of 2009), as authorised persons who are empowered to exercise law enforcement powers in RPAS related contraventions.
8. The contravention of the Civil Aviation Regulations, 2011 constitutes contraventions that may be punishable by way of administrative action or criminal action (Part 185.01.1 of CAR).
9. You are welcome to contact the SACAA for further information.

Regards,

LUVUYO SILANDELA

Manager: Enforcement and Exemptions (Acting)



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4. The SAPS Codes

The SACAA letter also makes it clear that Private use, hobbyist, and illegal operators must be held accountable by SAPS in terms of its law enforcement mandate. Until recently, should a non-licensed (Illegal operator) partly transgress Part 101, there was no means to charge and prosecute an offence or an offender for a transgression, and therefore law enforcement was not possible. This was due to the Crime Administration System not yet having the required charge codes and thereby making it impossible to open a case with SAPS.

Pursuant to the South African Civil Aviation Act, 2009, (Act No.13 of 2009), and specifically Part 101 (Remotely Piloted Aircraft Systems) of the Civil Aviation Regulations (CARs), 2011, the Commercial Unmanned Aircraft Association of Southern Africa (CUAASA) on behalf of the Remotely Piloted Aircraft Systems (RPAS) industry, requested the creation of SAPS charge codes.

 **Table of Charge Codes / SAPS CAS**

#	REG	DESCRIPTION OF OFFENCE	KEY WORDS
1	101.01.5	Sell Remotely Piloted Aircraft without notifying buyer of requirements prescribed in Document SA-CATS101 by packaging label/written notification.	Seller Notification Retail Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
2	101.02.1(f)	Operation of Remotely Piloted Aircraft within the Republic without being issued letter of approval by the Director of Civil Aviation	RLA Registration Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
3	71.01.02 (1)	Remote piloting Remotely Piloted Aircraft without undergoing skill test/receiving flight instruction and not having valid Remote Pilot Licence.	Pilot License RPL Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
4	101.04.1(1)(a)	Operation of Remotely Piloted Aircraft Systems in commercial/corporate/no-profit operations without valid Remote Operation Certificate and operations specifications.	Interest Advertising Gain Outcome Commercial Corporate Non-profit Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC



COMMERCIAL UNMANNED AIRCRAFT ASSOCIATION OF SOUTHERN AFRICA

CAASA House, Gate 9, Lanseria International Airport, 1748

P.O. Box 658, Lanseria, 1748

Tel: +27 11 659 2345 Fax: +27 11 701 2536

Email: info@cuaasa.org or office@caasa.co.za

5	101.04.1 (1)(b)	Operating Remotely Piloted Aircraft Systems for commercial operations without air services licence issued in terms of Air Services Licensing Act.	Air services License ASL Air services Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
6	101.05.2(a)	Use of public road as place of landing/take-off of Remotely Piloted Aircraft without being the holder of Remote Operation Certificate/approved by Director of Aviation in the Operator's operation manual.	Road Landing Take off Public Road Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
7	101.05.3(1)	Operation of Remotely Piloted Aircraft System in controlled airspace by non-holder of Remote Operation Certificate/without approval by Director in the operator's operations manual.	Controlled Airspace Airspace Airport Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
8	101.05.4	Release/dispense/drop/deliver/deploy object/substance from Remotely Piloted Aircraft without Remote Operation Certificate/approval of Director in operator's operation manual	Release object/substance Spraying dispense object/substance drop object/substance deliver object/substance deploy object/substance Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
9	101.05.5(1)	Carrying by Remotely Piloted Aircraft of dangerous goods as cargo without being holder of Remote Operation Certificate /approval of Director in the operations manual.	Cargo Carry Dangerous goods Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
10	101.05.10(3)(a)	Operation of Remotely Piloted Aircraft by non-holder of Remote Operation Certificate above 400ft above the surface without approval by Director of Civil Aviation.	Above 400ft Height restriction Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC



