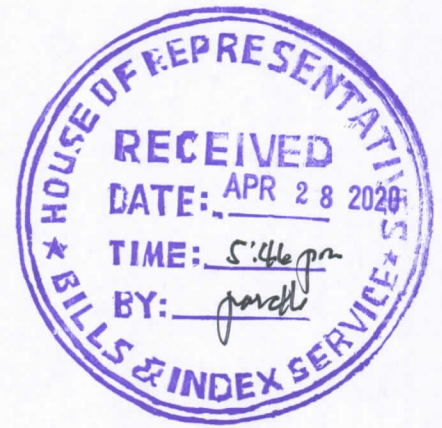


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6631



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

Unmanned aerial vehicles (UAVs), also known as drones, are crewless aircrafts that are maneuvered remotely by human operators. The recent commercial availability of a new generation of small drones such as quadcopters gives rise to a growing concern on the possible threat posed by these machines.

A few incidents have exposed the potential dangers of drones. In February 2014, a Moroccan national was caught in Connecticut, USA for plotting to fly drones with bombs into a school and a government building. In April 2015, a protester landed a UAV on the roof of the Japanese Prime Minister's office which carried a container of sand with traces of non-harmful radioactive isotopes.

It is alarming that drones could also be utilized as an instrument to perform terrorist activities. An attacker could easily install guns or explosives to a drone and fly it directly to people or public structures to inflict danger that could cost many innocent lives. Further, an attacker could use a UAV to spray a weaponized chemical or biological agent over a crowd of people.

Hence, this bill seeks to regulate the ownership and operation of drones in our country. This would ensure the ethical obligations of drone operators as responsible professionals. Further, this provides penalty for the unauthorized ownership and operation of drones and illegal modifications.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

MANUEL DG. CABOCHAN III
Representative
Magdalo Para Sa Pilipino Party-List

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AN ACT
REGULATING OWNERSHIP AND OPERATION OF DRONES BY PRIVATE
PERSONS

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

1 **SECTION 1. *Short Title.***— This Act shall be known as the “*Drone Regulation Act.*”

2
3 **SEC. 2. *Declaration of Policy.*** — It is hereby declared the policy of the State to
4 regulate the ownership and operation of drones by private persons in order to promote its
5 ethical use and secure the safety of the public.

6
7 **SEC. 3. *Coverage.*** — This Act shall regulate only drones as defined herein, purchased,
8 owned and operated by private persons, whether used for hobbyist or commercial purposes.
9 The use of drones by officials and employees in the government, including military, fire
10 prevention officers and law enforcement agencies, while in the performance of their duties
11 and functions shall be exempted from this Act.

12
13 **SEC. 4. *Definition of Terms.*** — For the purpose of this Act:

14
15 (a) *Drone* refer to any unmanned aerial vehicle (UAV) or any component of an
16 unmanned aerial system (UAS) that has no pilot and is controlled by an operator,
17 or autonomously through preprogrammed software or robots, regardless of
18 location. It includes drones equipped with high definition, live-feed video
19 cameras, thermal infrared video cameras, heat sensors and radar which allow for
20 sophisticated surveillance. The Civil Service Aviation Authority of the Philippines
21 (CAAP) is authorized by this Act to classify drones into types for the purpose of
22 regulation;

23
24 (b) *Private persons* refer to natural or juridical persons, including a corporation,
25 partnership, trust or other entity, other than the State or a government entity or
26 unit;
27

1 (c) *Commercial drone use* refers to any use of a drone in connection with a business
2 or profession for the intention of making profit, whether the profit is the primary
3 purpose of the drone use or merely an incidental result;

4
5 (d) *Hobbyist drone use* refers to any use of a drone for recreational purposes such as
6 flying for enjoyment or educational uses where no pecuniary benefit is made from
7 the use of drones;

8
9 (e) *Modification* refers to any action of changing or alteration the parts of a drone,
10 whether hardware and software components, bringing physical, chemical or
11 biological characteristics different from its original form.

12
13 **SEC. 5. *Registration and Permit to Operate.*** – All drone owners, whether drones are
14 for hobbyist or commercial use, that weighs 7 kilograms or more, are hereby required to
15 register themselves and their drones with the Civil Aviation Authority of the Philippines
16 (CAAP)'s Public Safety and Security Command Center.

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

19
20 (a) Has qualified for a radio operator's certificate of proficiency;

21
22 (b) Has been awarded a passing rate in an aviation license theory examination;

23
24 (c) Has completed a training course in the operation of the type of drone that will be
25 operated;

26
27 (d) Has at least five (5) hours of experience operating drones outside of controlled
28 airspace;

29
30 (e) Has valid insurance over the drone; and

31
32 (f) Has not incurred any violations for drone ownership or use in the five (5) years
33 immediately preceding an application for permit.

34
35 The operator's permit to operate shall cover all registered drones of the same type.
36 The CAPP is hereby authorized to collect reasonable fees for the registration of drones and
37 processing of permits to operate the drones.

38
39 **SEC. 6. *Establishment of No-Drone Zones.*** – The CAAP is hereby authorized to
40 prohibit the use of drones, whether hobbyist or commercial or both, in any part of the
41 Philippines, whether permanently or for a designated period of time, subject to notice that
42 must be published in at least two (2) newspapers of national circulation. The notice must
43 clearly delineate the no-drone zone and must be published at least three (3) weeks prior to the
44 effectivity of the prohibition. Notice can only be foregone in emergency situations, as
45 determine by the CAAP.

