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### Current Status of RPAS Regulations in the Republic of Poland (October 2018)

	Commercial Operations	Sport/Recreational Operations
<b>Certification of aircraft</b>	Not required below 25 kg MTOM,  <b>Above 25 kg permit to fly is required</b> (special category) + operational restrictions (for example: VLOS only, minimum distance from populated areas, people and property, etc.)	Not required
<b>Registration of aircraft</b>	Above 25 kg	Not required
<b>Size/weight/mass categories and limits</b>	Aircraft class: (A) aeroplane; (H) helicopter; (AS) airship; (MR) multirotor;	-
Licences and other authorisations required		
<b>Pilots</b>	<p><b>“Certificate of qualifications” - a kind of remote pilot license which is required if you are using RPA for commercial applications. Number of Certificates of qualifications issued to date (October 2018): 8725.</b></p> <p><b>Ratings - (every Certificate of qualification has few ratings. A rating is a CAA endorsement that grants additional privileges):</b></p> <ul style="list-style-type: none"> <li>• <b>VLOS - rating that allows a pilot to fly only in his line of sight.</b> To get the Certificate of qualifications with this rating is required to pass theoretical and practical training course carried out by qualified entity. After a successful pass of the theoretical test and skill test conducted by a CAA examiner the applicant obtains a “Certificate of qualifications”)</li> <li>• <b>BVLOS - rating that allows a pilot to fly beyond line of sight.</b> To get the Certificate of qualifications with this rating is required to pass theoretical and practical training course carried out by qualified entity. After a successful pass of the theoretical test and skill test conducted by a CAA examiner the applicant obtains a Certificate of qualifications.</li> </ul>	Not required

- **RPA class: aeroplane, helicopter, airship, multicopter** - Each RPA class requires different knowledge and skill to fly.
- **Depending on the aircraft weight on which the pilot passed the exam, the MTOM of the aircraft which he can fly for commercial applications, can be limited to the following weight ranges:**
  - TOM (Take off Mass) < 5 kg – includes all RPA classes (A, H, AS, and MR)**
  - TOM (Take off Mass) < 25 kg**
  - TOM (Take off Mass) < 150 kg**
- **INS – instructor rating, which allows to train other pilots in order to obtain a certificate of qualifications.** To get this rating is required to pass theoretical and practical training course carried out by qualified entity. After a successful pass of the theoretical test and skill test conducted by a CAA examiner the applicant obtains a Certificate of qualifications with INS rating.

**Note: Certificates of qualifications are issued by Polish CAA in accordance with Polish legal regulations. Certificate of qualifications can be used to fly only within Poland, unless is validated by another country.**

**Note: According to Polish Air law, documents stating the qualifications possessed granted for the remote pilots issued by an authorised body of the European Union Member State (for example by DGAC, etc.), do not require a recognition by the Polish CAA.**

## Airspace and operational restrictions

### Airspace and operational restrictions (e.g., altitude, proximity to aerodromes; proximity to other aircraft)

**VLOS:** RPAS pilot as well as pilot of model aircraft with TOM (Take off Mass) not exceeding 25 kg used only for VLOS operations who plan to carry out their operations in aerodromes controlled zones (CTR) are obliged to notify PANSA/ASM1 **minimum 3 working days before the planned flights** in order to specify the possibility and conditions for the performance of such flights.

**There is no obligation to submit a notification about the flights in the following cases:**

- flights performed **over 6 km from the limits** (the fence) **of an aerodrome** covered with the CTR zone if the flights are performed with RPAS and model aircraft with a take-off mass **not exceeding 25 kg** and up to 100 m above the ground level.
- flights performed **over 1 km from the limits** (the fence) **of an aerodrome** covered with the CTR zone if the flights are performed with RPAS and model aircraft with take-off mass **not exceeding 0,6 kg** and up to 30 m or up to the top of the highest obstacle, inclusive of trees or buildings, located within a 100 m radius from the operator.

**Notifications about flights within the CTR zone not fulfilling the above-mentioned requirements have to be submitted to PANSA/ASM1 and to the Flight Control Tower of the airport (TWR).**

Area in which a notification about an RPAS VLOS flight in the CTR zone is obligatory.

If flight operations are planned within the scope of areas with flight limitations published in CTR, it is obligatory to submit a notification about such flight operations minimum within 7 days before the performance of such operations.

**In the case of notifications which do not fulfill the requirements on the notification period or if the notifications are incorrectly filled in, PANSA reserves a right to deny the submission of flight conditions.**

**BVLOS (Beyond Visual Line of Sight - a mode of RPAS operation in which it is not possible for the flight crew to maintain separation and avoid collision through direct, unaided visual contact with the RPA):**

- BVLOS flights may be performed within zones allocated from airspace zones commonly available for aviation. Contact with PANSA/AMS1 required, minimum 120 days before the planned flights.
- The form for the reservation of the airspace for the need of exercises, competitions, air shows and other aviation events, inclusive of unmanned flights performed outside of VLOS, is available under the following link: [http://www.pansa.pl/index.php?menu=lewe=ops&lang=pl&opis=OPS/ops\\_formularze](http://www.pansa.pl/index.php?menu=lewe=ops&lang=pl&opis=OPS/ops_formularze)

**Possible only in segregated airspace**

Basically same as commercial RPA.