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11	101.05.10(3)(b)	Operation of Remotely Piloted Aircraft by non-holder of Remote Operation Certificate within a radius of 10km from an aerodrome without approval by the Director of Civil Aviation.	Drone Within 10km Aerodrome Airport Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
12	101.05.10(3)(c)	Operation of Remotely Piloted Aircraft by non-holder of Remote Operation Certificate within restricted or prohibited airspace without approval by Director of Civil Aviation.	Restricted airspace Airspace Prohibited Airspace Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
13	101.05.10(3)(d)	Operate Remotely Piloted Aircraft adjacent/above nuclear power plant/prison/police station/crime scene/court/national key point/strategic installation without Remote Operation Certificate or approval of Director.	Strategic Installation National Key Point Crime scene Nuclear Prison Police Station Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
14	101.05.11(1)	Operation of Remotely Piloted Aircraft beyond visual-line-of-sight by non-holder of Remote Operation Certificate/without approval by Director in operations manual.	visual-line-of-sight BVLOS Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
15	101.05.12(1)(b)	Operation of Remotely Piloted Aircraft at night without Remote Operation Certificate/without approval by Director of Civil aviation	At Night Night Ops Night flying Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC



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16	101.05.13(a)	Operate Remotely Piloted Aircraft directly overhead person/group of people/within lateral distance of 50m from person without Remote Operation Certificate/approval of Director of Civil Aviation	50m from People Crowds 50m People Concerts Public spaces Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
17	101.05.14(1)(a)	Operation of Remotely Piloted Aircraft within lateral distance of 50m from structure/building without Remote Operation Certificate /approval of Director in operations manual.	50m from Structures 50m Building Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
18	101.05.15(a)	Operation of Remotely Piloted Aircraft by person over a public road, along the length of public road/distance less than 50m from public road without Remote Operation Certificate/approval of Director.	50m from public road 50m Road Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
19	101.05.16(1)	Operate Remotely Piloted Aircraft System without possession of functioning air-band radio tuned to frequency/ Air Traffic Service Unit (ATSU) providing services/control to such area/airspace/aircraft.	Radio Aircraft Traffic Airspace ATSU frequency Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC
20	101.05.18 (4)	Failure by pilot of Remotely Piloted Aircraft to pilot RPA in manner that minimizes hazards to persons/property on ground/other aircrafts in air.	Poor Pilot Skill Safety Minimize Hazzard Minimize Drones SACAA Approvals Operations Manual Remotely Piloted Aircraft ROC



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5. Enforcement & Evidence

101.01.5 of the regulations

A seller has an obligation of informing a buyer of regulatory requirements of flying RPAS in South Africa. A seller must, by way of a packaging label, or in the case of the resale thereof, by way of written notification, notify the buyer of the requirements as prescribed in Document SA-CATS 101.

Information notice sample:

Operations as a hobbyist are subject to the terms of Part 94, whereas private use is restricted in terms of Part 101 of the Civil Aviation Regulations.

For private use –

- 1. The RPAS may only be used for an individual's personal and private purposes where there is no commercial outcome, interest, or gain.*
- 2. The RPA may only be operated over property for which the operator has ownership or permission.*
- 3. The RPAS can only be used in Restricted Visual Line of Sight which means within 500m of the pilot, and never to exceed the height of the highest obstacle within 300m of the RPA, during which the pilot can maintain direct unaided visual contact with the device to manage its flight and collision avoidance; and*
- 4. The pilot must observe all statutory requirements relating to liability, privacy, and any other laws enforceable by any other authorities.*

For all other use –

- 1. the RPA must first be approved by the South African Civil Aviation Authority for use by way of an RPA Letter of Authority (RLA).*
- 2. all RPAs must be registered by the South African Civil Aviation Authority prior to use.*
- 3. an RPA may only be operated in terms of Part 101 of the South African Civil Aviation Regulations which includes specific requirements that the operator shall hold an RPA Pilot License.*

Dangers of negligent operation of an RPA

- (a) Collision with other aircraft, with possible fatal results
- (b) Injury to the public
- (c) Damage to people's property
- (d) Legal liability for breaking laws such as privacy by-laws and other laws enforceable by other authorities.



