Republic of Latvia

Cabinet

Regulation No. 627

Adopted 14 September 2021

**Regulations Regarding the Unmanned Aircraft Operations Organised by Model Aircraft Clubs or Associations**

*Issued pursuant to*

*Section 117.4 and Section 117.7, Clause 2 of the law On Aviation*

**I. General Provisions**

1. The Regulation prescribes:

1.1. the procedures by which the State agency Civil Aviation agency (hereinafter – the Civil Aviation Agency) shall issue a permit for unmanned aircraft operations organised by a model aircraft club or association and also amend, extend, restrict, withdraw, or suspend the operation of the permit;

1.2. the procedures by which model aircraft clubs or associations shall organise unmanned aircraft operations;

1.3. the procedures by which the Civil Aviation Agency shall oversee the model aircraft clubs or associations to which the permit has been granted.

2. The Civil Aviation Agency shall issue the permit for organisation of unmanned aircraft operations to model aircraft clubs or associations registered in Latvia for a period of up to two years and shall extend it for a period of up to two years.

3. The model aircraft club or association shall organise unmanned aircraft operations by complying with the conditions which have been specified in the permit referred to in Paragraph 11 of this Regulation.

4. The documents developed by the European Union Aviation Safety Agency for the application of the requirements laid down in Article 16 of Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (hereinafter – Regulation No 2019/947) – Acceptable Means of Compliance and Guidance Material (hereinafter – the AMC) – have been translated into Latvian and published on the website of the Civil Aviation Agency. Prior to submitting the submission referred to in Paragraph 9 of this Regulation, an applicant shall be obliged to become acquainted with the AMC.

5. If the services provided by the Civil Aviation Agency and referred to in this Regulation are paid services in accordance with the laws and regulations regarding the price list of public paid services of the Civil Aviation Agency, the applicant shall be obliged to pay for the service prior to receiving it.

6. The sample submission referred to in Paragraph 9 of this Regulation for receipt of the permit for organisation of unmanned aircraft operations or for making amendments to the respective permit shall be published on the website of the Civil Aviation Agency.

7. Decisions of the Civil Aviation Agency can be appealed to the court in accordance with the procedures laid down in the Administrative Procedure Law.

**II. Requirements for the Model Aircraft Clubs and Associations that Wish to Obtain the Permit for Organisation of Unmanned Aircraft Operations**

8. The model aircraft club or association (hereinafter – the applicant) which corresponds to the following requirements may obtain the permit referred to in Article 16 of Regulation No 2019/947:

8.1. the applicant has established the organisational structure, management system, and procedures referred to in Article 16(2)(b) of Regulation No 2019/947;

8.2. the applicant has registered on the service portal of the Civil Aviation Agency in accordance with the Regulations Regarding the Register of Unmanned Aircraft, Unmanned Aircraft System Operators, Remote Pilots, and Model Aircraft Clubs and Associations;

8.3. the applicant has arranged the compulsory insurance in compliance with the requirements of Section 117.10 of the law On Aviation;

8.4. the applicant has obtained the necessary agreements with local government institutions or the land owner whose territory is to be used for the organisation of unmanned aircraft operations (where applicable).

9. In order to obtain the permit for organisation of unmanned aircraft operations, the applicant shall submit to the Civil Aviation Agency the manual and procedures referred to in the Annex to this Regulation which have been developed in accordance with Article 16(2)(b) of Regulation No 2019/947 and a submission containing the following information:

9.1. the name, registration number, legal and actual address, telephone, e-mail of the model aircraft club or association, the given name, surname of the point of contact, place(s) of operation (activity) where it is intended to organise unmanned aircraft operations;

9.2. the given name, surname of the responsible manager.

10. In addition to the submission referred to in Paragraph 9 of this Regulation, the applicant shall submit the following:

10.1. documents which confirm that the applicant has the staff necessary for organisation of unmanned aircraft operations (for example, a document which confirms establishment of an employment relationship);

10.2. the compulsory civil liability insurance policy (where applicable);

10.3. the agreement on the airspace use (where applicable);

10.4. the document which confirms that the applicant has the responsible manager (for example, a document which confirms establishment of an employment relationship).

