Interim Regulations on the Flight Management of Unmanned Aircraft of the PRC

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purpose of regulating the flight of unmanned aircraft and related activities, promoting the sound and orderly development of the unmanned aircraft industry, and safeguarding aviation safety, public safety and national security.

Article 2 — The flight of unmanned aircraft and related activities conducted within the territory of the People's Republic of China shall comply with these Regulations.

For the purposes of these Regulations, "unmanned aircraft" means an aircraft that has no pilot on board and is equipped with a self-contained power system.

Unmanned aircraft are classified, according to their performance indicators, into micro, light, small, medium and large categories.

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Article 3 — The administration of unmanned aircraft flight shall uphold and strengthen the leadership of the Communist Party of China, uphold the holistic approach to national security, and adhere to the principles of safety first, development-oriented service, classified administration and coordinated supervision.

Article 4 — The national air traffic management leading body shall exercise unified leadership over the administration of unmanned aircraft flight nationwide and shall organize, coordinate and resolve major issues in the administration of unmanned aircraft.

The civil aviation, public security, industry and information technology, market regulation and other departments of the State Council shall be responsible, according to the division of duties, for the relevant administration of unmanned aircraft nationwide.

Local people's governments at or above the county level and their relevant departments shall be responsible, according to the division of duties, for the relevant administration of unmanned aircraft within their respective administrative regions.

Air traffic management institutions at all levels shall be responsible, according to the division of duties, for the administration of unmanned aircraft flight within their respective areas of responsibility.

Article 5 — The state encourages scientific research and innovation in unmanned aircraft and the promotion and application of their achievements, and promotes the integrated innovation of unmanned aircraft with new technologies such as big data and artificial intelligence. People's governments at or above the county level and their relevant departments shall provide support for scientific research and innovation in unmanned aircraft and the promotion and application of their achievements.

On the premise of ensuring safety, the state shall actively innovate the mechanism for the supply and use of airspace, and improve the supporting infrastructure and service systems for unmanned aircraft flight.

Article 6 — Relevant industry associations for unmanned aircraft shall strengthen industry self-discipline by formulating and implementing group standards and other means, publicize the laws, regulations and relevant knowledge concerning the administration of unmanned aircraft, and enhance the awareness of relevant entities and personnel of conducting unmanned aircraft flight and related activities in accordance with the law.

Chapter II — Administration of Civil Unmanned Aircraft and Their Operators

Article 7 — The administrative department for standardization of the State Council and other relevant departments of the State Council shall, according to the division of duties, organize the formulation of national standards and industry standards for the design, production and use of civil unmanned aircraft systems.

Article 8 — Whoever engages in the design, production, import, flight and maintenance activities of medium and large civil unmanned aircraft systems shall, in accordance with the law, apply to the competent civil aviation department of the State Council for an airworthiness approval.

Whoever engages in the design, production, import, flight and maintenance activities, as well as assembly and fitting activities, of micro, light and small civil unmanned aircraft systems is not required to obtain an airworthiness approval, but the relevant products shall comply with the relevant provisions of product quality laws and regulations and the relevant compulsory national standards.

Whoever engages in the design, production and use activities of civil unmanned aircraft systems shall comply with the relevant state provisions on real-name registration and activation, flight area restrictions, emergency response, and network and information security, and shall take effective measures to reduce the emission of atmospheric pollutants and noise.

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Article 9 — Producers of civil unmanned aircraft systems shall, in accordance with the provisions of the competent industry and information technology department of the State Council, set a unique product identification code for the unmanned aircraft they produce.

Producers of micro, light and small civil unmanned aircraft systems shall mark the product type and unique product identification code and other information on the body of the unmanned aircraft, and shall indicate the lawful operation requirements and risk warnings in a conspicuous position on the outer packaging of the product.

Article 10 — Owners of civil unmanned aircraft shall carry out real-name registration in accordance with the law, and the specific measures shall be formulated by the competent civil aviation department of the State Council together with the relevant departments.

Civil unmanned aircraft involved in overseas flight shall undergo nationality registration in accordance with the law.

Article 11 — An entity that uses civil unmanned aircraft other than micro unmanned aircraft to conduct flight activities shall meet the following conditions and shall apply to the competent civil aviation department of the State Council or a regional civil aviation administration institution (hereinafter collectively referred to as the civil aviation administration department) for a civil unmanned aircraft operation certificate (hereinafter referred to as the operation certificate):

(1) having the management bodies, management personnel and operators conforming to these Regulations that are necessary for safe operation;

(2) having unmanned aircraft and related facilities and equipment that meet the requirements for safe operation;

(3) having the management systems and operating procedures necessary for safe operation, ensuring the continuous capability to carry out safe operation in accordance with the systems and procedures;

(4) an entity engaged in commercial activities shall also be a for-profit legal person.