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101.02.1 (1) of the regulations

Sample RPAS certificate of registration (C of R)

SOUTH AFRICAN CIVIL AVIATION AUTHORITY
REPUBLIC OF SOUTH AFRICA



CAR47B

CERTIFICATE OF REGISTRATION

CERTIFICATE NUMBER [REDACTED]

1 Nationality and registration marks	2 Manufacturer and manufacturer's designation of aircraft DJI	3 Aircraft serial number
[REDACTED]	PHANTOM 4	[REDACTED]

4 Name of owner: [REDACTED]

5 Address of owner: [REDACTED]
[REDACTED]
[REDACTED]

6 It is hereby certified that the aircraft described above has been duly entered on the South African Civil Aircraft Register in accordance with the Convention on International Civil Aviation dated 7 December 1944 and with the Civil Aviation Regulations, 2011, as amended.

7 **NO ENDORSEMENTS**

Date of issue: 2019/07/17

39746

FOR DIRECTOR OF CIVIL AVIATION

FOR DIRECTOR OF CIVIL AVIATION
[Signature]

Sample RPAS Letter of Approval (RLA)

SOUTH AFRICAN CIVIL AVIATION AUTHORITY
REPUBLIC OF SOUTH AFRICA

AW N° [REDACTED]

LETTER NO: ZT-WAV/00

REMOTELY PILOTED AIRCRAFT SYSTEMS LETTER OF APPROVAL

1. Nationality and registration marks	2. Manufacturer/Builder and designation of aircraft DJI	3. Aircraft serial number
[REDACTED]	PHANTOM 4	[REDACTED]

4. This letter of approval is issued, pursuant to the Convention on International Civil Aviation, dated 7 October 1944, and the Civil Aviation Regulations, 2011, as amended, in respect of the above-mentioned RPAS, which is considered to be fit for flight, when maintained and operated in accordance with the foregoing and the pertinent operating limitations.

5. Special conditions: Nil

6. Date of issue: [REDACTED]

7. Expiry: [REDACTED]

FOR DIRECTOR OF CIVIL AVIATION
[Signature]



COMMERCIAL UNMANNED AIRCRAFT ASSOCIATION OF SOUTHERN AFRICA

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


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71.01.02 (1) of the regulations

Sample RPAS Pilot License (RPL) - "Red Book" or "Card"

 REMOTE PILOT LICENSE 		I	State of issue:	SOUTH AFRICA (ZA)																										
		II	Licence Number:	[REDACTED]																										
		III	Last name:	[REDACTED]																										
		IV	First name:	[REDACTED]																										
		IVa	Date of birth:	[REDACTED]																										
		V	Address:	[REDACTED]																										
		VI	Nationality:	SOUTH AFRICAN (ZA)																										
		VII	Signature of Holder:																											
		VIII	Issuing Authority:	SOUTH AFRICA Civil Aviation Authority																										
		IX	Stamp of Issuing Authority:																											
III	Licence Number:	[REDACTED]																												
IV	Last Name:	[REDACTED]																												
	First Name:	[REDACTED]																												
	ID/Passport Number	[REDACTED]																												
X	For the Civil Aviation Authority:																													
	Date:	15/07/2016																												
Date of Issue: 11/09/2020 Time of Issue: 04:45:02 PM Issued By: [REDACTED] Licence No: [REDACTED] Page 1		Date of Issue: 11/09/2020 Time of Issue: 04:45:02 PM Issued By: [REDACTED] Licence No: [REDACTED] Page 2																												
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REMOTE PILOT LICENSE SOUTH AFRICA 	
Issued on behalf of the Director 	

