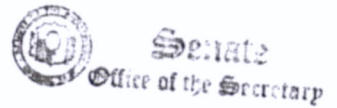



SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



'18 MAR -5 P3:27

SENATE
S. B. No. 1723

RECEIVED BY: 

Introduced by Senator Aquilino "Koko" Pimentel III

AN ACT
REGULATING THE OWNERSHIP AND OPERATION OF
DRONES BY PRIVATE PERSONS

EXPLANATORY NOTE

Over the last two decades, the use of unmanned aerial vehicles or "drones" has proliferated in various sectors of society. Drones are used for amateur photography, to increase crop production, and to conduct surveillance for military and law enforcement agencies.

With this ubiquity comes the need for regulation. The same drones that are used for recreational and commercial purposes may be used to violate rights, exploited by terrorists, or pose a hazard to aircraft. In the interest of safeguarding the public, passage of this measure is earnestly sought.


AQUILINO "KOKO" PIMENTEL III

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Introduced by Senator Aquilino “Koko” Pimentel III

AN ACT
REGULATING THE OWNERSHIP AND OPERATION OF
DRONES BY PRIVATE PERSONS

*Be it enacted by the Senate and House of Representatives of the Philippines
in Congress assembled:*

1 **Section 1. Declaration of Policy.** - It is the policy of the State to
2 regulate the ownership and operation of drones by private persons in
3 order to ensure public safety.

4
5 **Sec. 2. Coverage.** - This Act shall regulate only drones as defined
6 herein, purchased, owned, and operated by private persons, whether used
7 for hobbyist or commercial purposes. The use of drones by the
8 Government shall not be subject to this Act.

9
10 **Sec. 3. Definition of Terms.** - As used in this Act, the following
11 terms shall mean:

- 12
13 (1) “Drone” shall refer to an unmanned aerial vehicle (UAV) or
14 any component of an unmanned aerial system (UAS) that has no
15 pilot and is controlled by an operator on the ground. The Civil
16 Aviation Authority of the Philippines (CAAP) is authorized by
17 this Act to classify drones into types for the purpose of
18 regulation.

1 (2) *“Private persons”* shall refer to natural or juridical persons not
2 employed by or part of the Government.
3

4 (3) *“Commercial drone use”* is any use of a drone in connection
5 with a business or profession for the sake of profit, whether the
6 profit is the primary purpose of the drone use or merely an
7 incidental result.
8

9 (4) *“Hobbyist drone use”* is the use of drones for recreational
10 purposes where no profit is made from the use of drones.
11

12 **Sec. 4. Registration and Permit to Operate.** - All drone owners,
13 whether the drones are for hobbyist or commercial use, are hereby
14 required to periodically register their drones with the CAAP’s Public
15 Safety and Security Command Center.
16

17 Only a registered commercial drone owner may apply for a permit
18 to operate, which shall be issued periodically only upon proof that the
19 owner:
20

- 21 (1) Qualifies for a radio operator’s certificate of proficiency;
- 22
- 23 (2) Has been awarded a passing rating in an aviation license theory
24 examination;
- 25
- 26 (3) Has completed a training course in the operation of the type of
27 drone that will be operated;
- 28
- 29 (4) Has at least five (5) hours of experience operating drones
30 outside of controlled airspace;
- 31
- 32 (5) Has valid insurance over the drone; and
- 33
- 34 (6) Has not incurred any violations for drone ownership or use in
35 the five (5) years immediately preceding an application for
36 permit.
37

1 The operator's permit to operate shall cover all registered drones of
2 the same type.

3
4 The CAAP is hereby authorized to collect reasonable fees for the
5 registration of drones and processing of permits to operate the drones.
6

7 **Sec. 5. Establishment of No-Drone Zones.** - The CAAP is hereby
8 authorized to prohibit the use of drones, whether hobbyist or commercial
9 or both, in any part of the Philippines, whether permanently or for a
10 designated period of time, subject to notice that must be published in at
11 least two (2) newspapers of national circulation. The notice must clearly
12 delineate the no-drone zone and must be published at least three (3)
13 weeks prior to the effectivity of the prohibition. Notice can only be
14 foregone in emergency situations, as determined by the CAAP.
15

16 This power is without prejudice to the power of other government
17 agencies to regulate airspace, particularly in emergency situations that
18 may require the establishment of no-fly zones.
19

20 **Sec. 6. General Safety Regulations and Restrictions on Drone**
21 **Usage.** - The CAAP shall periodically update and publish safety
22 regulations and restrictions on drone usage, the violation of which shall
23 be basis for revocation of the permit to operate and confiscation of the
24 drone, without prejudice to the penalties provided in this Act and any
25 civil or criminal suits that may be filed as a result of the violation. These
26 safety regulations and restrictions shall include:
27

- 28 (1) Requiring all drones, whether for hobbyist or commercial use,
29 to be clearly marked with the name, contact number, and
30 address of the owner;
31
- 32 (2) Prohibiting the use of drones as a means to violate constitutional
33 rights, including the right to privacy;
34
- 35 (3) A prohibition on flying drones above four hundred (400) feet;
36

- 1 (4) A prohibition on flying drones near other aircraft, particularly
2 near airports;
- 3
- 4 (5) Allowing drone operation only during daylight hours and in
5 good weather, subject to exceptions to be crafted by the CAAP;
- 6
- 7 (6) The prohibition on flying drones over groups of people, public
8 events, or stadiums full of people, subject to exceptions to be
9 crafted by the CAAP;
- 10
- 11 (7) The prohibition on flying drones near emergencies, such as
12 fires;
- 13
- 14 (8) The prohibition on flying drones under the influence of drugs or
15 alcohol;
- 16
- 17 (9) For recreational drone use, requiring an operator to keep the
18 drone within the operator's line of sight; and
- 19
- 20 (10) Other regulations as the CAAP may see fit to introduce in the
21 interest of public safety, such as further restrictions on types of
22 drones as classified by the CAAP.
- 23

24 **Sec. 7. Penalties.** Failure to register a drone shall result in the
25 confiscation of the drone.

26
27 Operating a drone for commercial purposes without a permit shall
28 result in the confiscation of the drone and a fine of not less than Fifty
29 Thousand Pesos (PhP50,000.00) but not more than One Hundred
30 Thousand Pesos (PhP100,000.00).

31
32 Any violation of the general safety regulations and restrictions on
33 drone usage shall result in a fine of not less than One Hundred Thousand
34 Pesos (PhP100,000.00) but not more than Five Hundred Thousand Pesos
35 (PhP500,000.00), without prejudice to any separate civil or criminal
36 charges that may be brought against the drone owner and/or operator for
37 any injury or damage resulting from the violation.

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Sec. 8. *Implementing Rules and Regulations.* - The CAAP shall issue the necessary rules and regulations for the effective implementation of this Act not later than three (3) months from the effectivity of this Act.

Sec. 9. *Retroactivity Clause.* - This Act shall have retroactive effect. All drone owners who have not yet registered their drones or obtained permits to operate their drones are given three (3) months from the effectivity of the Implementing Rules and Regulations of this Act to register and obtain permits without fear of sanction.

Sec. 10. *Separability Clause.* - If any portion or provision of this Act is declared void or unconstitutional, the remaining portions or provisions of this Act shall not be affected by such declaration.

Sec. 11. *Repealing Clause.* - All laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 12. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,