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Operation Guidelines for Flying an Unmanned Aircraft System / UAS under the Application of Article 132-92 of the Civil Aeronautics Act

1. Purpose

Under the application of Article 132-92 of the Civil Aeronautics Act, and Articles 236-88 and 236-89 of the Regulation for Enforcement of the Act, even when the national government, a local government, or a person who receives a request from them (hereinafter referred to as the "Person Eligible for Special Provisions") flies an Unmanned Aircraft System / UAS for the purpose of search and rescue in the event of an aircraft accident or other accident, this does not exempt the Person Eligible for Special Provisions from the primary responsibility to ensure safety, so it should be noted that the person is exempted from the application of provisions concerning the flight-prohibited airspace of Unmanned Aircraft System / UAS (Article 132-85 of the Civil Aeronautics Act), the mode of the flight (Article 132-86 of the Civil Aeronautics Act (excluding paragraph (1))), measures to be taken in the event of third party entry (Article 132-87 of the Civil Aeronautics Act), flight plans (Article 132-88 of the Civil Aeronautics Act) and flight logbooks (Article 132-89 of the Civil Aeronautics Act) in order to speed up the rescue, etc. because it is an extremely urgent and highly public act.

For this reason, it is necessary to fly an Unmanned Aircraft System / UAS under the responsibility of the Person Eligible for Special Provisions while voluntarily securing the same level of required safety as in the case where permission, etc. has been obtained so that the flight does not impair the safety of aircraft navigation (note 1) and the safety of people and objects on land and water.

The purpose of the operation guidelines is to show the methods for ensuring safety when flying an Unmanned Aircraft System / UAS under the application of Article 132-92 of the Civil Aeronautics Act, thereby contributing to the effective operation of safety assurance by the Person Eligible for Special Provisions.

(Note 1) Even if Article 132-92 of the Civil Aeronautics Act is applicable, the provisions of the Act on Punishment of Acts to Endanger Aviation (Act No. 87 of 1974) shall be applicable.

2. Flight of an Unmanned Aircraft System / UAS to which Article 132-92 of the Civil Aeronautics Act is applicable

This special provision is applicable to the following persons pursuant to Article 236-88 of the Regulation for Enforcement of the Civil Aeronautics Act.

- The national government or a local government

- A person who conducts a search or rescue at the request of the national government or a local government

Article 236-89 of the Regulation for Enforcement of the Civil Aeronautics Act stipulates that the purpose specified by the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism / MLIT is "search and rescue," however, "search and rescue" in this provision refers to measures to avoid danger to human life (including disaster-related deaths) or damage to property (including the implementation of surveys, inspections, investigations, etc.) when there is a risk of imminent danger to human life or property in the event of an accident or disaster, and this special provision applies to flights where there is an urgency to take such measures (note 2).

(Note 2) An urgent situation means that there is no means or time to apply to the counter for application for permission or approval of flight.

Especially in the event of a large-scale disaster, there is the possibility that many roads will be severed and communities will be isolated. Therefore, the flights shall be treated as those which fall under Article 132-92 of the Civil Aeronautics Act as measures to avoid danger to human life or damage to property, including transportation of daily necessities such as medicine, sanitary goods, foodstuffs, and drinking water to isolated areas in disaster-stricken areas, investigation and inspection in dangerous areas, and flight of Unmanned Aircraft System / UAS for crime prevention measures for houses and areas after the evacuation of residents.

In addition, the case examples of flying an Unmanned Aircraft System / UAS under the application of Article 132-92 of the Civil Aeronautics Act are compiled as reference materials and posted on the website of the Japan Civil Aviation Bureau / JCAB, which will hopefully serve as a guide for understanding the operation of an Unmanned Aircraft System / UAS in times of disaster and for carrying out preliminary arrangements with relevant agencies, etc.

3. Methods to ensure flight safety

(1) Procedures for issuing aeronautical information

In the case of flying an Unmanned Aircraft System / UAS around an airport, etc., in an emergency response airspace (note 3), or at a height of 150 m or more from land or water (the airspace specified in Article 132-85, paragraph (1), item (i) of the Civil Aeronautics Act), after coordination with the administrator of the airport, etc. or the relevant organization having jurisdiction over the airspace, the following information shall be notified to the airport office having jurisdiction over the location of the relevant airspace by telephone and e-mail, etc.

Based on the notification, the Japan Civil Aviation Bureau / JCAB issues aeronautical information (note 4), and the administrator of the airport etc., etc., takes necessary safety measures for aircraft flying.

(Note 3) Emergency response airspace refers to an airspace specified by the Minister of Land, Infrastructure, Transport and Tourism as airspace required to ensure the flight safety of aircraft performing search, rescue or other emergency services used by the Ministry of Land, Infrastructure, Transport and Tourism / MLIT, the Ministry of Defense, the National Police Agency, the prefectural police, or the firefighting agencies of local governments or other relevant organizations.