After receiving an application, the civil aviation administration department shall conduct an operation safety assessment and, according to the assessment results, make a decision to grant or not to grant the approval in accordance with the law. Where approval is granted, an operation certificate shall be issued; where approval is not granted, the applicant shall be notified in writing with the reasons stated.

Whoever uses agricultural unmanned aircraft with a maximum take-off weight not exceeding 150 kilograms to conduct agricultural, forestry, animal husbandry and fishery operation flight activities within the permitted flight airspace above agricultural, forestry, animal husbandry and fishery areas (hereinafter referred to as routine agricultural unmanned aircraft operation flight activities) is not required to obtain an operation certificate.

Whoever engages in commercial general aviation flight activities after obtaining an operation certificate, and whoever conducts routine agricultural unmanned aircraft operation flight activities, is not required to obtain a general aviation business license and an operation certificate.

Article 12 — Whoever uses civil unmanned aircraft to conduct commercial flight activities, and whoever uses small, medium or large civil unmanned aircraft to conduct non-commercial flight activities, shall purchase liability insurance in accordance with the law.

Article 13 — Where, after micro, light and small civil unmanned aircraft systems are placed on the market, defects are discovered, their producers and importers shall stop production and sale, recall the defective products, and notify the relevant business operators and users to stop sale and use. Where producers and importers fail to implement the recall in accordance with the law, the market regulation department of the State Council shall order the recall in accordance with the law.

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Where medium and large civil unmanned aircraft systems cannot remain continuously airworthy, the competent civil aviation department of the State Council shall handle the matter in accordance with the relevant provisions on airworthiness administration.

Article 14 — Where a major design change is made to a civil unmanned aircraft system that has already obtained an airworthiness approval and it is intended to be used for flight activities, an application for an airworthiness approval shall be made anew.

Where micro, light and small civil unmanned aircraft systems are modified, they shall comply with the relevant compulsory national standards. Where the factory performance and parameters of a civil unmanned aircraft system, such as its airspace retention capability, reliable surveillance capability, speed or altitude, change, its owner shall promptly update the performance and parameter information on the integrated comprehensive supervision and service platform for unmanned aircraft.

Whoever modifies a civil unmanned aircraft shall comply with the administration provisions for the category to which it belongs after modification.

Article 15 — The production, maintenance and use of civil unmanned aircraft systems shall comply with the radio administration laws and regulations and the relevant state provisions. However, where a civil unmanned aircraft system uses specific radio frequencies determined by the national radio administration institution and the relevant radio transmitting equipment has obtained type approval of radio transmitting equipment, it is not required to obtain a radio frequency use license and a radio station license.

Article 16 — Personnel who operate small, medium and large civil unmanned aircraft in flight shall meet the following conditions and shall apply to the competent civil aviation department of the State Council for a corresponding civil unmanned aircraft operator (hereinafter referred to as operator) license:

(1) having full capacity for civil conduct;

(2) having received safe operation training and passed the assessment of the civil aviation administration department;

(3) having no history of diseases that may affect unmanned aircraft operation behavior, and no record of drug use;

(4) having no record, within the last five years, of criminal punishment for intentional crimes endangering national security or public safety, infringing upon citizens' personal rights, or disrupting public order.

Personnel who conduct routine agricultural unmanned aircraft operation flight activities are not required to obtain an operator license, but shall receive training and assessment in accordance with the contents prescribed by the competent civil aviation and agriculture and rural affairs departments of the State Council by the producers of agricultural unmanned aircraft systems, and obtain an operating certificate after passing.

Article 17 — Personnel who operate micro and light civil unmanned aircraft in flight are not required to obtain an operator license, but shall be proficient in the operating methods of the relevant aircraft type and understand the risk warning information and the relevant administration systems.

A person without capacity for civil conduct may only operate micro civil unmanned aircraft in flight, and a person with limited capacity for civil conduct may only operate micro and light civil unmanned aircraft in flight. Where a person without capacity for civil conduct operates micro civil unmanned aircraft in flight, or a person with limited capacity for civil conduct operates light civil unmanned aircraft in flight, on-site guidance shall be provided by a person with full capacity for civil conduct who meets the conditions prescribed in the preceding paragraph.

