



**COMMERCIAL UNMANNED AIRCRAFT ASSOCIATION
OF SOUTHERN AFRICA**

CAASA House, Gate 9, Lanseria International Airport, 1748

P.O. Box 658, Lanseria, 1748

Tel: +27 11 659 2345 Fax: +27 11 701 2536

Email: info@cuaasa.org or office@caasa.co.za



RPAS OPERATIONS - PART 101

Enforcement Guide SOP

Revision 1 – March 2022

This guide has been drafted in line with the SAPS charge codes as well as SACAA procedures in respect of Part 101 of the Civil Aviation Act of 2011



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SOP - Drone/RPAS Enforcement

Introduction

The purpose of the standard operating procedure is to align the approach of the public with SACAA and SAPS. This is in the interest of national aviation safety and security.

The Process

Companies and/or Persons suspected of illegal Drone operations may be reported to the Police by the public with proof. A case must then be opened against such entities who must then be investigated. If they are unable to provide proof that they are fully licensed, they may be charged under the SAPS codes and prosecuted in a court of law. The Court will in its discretion decide what the penalty will be but may reference part 185 of the Civil aviation act (Fines) as well as any case law relating to civil aviation transgressions in addition to other merits of the case. Additional merits may be aspects such as privacy violations, reckless endangerment of persons on the ground or in manned aircraft as well as any other elements relating to the case.

The following is sufficient proof and becomes the basis for suspicion and investigation:

- Advertise and/or sell any Aerial Services
- Possession or use of deliverables derived from an Aerial Services provider

The following two charges forms the base of any transgressions:

- 101.04.1 (1)(b)
Operating Remotely Piloted Aircraft Systems for commercial operations without airc services licence issued in terms of Air Services Licensing Act.
- 101.04.1 (1)(a)
Operation of Remotely Piloted Aircraft Systems in commercial/corporate/no-profit operations without valid Remote Operation Certificate and operations specifications

Once the case is opened under the above two codes the Company or Person of interest must also show that they are compliant with the rest of the codes, failing which would add more charges being made against them in the same case. Overall perpetrators potentially face up to 20 Charges as Setout in the guide. SAPS must then engage with South African Civil Aviation Authority for verification of any evidence submitted.



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The Steps

1. Identify the suspected illegal operator
 - a. Name of the legal entity or person suspected
 - b. Persons of interest that may be part of the suspected illegal operation
 - c. Their contact number/s and email addresses
 - d. Their Physical Address
2. Collect Evidence
 - a. Their website and/or social media site
 - b. Obtain a quote or invoice from them (if possible)
 - c. Record any digital evidence of Aerial Services done
3. Open a criminal case with SAPS
 - a. *Provide SAPS with the Enforcement Guide and this SOP as reference*
 - b. *Provide SAPS with evidence collected*
 - c. Do affidavit as witness but insist to stay anonymous
 - d. *Get a case number*
 - e. *Follow-up regularly*
4. Report to SACAA enforcement with SAPS case number
 - a. Complete the CA 185-15 Enforcement (RPAS) Case reporting checklist
 - b. Do affidavit as witness but insist to stay anonymous
 - c. Attach the evidence
 - d. Submit to SACAA via email
 - e. Get written confirmation of receipt, name of the agent assigned by SACAA

{CA 185-15 Enforcement (RPAS) Case reporting checklist attached on next page}

ENFORCEMENT- RPAS/DRONE CASE REPORTING CHECKLIST

1. Description/name of the alleged offender			
1.1.	Contact number		Alternate number
1.2.	Profile/Website details		
1.3.	Physical Address		
		Postal code	
2.	Details of the alleged infringement		
2.1.	Date/s when conduct took place		
2.2.	Time/s when conduct took place		
2.3.	Location where conduct took place		
2.4.	If known, applicable provisions of the Civil Aviation Regulations, 2011		
3. SUPPORTING DOCUMENTS/INFORMATION AVAILABLE (Relevant to the violation being reported)		Yes	No
			To be provided
3.1.	Sworn statements made by eyewitnesses		
3.2.	Other documentary evidence in support of report		
3.3.	Evidence in the form of pictures		
3.4.	Video clips/footage of the alleged activities		
4. ADDITIONAL INFORMATION FOR COMPLAINTS OF A COMMERCIAL NATURE		Yes	No
			To be provided
4.1.	Invoices, proof of payment or bid submission		
4.2.	Proof of advertisement (Copy of publication, link or details of website or social media profile/account)		
5.	Additional Remarks:		
	Name in block letters		
	Contact details		
	Please indicate option	Anonymous complaint, my identity to be kept confidential	I consent to the disclosure of my identity
SIGNATURE		NAME IN BLOCK LETTERS	DATE