11. The Civil Aviation Agency shall take the decision to refuse to issue the permit for organisation of unmanned aircraft operations if the applicant:

11.1. has failed to submit all the documents referred to in Paragraphs 9 and 10 of this Regulation;

11.2. does not correspond to the requirements of this Regulation and Regulation No 2019/947.

12. A model aircraft club or association shall submit the submission referred to in Paragraph 9 of this Regulation if changes are required in the following:

12.1. the permit for organisation of unmanned aircraft operations or the period of validity of the permit referred to in Paragraph 8 of this Regulation needs to be extended;

12.2. the manual and procedures.

13. The Civil Aviation Agency shall refuse to approve the changes submitted if they do not correspond to the requirements laid down in this Regulation or Regulation No 2019/947.

14. The model aircraft club or association shall inform the Civil Aviation Agency of the amendments made to the documents referred to in Paragraph 10 of this Regulation.

**III. Procedures for Overseeing Model Aircraft Clubs or Associations that Have Obtained the Permit for Organisation of Unmanned Aircraft Operations**

15. The Civil Aviation Agency shall oversee the model aircraft clubs and associations that have obtained the permit for organisation of unmanned aircraft operations in accordance with the compliance monitoring programme specified in Article 18(i) of Regulation No 2019/947.

16. When implementing the compliance monitoring programme, the Civil Aviation Agency shall:

16.1. evaluate whether the model aircraft club or association that has obtained the permit for organisation of unmanned aircraft operations meets the conditions for the permit which has been referred to in Paragraph 8 of this Regulation, the manuals and procedures of model aircraft clubs or associations, the requirements laid down in Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (hereinafter – Regulation No 2018/1139), Regulation No 2019/947, and this Regulation;

16.2. carry out planned and, where necessary, unplanned audits and inspections of model aircraft clubs or associations. The Civil Aviation Agency shall determine their need and frequency on the basis of a safety risk assessment carried out by the Civil Aviation Agency. The model aircraft club or association shall be notified of the commencement of the planned audit or inspection not later than 10 working days before the commencement of the audit or inspection;

16.3. prepare a level 2 non-compliance report if it is established that the model aircraft club or association fails to comply with the conditions and procedures of the manual of the model aircraft club or association when organising aircraft operations or unmanned aircraft operations do not correspond to the conditions for the permit which has been referred to in Paragraph 8 of this Regulation, the requirements of Regulation No 2018/1139, Regulation No 2019/947, or this Regulation, and it could lower the safety level of operations or pose a threat to the safety of operations;

16.4. prepare a level 1 non-compliance report if it is established that the model aircraft club or association fails to comply with the conditions and procedures of the manual of the model aircraft club or association when organising aircraft operations or unmanned aircraft operations do not correspond to the conditions for the permit which has been referred to in Paragraph 8 of this Regulation, the requirements of Regulation No 2018/1139, Regulation No 2019/947, or this Regulation, and it significantly lowers the safety level of operations or pose a significant threat to the safety of operations.

17. The Civil Aviation Agency shall prepare a level 1 non-compliance report if:

17.1. inspectors of the Civil Aviation Agency are not provided with access to the premises or documents of the model aircraft club or association during working hours of the model aircraft club or association and after two written requests;

17.2. knowingly false information has been provided in the submission of the model aircraft club or association and the accompanying documents;

17.3. the model aircraft club or association unlawfully uses the permit referred to in Paragraph 8 of this Regulation;

17.4. the model aircraft club or association does not have the responsible manager referred to in Sub-paragraph 10.4 of this Regulation.

18. The Civil Aviation Agency shall prepare a level 2 non-compliance report if the non-compliance is not classified as a level 1 non-compliance immediately after establishing thereof.

19. The Civil Aviation Agency shall, by 15 January each year, inform the model aircraft club or association of the audits and inspections planned in the compliance monitoring programme referred to in Paragraph 16 of this Regulation, indicating the dates of carrying them out.