Personnel who operate light civil unmanned aircraft in flight within controlled airspace for unmanned aircraft shall have full capacity for civil conduct and shall pass training in accordance with the provisions of the competent civil aviation department of the State Council.

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Chapter III — Administration of Airspace and Flight Activities

Article 18 — The designation of airspace for unmanned aircraft flight shall follow the principle of coordinated allocation, safety and efficiency, shall be based mainly on segregated flight while taking into account the needs of integrated flight, and shall give full consideration to flight safety and the public interest.

The horizontal and vertical ranges and the hours of use shall be specified when designating airspace for unmanned aircraft flight.

Air traffic management institutions shall give priority in designating airspace for unmanned aircraft performing military, police, customs and emergency management flight missions.

Article 19 — The state shall designate controlled airspace for unmanned aircraft (hereinafter referred to as controlled airspace) as needed.

The airspace above 120 meters true altitude, airspace in and around prohibited areas and restricted areas in the air, ultra-low-altitude flight airspace for military aviation, and the airspace above the following areas shall be designated as controlled airspace:

(1) airports and areas within a certain range around them;

(2) areas within a certain range on our side of national boundary lines, lines of actual control and border lines;

(3) military restricted zones, military administrative zones, supervision sites and other classified entities, and areas within a certain range around them;

(4) protection areas for important military industrial facilities, control areas for nuclear facilities, production and storage areas for flammable, explosive and other dangerous goods, and large-scale storage areas for combustible important materials;

(5) power plants, substations, fuel (gas) stations, water supply plants, public transport hubs, aviation and electricity hubs, major water conservancy facilities, ports, expressways, railway electrified lines and other public infrastructure, areas within a certain range around them, and protected areas for drinking water sources;

(6) radio astronomy observatories, satellite tracking (navigation) stations, aviation radio navigation stations, radar stations and other facilities requiring special electromagnetic environment protection, and areas within a certain range around them;

(7) important revolutionary memorial sites, important immovable cultural relics, and areas within a certain range around them;

(8) other areas prescribed by the national air traffic management leading body.

The specific scope of controlled airspace shall be determined by air traffic management institutions at all levels in accordance with the provisions of the national air traffic management leading body, shall be published by people's governments at or above the level of a city divided into districts, and the civil aviation administration department and the entities undertaking the corresponding duties shall issue aeronautical information.

Unmanned aircraft flight activities shall not be carried out within controlled airspace without the approval of the air traffic management institution.

The airspace outside the scope of controlled airspace shall be the permitted flight airspace for micro, light and small unmanned aircraft (hereinafter referred to as permitted flight airspace).

Article 20 — In special circumstances, controlled airspace may be temporarily added, and the air traffic management institution shall determine the horizontal and vertical ranges and the hours of use of the

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relevant airspace in accordance with the relevant state provisions.

For ensuring major state activities and other large-scale activities, an announcement shall be issued by the local people's government at or above the level of a city divided into districts 24 hours before the temporarily added controlled airspace takes effect, and the civil aviation administration department and the entities undertaking the corresponding duties shall issue aeronautical information.

For ensuring the performance of military missions or other emergency missions such as counter-terrorism and stability maintenance, emergency rescue and disaster relief, and medical rescue, an emergency announcement shall be issued by the local people's government at or above the level of a city divided into districts 30 minutes before the temporarily added controlled airspace takes effect, and the civil aviation administration department and the entities undertaking the corresponding duties shall issue aeronautical information.

Article 21 — Where ground warning signs are required to be set up for controlled airspace in accordance with the provisions of the national air traffic management leading body, the people's government of the city divided into districts shall organize the setting up and strengthen daily patrol inspection.

Article 22 — Unmanned aircraft shall normally fly segregated from manned aircraft.

Where any of the following circumstances applies, integrated flight may be conducted with the approval of the air traffic management institution:

(1) flight, in the same airspace or the same airport area, of unmanned aircraft held by police, customs and emergency management departments with manned aircraft used by their own departments or entities, according to mission or flight subject needs;

(2) flight of large unmanned aircraft that have obtained airworthiness approval;

(3) flight of medium unmanned aircraft that have obtained airworthiness approval at no more than 300 meters true altitude;

(4) flight of small unmanned aircraft at no more than 300 meters true altitude;

(5) flight of light unmanned aircraft at no more than 300 meters true altitude above the permitted flight airspace.