XIV RATINGS (RPL) Scan the barcode below to view ratings and restrictions The holder is authorised to exercise the privileges of this licence and the ratings thereof in an aircraft, provided such holder holds a valid medical certificate issued in terms of Part 67 of the SACAR's If found please return to SACAA Licensing Department, 16 Treur Close, Waterfall Park, Bekker Street, Midrand Or call 011 545 1000 	XIII RESTRICTIONS  VII Signature of Holder  If unable to scan the barcode login to http://e-services.caa.co.za/webclient to view your licence details
---	---



**COMMERCIAL UNMANNED AIRCRAFT ASSOCIATION
OF SOUTHERN AFRICA**

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101.04.1 (1)(a) of the regulations

✚ Sample RPAS Operating Certificate (ROC)

SOUTH AFRICAN



**OPERATING CERTIFICATE
PART 101**

State of the Operator SOUTH AFRICA		
Issuing Authority SOUTH AFRICAN CIVIL AVIATION AUTHORITY		
ROC No: [REDACTED]	Certificate #: [REDACTED]	Operator's Address: [REDACTED]
Expiry Date: [REDACTED]	Name of Certificate Holder: [REDACTED]	Tel: [REDACTED] Cell: [REDACTED]
Main Base of Operation: [REDACTED]	Is the holder of air service licence: [REDACTED]	
<p>The above holder of this certificate has been authorized to operate air service(s) in terms of the above licence(s) held in accordance with:</p> <ul style="list-style-type: none"> *the attached operations specifications. *the provisions of Part 101 of the Civil Aviation Regulations of 2011. *the provisions of the Air Service Licensing Act of 1990 (Act 115/1990) and the International Air Services Act of 1993 (Act 80/1993) as applicable 		
Date of Issue: [REDACTED]		[REDACTED] Executive Aviation Safety Operations
Issued at: MIDRAND SOUTH AFRICA	SIGNATURE	NAME AND TITLE
	EXECUTIVE: AVIATION SAFETY OPERATIONS	
This certificate and its annex is issued without any alteration or erasure CAA/FOC/ROC000000257		





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101.04.1 (1)(b) of the regulations

Sample Air Services License (ASL)


AIR SERVICES LICENSING COUNCIL
Private Bag 1194, Pretoria, 0001
1st Floor, Building 10, Streets and Borealis, North Pretoria

REPUBLIC OF SOUTH AFRICA

AIR SERVICE LICENSING COUNCIL

AIR SERVICES LICENSING ACT, 1990 (ACT No. 115 OF 1990)

CLASS III AIR SERVICE LICENCE

Issued in terms of section 17(1) of Act No. 115 of 1990

Licence Number: [REDACTED]

[REDACTED] (PTY) LTD ([REDACTED])
Trading as
(Name of licensee)

has been authorized by the Air Service Licensing Council to operate the type(s) of
air service(s) with the category(ies) of aircraft as specified hereunder:

G3, G4, G5 and G16 (RPAS)


Category(ies) of aircraft

A4, H1 and H2


Issued subject to the following conditions (section 16(5) and (6)):

This licence is valid subject to the following conditions - (section 19 (b) and (c)).
On condition that the licensee commence with its operation within a period of 12
months from the day of issuance of a licence, and that the air service shall not be
interrupted for a period exceeding 12 months, and on condition that the licensee is
in possession of a valid Operating Certificate which is renewable annually.

Issued at PRETORIA on the 14 November 2018


for AIR SERVICE LICENSING COUNCIL

This Licence was issued without any alteration or erasure.


DEPARTMENT OF TRANSPORT
COMMUNICATIONS SECTION
270 11 11
14 NOV 2018
PORT OF KAPPA



COMMERCIAL UNMANNED AIRCRAFT ASSOCIATION OF SOUTHERN AFRICA

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101.05 of the regulations

✚ Sample Operations Specifications (Op Spec)

