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**Agenda Item 9: Other business**

**UNMANNED AERIAL VEHICLE ACCESS TO THE BRAZILIAN AIRSPACE**

(Presented by Brazil)

**SUMMARY**

This information paper presents the characteristics of the Brazilian legislation that regulate the Unmanned Aerial Vehicle Access to the Airspace.

**References:**

- AIC A 15/10 (AIC N 21/10), dated 23 September 2010
- ICAO UAS Circular 328

**1. Introduction**

1.1 The use of UAV (Unmanned Aerial Vehicles) is increasing drastically worldwide both in military and civil operations. As a result, there was a clear need to regulate their access to the airspace in order to allow their use, ensuring a high level of safety to the other aircraft and people on the ground.

1.2 Following initiative of the International Civil Aviation Organization (ICAO) a Study Group (UASSG – Unmanned Aircraft System Study Group) was created to establish recommendations to the Contracting States.

1.3 Brazil participates in the Study Group since its 3<sup>rd</sup> Meeting, contributing with the ICAO UAS Circular 328 elaboration. Such document, which is still on its last stage for publication, defines the terminology and gives recommendations to the Contracting States to create their legislation.

1.4 Initially, the Brazilian Department of Airspace Control has issued the AIC N 29/09. However due to some internal procedures as well as evolutions within the Study Group, there was a need of an update that resulted on the issuance of the AIC A 15/10, more aligned with the UAS Circular 328.

**2. Characteristics of the Brazilian Legislation**

2.1 One of the main premises used by the current legislation is that due to many reasons – but mainly because of the incipient capacity of detecting and avoiding collisions, the UAV flight is allowed within the segregated airspace only. In other words, UAV does not share the same airspace with the manned aircraft. Specific areas where UAV flight only is allowed are defined and published in NOTAM.

2.2 Other distinctive feature is that the legislation refers to the airspace use only. The regulation on issues of certification of the UAV airworthiness and Remote Pilot Station, as well as the licenses issuances to pilots, system operators and observers are on the National Civil Aviation Agency's responsibility. While the use of frequencies for command, control and communications is the Telecommunications National Agency's responsibility.

2.3 AIC 15/10 (Portuguese/English only) was included as an appendix to this information paper to show other characteristics.

### 3. **Conclusion**

3.1 The Brazilian legislation was elaborated into agreement with the ICAO recommendations, through the UAS Circular 328 and the knowledge acquired by the Study Group. Brazil is the only country from Latin America that has a representative on this Study Group.

3.2 The current Brazilian legislation is not definitive. Together with the advances of the technologies involved with UAV, some rules will be changed until new requirements are established, allowing, in a medium and long term, the UAV flight within the non-segregated airspace. We have already a perspective to issue a new comprehensive Brazilian legislation, expected to be published by the end of the first semester of 2011.

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