Where any of the following circumstances applies, integrated flight does not require the approval of the air traffic management institution:

(1) flight of micro and light unmanned aircraft within the permitted flight airspace;

(2) routine agricultural unmanned aircraft operation flight activities.

Article 23 — The national air traffic management leading body shall coordinate the construction of an integrated comprehensive supervision and service platform for unmanned aircraft, and shall exercise dynamic supervision and services over unmanned aircraft nationwide.

Air traffic management institutions and the civil aviation, public security, industry and information technology and other departments and entities shall, according to the division of duties, collect the relevant information on the production, registration and use of unmanned aircraft, share it through the integrated comprehensive supervision and service platform for unmanned aircraft, and take corresponding measures to ensure information security.

Article 24 — Where unmanned aircraft other than micro unmanned aircraft carry out flight activities, the operators shall ensure that the unmanned aircraft can report identification information to the integrated comprehensive supervision and service platform for unmanned aircraft in accordance with the relevant state provisions.

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Micro, light and small unmanned aircraft shall automatically broadcast and send identification information during flight.

Article 25 — Entities or individuals organizing unmanned aircraft flight activities shall comply with the relevant laws, regulations and rules, proactively take accident prevention measures, and bear the primary responsibility for flight safety.

Article 26 — Unless otherwise provided in Article 31 of these Regulations, entities or individuals organizing unmanned aircraft flight activities shall submit a flight activity application to the air traffic management institution before 12:00 noon one day prior to the intended flight. The air traffic management institution shall make a decision to approve or not approve before 21:00 one day prior to the flight.

Where routine flight activities are carried out within fixed airspace in accordance with the provisions of the national air traffic management leading body, a long-term flight activity application may be submitted and implemented after approval, and the flight plan shall be reported to the air traffic management institution for filing before 12:00 noon one day prior to the intended flight.

Article 27 — An unmanned aircraft flight activity application shall include the following contents:

(1) information on the entity or individual organizing the flight activity and the operators, and the relevant qualification certificates;

(2) the type, quantity, main performance indicators and registration administration information of the unmanned aircraft;

(3) the nature of the flight mission and the flight mode, and, for special general aviation flight missions prescribed by the state, a valid mission approval document shall also be provided;

(4) the take-off, landing and alternate airports (sites);

(5) the means of communication and contact;

(6) the estimated start and end times of the flight;

(7) the flight route, altitude, speed and airspace range, and the method of entering and leaving the airspace;

(8) the radio frequencies of the command and control link and the bandwidth occupied;

(9) the communication, navigation and surveillance capabilities;

(10) where a secondary radar transponder or related automatic surveillance equipment is installed, the code application shall be indicated;

(11) emergency response procedures;

(12) special flight support needs;

(13) other necessary information related to airspace use and flight safety prescribed by the national air traffic management leading body.

Article 28 — Unmanned aircraft flight activity applications shall be approved according to the following authority:

(1) flight within a flight control sector shall be approved by the air traffic management institution responsible for that flight control sector;

(2) flight beyond a flight control sector but within a flight control area shall be approved by the air traffic management institution responsible for that flight control area;

(3) flight beyond a flight control area shall be approved by the air traffic management institution authorized by the national air traffic management leading body.

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Article 29 — Where unmanned aircraft are used to perform emergency missions such as counter-terrorism and stability maintenance, emergency rescue and disaster relief, and medical rescue, a flight activity application shall be submitted to the air traffic management institution 30 minutes before the planned take-off. The air traffic management institution shall make a decision to approve or not approve 10 minutes before take-off. For particularly urgent missions, the using entity may submit a flight activity application at any time.

Article 30 — Where an entity or individual whose flight activity has been approved organizes unmanned aircraft flight activities, it shall report the estimated take-off time and preparation status to the air traffic management institution one hour before the planned take-off, and may take off only after confirmation by the air traffic management institution.

Article 31 — Whoever organizes the following flight activities of unmanned aircraft is not required to submit a flight activity application to the air traffic management institution:

(1) flight activities of micro, light and small unmanned aircraft within the permitted flight airspace;

(2) routine agricultural unmanned aircraft operation flight activities;

(3) flight activities of unmanned aircraft held by police, customs and emergency management departments within airspace at no more than 120 meters true altitude above their stations, ground (water surface) training grounds and shooting ranges; however, take-off shall be allowed only after confirmation by the air traffic management institution one hour before the planned take-off;

(4) flight missions such as inspection, survey and calibration performed by civil unmanned aircraft within the controlled zone of a civil transport airport; however, periodic filing with the air traffic management institution is required, and take-off shall be allowed only after confirmation by the air traffic management institution one hour before the planned take-off.