Recreational use of airspace by model aircraft is generally limited to **VLOS** operations which means that:

The model aircraft flight height and distance from the modeler must allow him to maintain separation from any other aircraft.

## Responsibility

### Pilot

#### VLOS:

- maintains the utmost care, avoids any action or negligence that could:
  - pose risk for the safety, inclusive of a risk for air traffic safety,
  - hinder air traffic,
  - disturb the peace or the public order, and
  - expose anyone to harm;
- operates the model aircraft in such a way that it is possible to avoid a collision with another aircraft;
- ensures that the operated model aircraft gives way to manned aircraft;
- is responsible for the decision on the performance of the flight as well as its correct performance and the participation of an observer in the flight performance does not exempt the operator from responsibility for the safety of the performed flight operations;
- uses the model aircraft and operating devices according to the instructions and recommendations of the producer, if published;
- before the flight controls the technical condition of the model aircraft;
- performs the flight operations only with a model aircraft that is in a good technical condition.

#### BVLOS:

The BVLOS regulations will soon enter into force (VLL Operations up to 120m) .

Basically same as commercial RPA.

## Rules for the performance of flight operations

**Unmanned aircraft can be used to perform flight operations only when eye contact is ensured (VLOS) and under the following conditions:**

### **VLOS:**

- an operator or observer maintains unaided eye contact with the unmanned aircraft in order to establish its position towards the operator and in the airspace and in order to ensure a safe distance from other aircraft, obstacles, people, animals or property;
- ensuring continuous and full flight control, especially by remote control with the use of radio waves;
- ensuring in each flight phase a safe horizontal distance from people, property, vehicles, buildings or other airspace users not being under the control of an operator in case a malfunction occurs or in case of loss of control over the unmanned aircraft;
- taking into account meteorological conditions and information on limitations for air traffic;
- in the CTR zone, under conditions defined by an institution providing air navigation services;
- in the ATZ zone, upon a consent of the manager of the given zone and under conditions defined by such a manager;
- in the D, MTCR or MATZ zones, only upon a consent or for the needs of the manager of the given zone and under conditions defined by such a manager;
- in the R zone covering national parks, only upon the consent or for the needs of the manager of the given national park and under conditions defined by such a manager;
- in the P zone, upon a consent or for the needs of the manager of premises located in the given zone and under conditions defined by such a manager;
- in the ADIZ zone, after an ATS organ responsible for the space in which the flight operations are to be performed or AMC Polska have been notified about the location and time of the flight operation performance;
- if the flight operations are to be performed inside of buildings – upon a consent of the manager of the given buildings and according to safety rules established with such a manager.

### **BVLOS:**

**Regulations for BVLOS will soon enter into force force (VLL Operations up to 120m).**

Basically same as commercial RPA.

In the case of recreational or sport flights over 600 g:

- maintaining a minimum horizontal distance of 100 m from the limits of cities', towns', districts' buildings or people's meetings under the open sky;
- maintaining a minimum horizontal distance of 30 m from people, vehicles and buildings not owned or controlled by the operator.

In the case of recreational or sport flights below 600 g – the same rules as in the case of commercial flights.

### Unmanned aircraft using rules

**The conditions for the unmanned aircraft use are:**

- marking of all aircraft by an entity by placing on the aircraft a marking plate including the name of the entity owning the aircraft;
- equipping the unmanned aircraft with warning lights installed in a way ensuring light emission in all directions; the light has to be visible from below and from above if the flight is performed more than 30 minutes before sunrise and more than 30 minutes after sunset;
- if an entity provides aviation services, an operational manual has to be drawn up;
- equipping an unmanned aircraft with the Failsafe system;
- an operator carrying out aviation activities has to wear a warning vest.

**BVLOS:**

**Regulations for BVLOS will soon enter into force.**

Not required

### Other

- We encourage operators to check airspace using dedicated application before each flight. PANSAs started to test different solutions and recognized Drone Radar (website and mobile application) as a platform easy to use with basic three light system; contact: [www.pansa.pl](http://www.pansa.pl)
- On 12 September 2018, was created Central European Drone Demonstrator (CEDD) in Katowice which is located on the area of Upper Silesia and Zagłębie Dąbrowskie. The CEDD initiators: the Civil Aviation Authority, the Polish Air Navigation Services Agency, Górnośląsko – Zagłębiowska Metropolia; contact: [www.cedd.pl](http://www.cedd.pl)
- Contact: PL CAA UAV Department e-mail: [lbsp@ulc.gov.pl](mailto:lbsp@ulc.gov.pl), website: [www.ulc.gov.pl/pl/drony](http://www.ulc.gov.pl/pl/drony)