20. The model aircraft club or association can, within 10 working days after receipt of the information referred to in Paragraph 19 of this Regulation, inform the Civil Aviation Agency in writing of the need to determine other dates for the planned audits and inspections, providing proper justification.

21. If the Civil Aviation Agency has prepared:

21.1. a level 2 non-compliance report – the model aircraft club or association shall, upon completion of the audit or inspection, submit for evaluation, within the time period specified by the Civil Aviation Agency which is not shorter than 7 and not longer than 15 days, the analysis of the causes of the identified non-compliance and the plan to remedy the non-compliance, and shall remedy the identified non-compliance within three months after receipt of the non-compliance report. After expiry of the respective time period, taking into account the nature of the non-compliance, the Civil Aviation Agency has the right to extend the time period to remedy the identified non-compliance for a period of up to three months after the evaluation of the non-compliance plan re-submitted by the model aircraft club or association. If the model aircraft club or association has failed to perform the analysis of the causes of the identified non-compliance, has failed to develop the plan to remedy the non-compliance, or has failed to remedy the identified non-compliance within the respective time period, the Civil Aviation Agency shall classify it as a level 1 non-compliance;

21.2. a level 1 non-compliance report – the Civil Aviation Agency shall, according to the threat to the safety of operations, restrict the activity of the model aircraft club or association which poses a threat to the safety of operations or suspend operation of the permit for a period of up to six months indicating what non-compliances the model aircraft club or association must remedy. The model aircraft club or association shall, upon completion of the audit or inspection, submit to the Civil Aviation Agency, within the time period specified by the Civil Aviation Agency which is not shorter than 7 and not longer than 15 days, the analysis of the causes of the identified non-compliance and the plan to remedy the non-compliance.

22. The Civil Aviation Agency shall withdraw the permit referred to in Paragraph 8 of this Regulation if the model aircraft club or association has failed to remedy the non-compliances identified by the Civil aviation Agency within six months after restriction of operation of the permit.

23. The Civil Aviation Agency shall prepare the final audit or inspection report not later than within 10 working days after completion of the audit or inspection.

Prime Minister A. K. Kariņš

Minister for Transport T. Linkaits

**Annex**

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**Information to be Included in the Manual and Procedures of Model Unmanned Aircraft Clubs and Associations**

1. Management:

1.1. the organisational structure and a description of management system;

1.2. responsibility of the manager of the model aircraft club or association for compliance with this Regulation and laws and regulations governing unmanned aircraft operations.

2. A general description, type of activity of the model aircraft club or association, including the following:

2.1. detailed information on groups of remote pilots of the model aircraft club or association which intend to perform unmanned aircraft operations (for example, within the framework of children and youth interest-related education, sporting events);

2.2. information on the minimum age for remote pilots of the model aircraft club or association to perform unmanned aircraft operations. The respective information need not be indicated in the cases referred to in Article 9(2) of Regulation No 2019/947;

2.3. information on the place where it is intended to organise unmanned aircraft operations.

3. Information on the staff necessary for the organisation of unmanned aircraft operations, including a description of the tasks and obligations, training, and competence of the staff, and also retention and assessment of its competence.

4. Information on the safety measures and procedures:

4.1. the risks identified in the organisation of unmanned aircraft operations and a description of the measures to mitigate risks;

4.2. oversight of activities of remote pilots of the model aircraft club or association, safety rules on the ground and during unmanned aircraft operations;

4.3. briefing and practical training of remote pilots of the model aircraft club or association, conditions for and restrictions on activity of the model aircraft club or association;

4.4. procedures to be followed in case of incidents, accidents, and emergency situations;

4.5. detailed information on the measures to be carried out in case it is established that a remote pilot performing unmanned aircraft operations of the model aircraft club or association does not correspond to the conditions and restrictions specified in the permit.

5. Information on the procedures for the maintenance and keeping of such registers:

5.1. a list of the remote pilots who participate in the operations organised by the model aircraft club or association;

5.2. a logbook of incidents and accidents related to the organisation of unmanned aircraft operations.

Minister for Transport T. Linkaits