Where the flight activities prescribed in the preceding paragraph fall under any of the following circumstances, a flight activity application shall be submitted in accordance with the provisions of Article 26 of these Regulations:

(1) conducting relay flight of unmanned aircraft through communication base stations or the internet;

(2) carrying dangerous goods or dropping articles (except routine agricultural unmanned aircraft operation flight activities);

(3) flying over assembled crowds;

(4) operating unmanned aircraft on a moving means of transport;

(5) carrying out distributed operations or swarm flight.

Micro and light unmanned aircraft flying within the permitted flight airspace are not required to obtain an approval document for special general aviation flight missions.

Article 32 — Whoever operates unmanned aircraft to carry out flight activities shall comply with the following codes of conduct:

(1) obtaining the relevant licenses and certificates in accordance with the law, and carrying them for inspection when carrying out flight activities;

(2) making safe flight preparations before carrying out flight activities, checking the condition of the unmanned aircraft, and updating the electronic fence and other information in a timely manner;

(3) grasping the flight dynamics of the unmanned aircraft in real time, maintaining smooth communication with the air traffic management institution when carrying out flight activities requiring approval, obeying air traffic management, and reporting in a timely manner after the flight ends;

(4) maintaining the necessary safety separation in accordance with the provisions of the national air traffic management leading body;

(5) when operating micro unmanned aircraft, maintaining flight within visual line of sight;

(6) when operating small unmanned aircraft within the permitted flight airspace, complying with the provisions of the national air traffic management leading body on speed limits, communication, navigation and other aspects;

(7) when flying at night or in low-visibility weather conditions, turning on the lighting system and ensuring that it is in good working condition;

(8) when carrying out beyond-visual-line-of-sight flight, grasping the flight dynamics of other aircraft in the flight airspace and taking measures to avoid collision;

(9) not operating unmanned aircraft when affected by alcoholic beverages, narcotics or other drugs;

(10) other codes of conduct for flight activities prescribed by the national air traffic management leading body.

Article 33 — Whoever operates unmanned aircraft to carry out flight activities shall comply with the following avoidance rules:

(1) avoiding manned aircraft, aircraft without power systems, and ground and water surface means of transport;

(2) single-aircraft flight avoiding swarm flight;

(3) micro unmanned aircraft avoiding other unmanned aircraft;

(4) other avoidance rules prescribed by the national air traffic management leading body.

Article 34 — It is prohibited to use unmanned aircraft to carry out the following acts:

(1) illegally photographing military installations, military industrial facilities or other classified sites;

(2) disrupting the working order of organs, organizations, enterprises and public institutions, or the order of public places;

(3) obstructing state organ staff from performing their duties in accordance with the law;

(4) dropping publicity materials or other articles containing content that violates laws and regulations;

(5) endangering the safety of public facilities, entities or individuals' property;

(6) endangering others' life or health, illegally collecting information, or infringing upon others' other personal rights and interests;

(7) illegally obtaining or divulging state secrets, or illegally providing data and information overseas;

(8) other acts prohibited by laws and regulations.

Article 35 — An entity that uses civil unmanned aircraft to engage in surveying and mapping activities may engage in such activities only after obtaining a surveying and mapping qualification certificate in accordance with the law.

Foreign unmanned aircraft, or unmanned aircraft operated by foreign personnel, shall not carry out surveying and mapping, radio wave parameter testing and other flight activities within the territory of China.

Article 36 — Model aircraft shall fly within the airspace designated by air traffic management institutions for aviation flight camps, unless otherwise provided by the national air traffic management leading body.

Chapter IV — Supervision, Administration and Emergency Response

Article 37 — The national air traffic management leading body shall organize the relevant departments and entities to publish on the integrated comprehensive supervision and service platform for unmanned aircraft information such as approval matters, application procedures, accepting entities, contact information and methods for receiving reports, and shall update it in a timely manner.

Article 38 — Any entity or individual that discovers acts violating these Regulations may report them to the air traffic management institution, the civil aviation administration department or the local public security organ. The department or entity receiving the report shall handle it in a timely manner in accordance with the law; where the matter does not fall within the duties of that department or entity, it shall be promptly transferred to the department or entity that has the authority to handle it.

Article 39 — Air traffic management institutions, civil aviation administration departments and public security organs at or above the county level shall formulate emergency plans for unmanned aircraft flight safety administration, conduct regular drills, and improve emergency response capabilities.