OPERATIONS SPECIFICATIONS				ISSUE #: 16
ISSUED BY THE SOUTH AFRICAN CIVIL AVIATION AUTHORITY				
OPERATIONS SPECIFICATIONS				
These Operations Specifications forming part of the Operating Certificate are issued pursuant to Part 101 Subpart 4 of the Civil Aviation Regulations of 2011, as amended.				
ISSUING AUTHORITY CONTACT DETAILS.				
Telephone: +27 11 545 1090; Fax: +27 11 545 1465 E-mail: mail@caa.co.za				
ROC CERTIFICATE# [REDACTED]				
Approved Air Services and Type of operations as applicable				
Air Service	Class	License No	A/C Category	Types of Air Service
General Air Service	III	[REDACTED]	A4/ H1	G3, G4, G5, G16
G3 – Aerial patrol, observation and survey (RPAS only)		G4 – Aerial recording by photographic or electronic means using the licensee's equipment to produce a pictorial end product (RPAS only)		
G5 – agricultural spraying, seeding & dusting (RPAS only)		G16 – Remotely Piloted Aircraft Systems		
Specific Approvals (Limitations)				
EVLOS	YES	B-VLOS	YES, Subject to CAMU authorisation	
Dangerous Goods	NO			
Operations within controlled airspace	Approved Subject to CAMU authorisation and written permission from the relevant ATSU. All flights limited to a maximum height of 400ft AGL	Operations above 400ft AGL	Approved Subject to CAMU authorisation	
Operations within restricted/ prohibited airspace	Approved Subject to CAMU authorisation and written permission from the relevant authority, as applicable, SACAA approval required per operation	Night operations	Approved BVLOS	
		Continued Airworthiness (RMT required for Class 3 or higher RPAS)	RMT #: [REDACTED] Contact: [REDACTED]	
Other	Agricultural Operations: Crop Spraying			
OPERATIONS SPECIFICATIONS APPROVAL				
SIGNATURE		NAME IN BLOCK LETTERS		EFFECTIVE DATE
SENIOR MANAGER: FLIGHT OPERATIONS		CAA\FOD\OPSPEC 000000xxxx		
GA 101-C-01		24 February 2021		Page 1 of 5



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Sample Operations Specifications (Op Spec) continues

OPERATIONS SPECIFICATIONS		ISSUE #: 16
ISSUED BY THE SOUTH AFRICAN CIVIL AVIATION AUTHORITY		
Areas of operation:		
South Africa		
Restrictions and Limitations		
Named pilots for controlled airspace operations: RPL's to be trained in Controlled Airspace Principle's & Procedure's as per Part 3 of ROM		
Pilot/s approved for Agricultural Operations.		
Limitations	Approval YES/NO	Notes
Operations where objects or substances will be released, dispensed, dropped, delivered or deployed from an RPA	YES	Agricultural Crop Spraying Operations only. PIC shall be holder of a valid Registered Pest Control Operator Certificate, in terms of The Fertilizers, Farm Feeds, Seeds and Remedies Act 36 of 1947 & Part 137.01.2 (1)(b)
Operations within a radius of 10kms from an aerodrome	YES	With written permission from the relevant authorities and ATSU, as applicable
Operations adjacent to or above a nuclear power plant, prison, police station, crime scene, court of law, national key point or strategic installation	YES	With permission from the relevant authorities, as applicable. SACAA approval is required per operation
Operations overhead any person or group of people or within a lateral distance of 50m	YES	All persons to be under the control of the operator or part of the operation.
Operations within a lateral distance of 50m from any structure or building	YES	With written permission from the relevant authorities, if necessary
Operations over a public road, along the length of a public road or at a lateral distance of less than 50m from a public road	YES	With written permission from the relevant authorities, if necessary
Use of a public road as a place of take-off or landing of an RPA	NO	With written permission from the relevant local authority, if necessary
Incllement weather operations	YES	In accordance with RPAS Manual
OPERATIONS SPECIFICATIONS APPROVAL		
SIGNATURE	NAME IN BLOCK LETTERS	EFFECTIVE DATE
SENIOR MANAGER: FLIGHT OPERATIONS	CAA/FOO/OPSPEC 008000xxxx	
CA 101-C-01	24 February 2021	Page 2 of 5