(Note 4) Aeronautical information refers to information required for aircraft operations provided to aircraft crew by the Minister of Land, Infrastructure, Transport and Tourism pursuant to Article 99 of the Civil Aeronautics Act.

Information to be reported

a. Purpose of flight
   Example: Mountain rescue (search for persons who fell)
b. Flight range (flight range by location, latitude and longitude (World Geodetic System))
   Example: Within a radius of 500 meters around ○○ mountain (○ degrees, ○ minutes, ○ seconds north latitude, △ degrees, △ minutes, △ seconds east longitude)
c. Maximum flight altitude (above the ground and above sea level)
   Example: ○○○ m above the ground, △△△△ m above sea level
d. Flight date and time (if the end time is not yet determined, inform to that effect)
   Example: From now to end time undetermined (notified later)
e. Number of aircraft (maximum number of Unmanned Aircraft Systems / UAS to fly simultaneously)
   Example: Two aircraft
f. Aircraft specifications (type, weight, etc., of an Unmanned Aircraft System / UAS)
   Example: Airplane/helicopter/multi-copter, etc., 10 kg
g. Contact information of the responsible person of the flight
   Example: ○○ Co., Ltd., person in charge ○○ 090-××××-××××
h. Flight requestor (if based on request)
   Example: ○○ Prefecture △△ Fire Bureau

When you fly an Unmanned Aircraft System / UAS in an airspace other than that specified in Article 132-85, paragraph (1), item (i) of the Civil Aeronautics Act, notification to the airport office, etc. is not required.

(2) Ensuring the safety of aircraft navigation

In a situation where you fly an Unmanned Aircraft System / UAS for the purpose of search and rescue in the event of an accident, it is assumed that an aircraft for the purpose of search and rescue flies in the airspace where you intend to fly the Unmanned Aircraft System / UAS. For this reason, when the flight of an aircraft is confirmed by monitoring the flight airspace, etc., you shall fly the Unmanned Aircraft System / UAS in such a way as not to impair the safety of the flight of the aircraft concerned. For example, when an aircraft whose flight has been confirmed is engaged in rescue operations, etc., you shall suspend the flight of the Unmanned Aircraft System / UAS or fly the aircraft at a sufficient distance so as not to interfere with its flight.

4. Flight manual (reference)

When Article 132-92 of the Civil Aeronautics Act is applied, it is necessary to ensure the safety of aircraft and persons and objects on land and water at the responsibility of the Person Eligible for Special Provisions. Therefore, it is desirable that the operation method

of the Unmanned Aircraft System / UAS according to the purposes, including search and rescue, etc., be established in the manual referring to the Japan Civil Aviation Bureau / JCAB Circular "Examination Guidelines for Permissions and Approvals for Flights of Unmanned Aircraft Systems / UAS (MLIT JCAB Flight Standards Division No. 684 and MLIT JCAB Airworthiness Division No. 923 dated November 17, 2015)" in advance, and that safe flights be conducted based on the manual.

In preparing the manual, it is expected to specify the implementation system for flying an Unmanned Aircraft System / UAS according to the situation, taking into consideration that it may be difficult to apply the Japan Civil Aviation Bureau / JCAB Circular as it is.

Example of manual provisions

(1) General provisions
   a. Purpose
   b. Scope of application

(2) Inspection and maintenance of Unmanned Aircraft System / UAS
   a. Inspection and maintenance of the aircraft
   b. Preparation of records of inspection and maintenance of the aircraft

(3) Training of persons who fly an Unmanned Aircraft System / UAS
   Conditions for securing skills, etc. according to the purposes, including search and rescue, shall be specified.
   a. Training methods to acquire knowledge and capabilities
   b. Methods for maintaining the capabilities
   c. Preparation of flight records (including training.)
   d. Matters that must be observed by a person flying an Unmanned Aircraft System / UAS

(4) Systems necessary to ensure safety when flying an Unmanned Aircraft System / UAS
   The system according to the purposes, including search and rescue, shall be specified.
   a. Safety confirmation procedures before flight
   b. Safety management system for flying an Unmanned Aircraft System / UAS
   c. Response to situations specified in "Procedure for Reporting Accidents and Serious Incidents of Unmanned Aircraft System / UAS (November 4, 2022, MLIT JCAB UAS Division No. 223052)" and contact system.

5. Flight coordination in the event of a large-scale disaster (reference)

In the event of a large-scale disaster, it is assumed that a large number of aircraft and Unmanned Aircraft Systems / UAS will fly for the purpose of search and rescue. In order to ensure the safe navigation of aircraft and prevent accidents caused by Unmanned Aircraft Systems / UAS, when flying an Unmanned Aircraft System / UAS in these airspaces, it is desirable to adjust the mode of the flight (date, time, airport location, etc.) of the Unmanned Aircraft System / UAS through the Local Disaster Control Headquarters, etc.

Supplementary provisions (MLIT JCAB UAS Division No. 68754 on November 29, 2024)
These guidelines will come into effect on November 29, 2024.