Local people's governments at or above the county level shall incorporate unmanned aircraft safety emergency management into the emergency management system for public emergencies, and improve the working mechanism for emergency response featuring information sharing and coordinated cooperation.

Designers and producers of unmanned aircraft systems shall ensure that unmanned aircraft are equipped with emergency response functions such as emergency avoidance and landing, so as to avoid or mitigate damage to life and property when accidents occur with unmanned aircraft.

Entities or individuals using unmanned aircraft shall, in accordance with the relevant provisions, formulate emergency response plans for flight situations, implement risk prevention measures, and eliminate safety hazards in a timely manner.

Article 40 — When an abnormal situation occurs in unmanned aircraft flight, the entity or individual organizing the flight activity shall handle it in a timely manner and obey the instructions of the air traffic management institution; where a flight safety problem is caused, the entity or individual organizing the flight activity shall also report the relevant situation to the air traffic management institution within 24 hours after the unmanned aircraft lands.

Article 41 — With respect to unidentified situations in the air and irregular flight of unmanned aircraft, public security organs may, when conditions are favorable, carry out preliminary handling of low-altitude targets, and shall be responsible for the on-site handling of irregularly flying unmanned aircraft after landing. The relevant military organs, public security organs, state security organs and other entities shall organize verification and handling according to the division of duties, and other relevant departments such as the civil aviation administration department shall provide cooperation.

Article 42 — Where unmanned aircraft violate flight administration provisions, disrupt public order or endanger public safety, the air traffic management institution, the civil aviation administration department and the public security organ may, in accordance with the law, take emergency handling measures such as necessary technical prevention and control, seizure of relevant articles, ordering the cessation of flight, and sealing up sites of illegal activities.

Article 43 — The military, the police and the entities administering key high-risk counter-terrorism targets authorized by public security organs in accordance with the relevant provisions of the national counter-terrorism leading body may, in accordance with the law, be equipped with unmanned aircraft countermeasure equipment, and shall strictly control the setting up and use thereof under the guidance and supervision of public security organs or the relevant military organs.

The measures for the equipping, setting up, use and authorization administration of unmanned aircraft countermeasure equipment shall be formulated by the industry and information technology, public security, state security and market regulation departments of the State Council together with the relevant departments

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of the State Council and the relevant military organs.

No entity or individual shall illegally possess or use unmanned aircraft countermeasure equipment.

Chapter V — Legal Liability

Article 44 — Whoever, in violation of these Regulations, engages in the design, production, import, flight and maintenance activities of medium and large civil unmanned aircraft systems without obtaining an airworthiness approval in accordance with the law shall be ordered by the civil aviation administration department to cease the relevant activities, the illegal gains shall be confiscated, and a fine of not less than one time and not more than five times the value of the unmanned aircraft system shall be imposed concurrently; where the circumstances are serious, the entity shall be ordered to suspend business for rectification.

Article 45 — Where, in violation of these Regulations, a producer of a civil unmanned aircraft system fails to set a unique product identification code for the unmanned aircraft it produces in accordance with the provisions of the competent industry and information technology department of the State Council, the industry and information technology department of the people's government at or above the county level shall order correction, the illegal gains shall be confiscated, and a fine of not less than 30,000 yuan and not more than 300,000 yuan shall be imposed concurrently; where correction is refused, the entity shall be ordered to suspend business for rectification.

Article 46 — Whoever, in violation of these Regulations, makes a major design change to a civil unmanned aircraft system that has obtained an airworthiness approval without re-applying for an airworthiness approval and uses it for flight activities shall be ordered by the civil aviation administration department to make corrections and shall be fined not less than one time and not more than five times the value of the unmanned aircraft system.

Where, in violation of these Regulations, the factory performance and parameters of a micro, light or small civil unmanned aircraft system, such as its airspace retention capability, reliable surveillance capability, speed or altitude, are changed without promptly updating the performance and parameter information on the integrated comprehensive supervision and service platform for unmanned aircraft, the civil aviation administration department shall order correction; where correction is refused, a fine of not less than 2,000 yuan and not more than 20,000 yuan shall be imposed.

Article 47 — Where, in violation of these Regulations, a civil unmanned aircraft carries out flight activities without real-name registration, the public security organ shall order correction and may impose a fine of not more than 200 yuan; where the circumstances are serious, a fine of not less than 2,000 yuan and not more than 20,000 yuan shall be imposed.

Where, in violation of these Regulations, a civil unmanned aircraft involved in overseas flight fails to undergo nationality registration in accordance with the law, the civil aviation administration department shall order correction and shall impose a fine of not less than 10,000 yuan and not more than 100,000 yuan.