COMMERCIAL UNMANNED AIRCRAFT ASSOCIATION OF SOUTHERN AFRICA

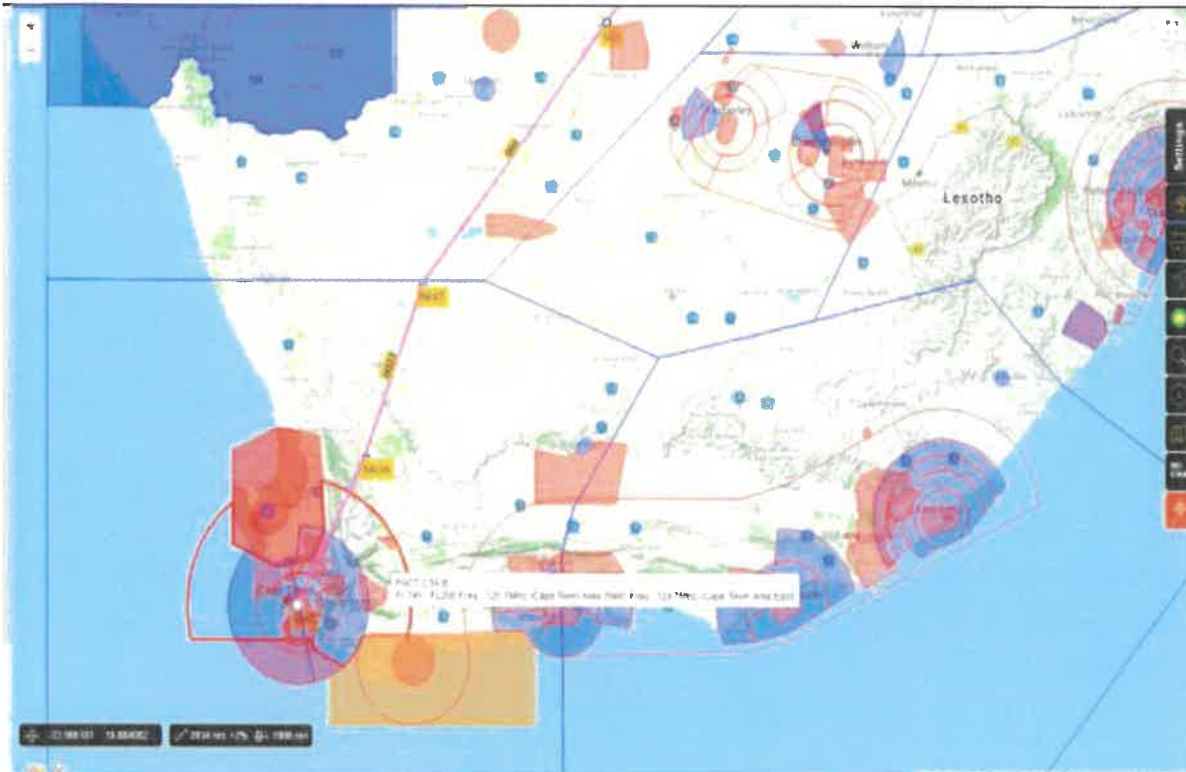
CAASA House, Gate 9, Lanseria International Airport, 1748