46
47 This power is without prejudice to the power of other government agencies to regulate
48 airspace, particularly in emergency situations that may require the establishment of no-fly
49 zones.
50

1
2 **SEC. 7. General Safety Regulations and Restrictions on Drone Usage.** – The CAAP
3 shall periodically update and publish safety regulations and restrictions on drone usage, the
4 violation of which shall be basis for revocation of the permit to operate and confiscation of
5 the drone, without prejudice to the penalties provided in this Act and any civil or criminal
6 suits that may be filed as a result of the violation. These safety regulations and restrictions
7 shall include:

- 8
9 (a) Requiring all drone owners, whether for hobbyist or commercial use, to be clearly
10 marked with a registration number and the name, contact number and address of
11 the owner;
12
13 (b) Allowing drone operation only during daylight hours and in good weather, subject
14 to exceptions to be determined by the CAAP;
15
16 (c) Prohibiting the use of drones as a means to violate constitutional rights, including
17 the right to privacy;
18
19 (d) A prohibition on flying drones above four hundred (400) feet;
20
21 (e) A prohibition on flying drones to venture outside the visual line of sight of the
22 operator;
23
24 (f) A prohibition on flying drones near an aircraft, particularly near airports that can
25 interfere with air traffic;
26
27 (g) A prohibition on flying drones near or over sensitive infrastructure, property
28 restricted airspace such as power stations, water treatment facilities, oil refineries
29 and depots, correctional facilities, military camps, heavily traveled roadways and
30 government facilities, subject to exceptions to be crafted by the CAAP;
31
32 (h) A prohibition on flying drones over groups of people, public events or stadiums
33 full of people, subject to exceptions to be crafted by the CAAP;
34
35 (i) A prohibition on flying drones near emergencies such as fires, collapsed
36 buildings, vehicular accidents, risk-related resettlement and relocation areas and
37 the like;
38 (j) A prohibition on flying drones while the operator is under the influence of drugs
39 or alcohol;
40
41 (k) A prohibition on flying drones to conduct surveillance or photograph persons in
42 areas where there is an expectation of privacy without the individual's permission;
43
44 (l) Other regulations as the CAAP may see fit to introduce in the interest of public
45 safety.

46
47 **SEC. 8. Illegal Modifications.** – Any private persons who engages or participate in
48 the illegal modification of drones with the intention to use it on public, without the prior
49 consent and authorization of the Civil Service Aviation Authority of the Philippines (CAAP),
50 shall suffer the penalty as provided by this Act. Such illegal modifications shall include:

- 1
2 (a) any suspicious changes or alteration in the original physical hardware and
3 software application without the authorization of CAAP, *Provided*, however that
4 such alteration shall be for improvement or repairing purposes only;
5
6 (b) any changes or alteration that includes the attachment/s of weapons, explosives or
7 of biological or chemical materials including agents that can inflict serious
8 damage to property, endanger a person's life, create a serious risk to the health or
9 safety of the public;
10
11 (c) any changes or alteration with the attachment of equipment and arsenal designed
12 to seriously cause extensive interference with, damage or destruction to critical
13 infrastructure and cybersecurity, that can massively disrupt the normal functions
14 of the community and/or government;
15
16 (d) Any changes or alteration with the attachment of equipment and container
17 designed to transport and/or smuggle illegal substances, materials and objects.
18

19 **SEC. 9. Penalties.** – Any private persons who fail to register as a drone owner shall
20 result in the immediate confiscation of the drone by the CAAP. The CAAP is hereby
21 authorized to conduct an investigation for the failure of registration.
22

- 23 (a) Any violation of Section 7 hereof shall result in a fine of not less than One
24 Hundred Thousand Pesos (P100,000.00) but not more than Five Hundred
25 Thousand Pesos (P500,000.00), without prejudice to any separate civil or criminal
26 charge that may be brought against the drone owner and/or operator for any
27 injury or damage resulting from the violation;
28
29 (b) Any violation of Section 8 hereof shall result in a fine not less than Five Hundred
30 Thousand Pesos (P500,000.00) but not more than One Million Pesos
31 (P1,000,000.00) or imprisonment of not less than two years but not more than four
32 years, without prejudice to any separate civil or criminal charge that may be
33 brought against the drone owner and/or operator for any injury or damage
34 resulting from the violation.
35

36 **SEC. 10. Implementing Rules and Regulations.** – The CAAP shall issue the
37 necessary rules and regulations for the effective implementation of this Act not after than
38 sixty (60) days from the effectivity of this Act.
39

40 **SEC. 11. Retroactivity Clause.** – This Act shall have retroactive effect. All drone
41 owners who have not yet registered their drones or obtained permits to operate their drones
42 are given (6) months from the effectivity of the Implementing Rules and Regulations of this
43 Act to register and obtain permits without fear of sanction.
44

45 **SEC. 12. Separability Clause.** – If any provision of this Act is declared invalid or
46 unconstitutional, the other provisions not affected by such declaration shall remain in force
47 and effect.
48

1 **SEC. 13. *Repealing Clause.*** – All laws, executive orders, administrative orders, and
2 rules and regulations inconsistent with this Act are hereby repealed or amended accordingly.

3
4 **SEC. 14. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
5 publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,