Article 48 — Where, in violation of these Regulations, a civil unmanned aircraft fails to purchase liability insurance in accordance with the law, the civil aviation administration department shall order correction and shall impose a fine of not less than 2,000 yuan and not more than 20,000 yuan; where the circumstances are serious, the entity conducting flight activities shall be ordered to suspend business for rectification until its operation certificate is revoked.

Article 49 — Whoever carries out flight activities without obtaining an operation certificate or in violation of the requirements of the operation certificate shall be ordered by the civil aviation administration department to make corrections and shall be fined not less than 50,000 yuan and not more than 500,000 yuan; where the circumstances are serious, the entity shall be ordered to suspend business for rectification until its

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operation certificate is revoked.

Article 50 — Where a person without capacity for civil conduct or a person with limited capacity for civil conduct operates a civil unmanned aircraft in flight in violation of these Regulations, the public security organ shall impose a fine of not less than 500 yuan and not more than 5,000 yuan on the guardian; where the circumstances are serious, the unmanned aircraft used for the irregular flight shall be confiscated.

Where, in violation of these Regulations, a person operates a civil unmanned aircraft in flight without obtaining an operator license, the civil aviation administration department shall impose a fine of not less than 5,000 yuan and not more than 50,000 yuan; where the circumstances are serious, a fine of not less than 10,000 yuan and not more than 100,000 yuan shall be imposed.

Where, in violation of these Regulations, a person operates a civil unmanned aircraft in flight beyond the scope stated in the operator license, the civil aviation administration department shall impose a fine of not less than 2,000 yuan and not more than 20,000 yuan and shall concurrently suspend the operator license for 6 to 12 months; where the circumstances are serious, the operator license shall be revoked, and no application for an operator license shall be accepted within two years.

Where, in violation of these Regulations, a person conducts routine agricultural unmanned aircraft operation flight activities without obtaining an operating certificate, the agriculture and rural affairs department of the local people's government at or above the county level shall order the cessation of operations and shall impose a fine of not less than 1,000 yuan and not more than 10,000 yuan.

Article 51 — Where an entity or individual organizing flight activities violates Articles 32 and 33 of these Regulations, the civil aviation administration department shall order correction and may impose a fine of not more than 10,000 yuan; where correction is refused, a fine of not less than 10,000 yuan and not more than 50,000 yuan shall be imposed, and the operation certificate or operator license shall be suspended for one to three months; where the circumstances are serious, the air traffic management institution shall order the cessation of flight for 6 to 12 months, the civil aviation administration department shall impose a fine of not less than 50,000 yuan and not more than 100,000 yuan, and may revoke the corresponding licenses and certificates, and no application for the corresponding license shall be accepted within two years.

Where, in violation of these Regulations, a person operates micro, light or small civil unmanned aircraft within controlled airspace without approval, or operates model aircraft outside the airspace designated by the air traffic management institution, the public security organ shall order the cessation of flight and may impose a fine of not more than 500 yuan; where the circumstances are serious, the unmanned aircraft used for the irregular flight shall be confiscated and a fine of not less than 1,000 yuan and not more than 10,000 yuan shall be imposed concurrently.

Article 52 — Where, in violation of these Regulations, a person illegally possesses or uses unmanned aircraft countermeasure equipment, the radio administration institution and the public security organ shall, according to the division of duties, confiscate it and may impose a fine of not more than 50,000 yuan; where the circumstances are serious, a fine of not less than 50,000 yuan and not more than 200,000 yuan shall be imposed.

Article 53 — Where, in violation of these Regulations, a foreign unmanned aircraft or an unmanned aircraft operated by foreign personnel carries out surveying and mapping flight activities within the territory of China, the surveying, mapping and geographic information department of the people's government at or above the county level shall order the cessation of the illegal act, and the illegal gains, the surveying and mapping results and the unmanned aircraft used for the irregular flight shall be confiscated, and a fine of not less than 100,000 yuan and not more than 500,000 yuan shall be imposed concurrently; where the circumstances are serious, a fine of not less than 500,000 yuan and not more than 1,000,000 yuan shall be imposed concurrently, and the public security organ and the state security organ shall, according to the division of duties, decide on departure within a time limit or deportation.