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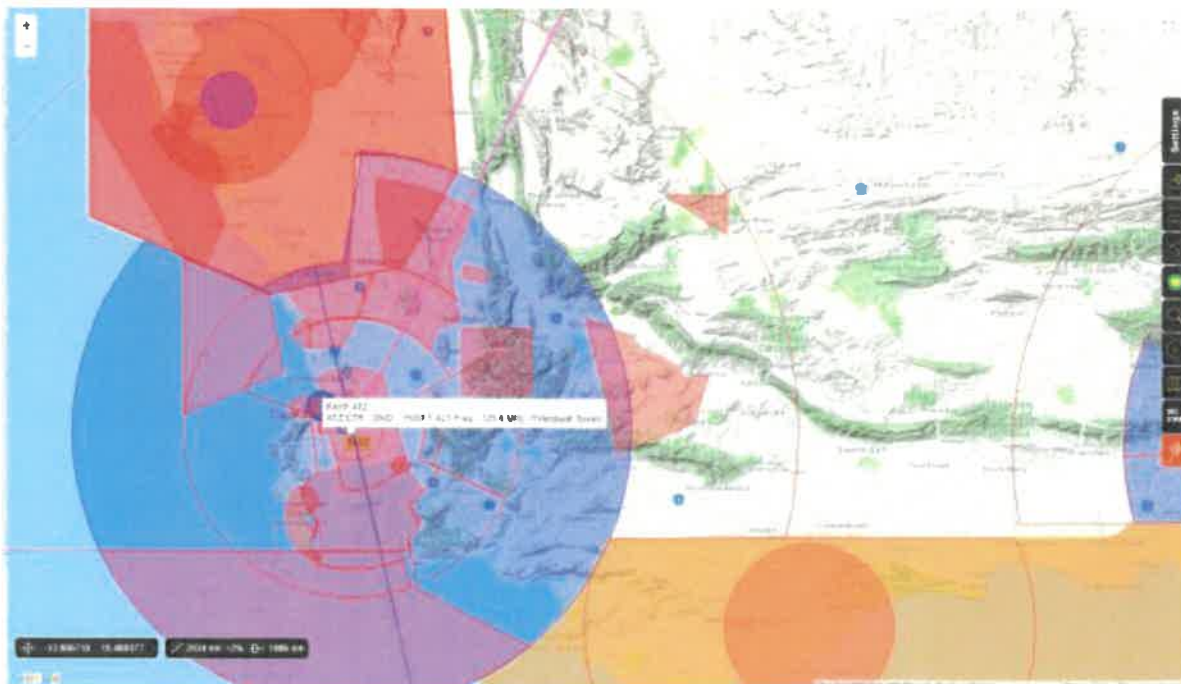
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✚ Example - South Africa visual map



✚ Example - Cape town and surrounding visual map





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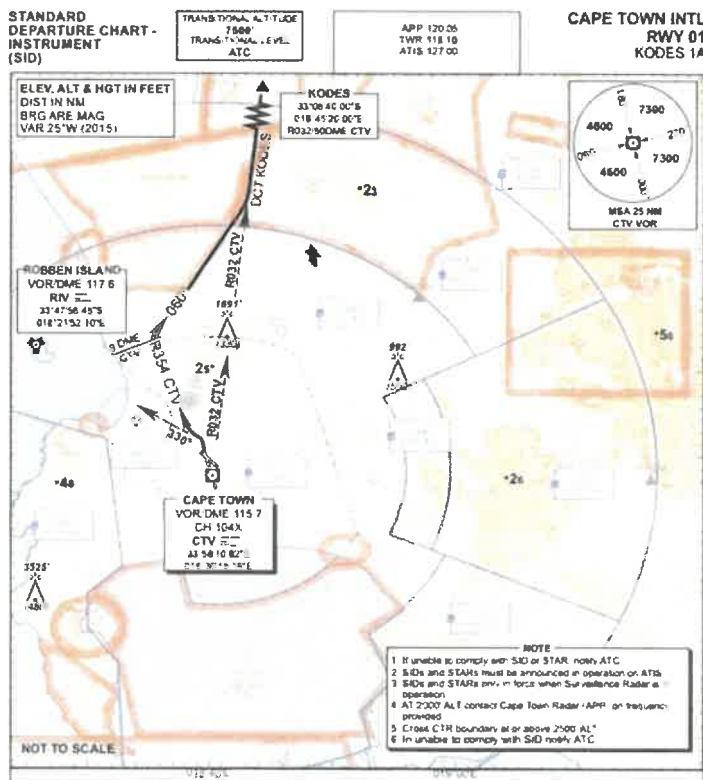
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✚ Example - Cape town visual map



✚ Example - Cape town aeronautical chart



--- END ---