Source: https://www.danyoungcpa.com/interim-regulations-on-the-flight-management-of-unmanned-aircraft-prc-2023/

Article 54 — Where the production, modification, assembly, fitting, sale and recall of micro, light and small civil unmanned aircraft systems violate the relevant laws and regulations on product quality or standardization administration, the market regulation department of the people's government at or above the county level shall impose punishment in accordance with the law.

Except for the circumstances in which, in accordance with the provisions of Article 15 of these Regulations, it is not required to obtain a radio frequency use license and a radio station license, where the production, maintenance and use of civil unmanned aircraft systems violate the radio administration laws and regulations and the relevant state provisions, the radio administration institution shall impose punishment in accordance with the law.

Where unmanned aircraft flight activities violate laws and regulations on the protection of military installations, the relevant laws and regulations shall apply.

Article 55 — Where, in violation of these Regulations, the relevant departments, entities and their staff abuse power, neglect their duties, engage in malpractices for personal gain or commit other illegal acts in the administration of unmanned aircraft flight and related activities, they shall be given sanctions in accordance with the law.

Article 56 — Where a violation of these Regulations constitutes a violation of public security administration, the public security organ shall impose a public security administration penalty in accordance with the law; where a crime is constituted, criminal liability shall be investigated in accordance with the law; where personal injury, property damage or other damage is caused, civil liability shall be borne in accordance with the law.

Chapter VI — Supplementary Provisions

Article 57 — Unmanned aircraft flight activities conducted in other airspace under the jurisdiction of China shall comply with the relevant provisions of these Regulations.

These Regulations do not apply to the indoor flight of unmanned aircraft.

Flying toys equipped with a self-contained power system shall be governed by the relevant provisions of these Regulations, and the specific measures shall be formulated by the competent industry and information technology department of the State Council and the relevant air traffic management institutions together with the public security and civil aviation departments of the State Council.

Article 58 — Matters concerning unmanned aircraft flight and related activities that are not provided for in these Regulations shall be governed by the Civil Aviation Law of the People's Republic of China, the Basic Flight Rules of the People's Republic of China, the Regulations on the Control of General Aviation Flights, and the relevant laws and administrative regulations.

Article 59 — Where the State Council and the Central Military Commission provide otherwise for the administration of military unmanned aircraft, those provisions shall prevail.

The measures for the administration of matters such as the airworthiness, registration and operators of unmanned aircraft held by police, customs and emergency management departments shall be formulated separately by the relevant departments of the State Council.

Article 60 — The measures for the administration of matters such as the classification, production, registration, operating personnel and aviation flight camps of model aircraft shall be formulated separately by the sports department of the State Council together with the relevant air traffic management institutions and the industry and information technology, public security and civil aviation departments of the State Council.

Article 61 — Where a civil unmanned aircraft produced before the implementation of these Regulations cannot automatically report identification information to the integrated comprehensive supervision and

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service platform for unmanned aircraft in accordance with the relevant state provisions, a flight activity application shall be submitted to the air traffic management institution in accordance with the provisions of these Regulations when carrying out flight activities, and flight may be conducted only after approval.

Article 62 — For the purposes of these Regulations, the following terms shall have the following meanings:

(1) "Air traffic management institution" means the institutions responsible for air traffic management in the relevant areas of responsibility within the military and the civil aviation administration departments.

(2) "Micro unmanned aircraft" means unmanned aircraft with an empty weight of less than 0.25 kilograms, a maximum true flight altitude of not more than 50 meters, a maximum level flight speed of not more than 40 kilometers per hour, radio transmitting equipment conforming to the technical requirements for micro-power short-range communication, and the capability of manual intervention in operation at any time throughout the flight.

(3) "Light unmanned aircraft" means unmanned aircraft with an empty weight of not more than 4 kilograms and a maximum take-off weight of not more than 7 kilograms, a maximum level flight speed of not more than 100 kilometers per hour, equipped with an airspace retention capability and a reliable surveillance capability conforming to airspace administration requirements, and the capability of manual intervention in operation at any time throughout the flight, but excluding micro unmanned aircraft.

(4) "Small unmanned aircraft" means unmanned aircraft with an empty weight of not more than 15 kilograms and a maximum take-off weight of not more than 25 kilograms, equipped with an airspace retention capability and a reliable surveillance capability conforming to airspace administration requirements, and the capability of manual intervention in operation at any time throughout the flight, but excluding micro and light unmanned aircraft.

(5) "Medium unmanned aircraft" means unmanned aircraft with a maximum take-off weight of not more than 150 kilograms, but excluding micro, light and small unmanned aircraft.

(6) "Large unmanned aircraft" means unmanned aircraft with a maximum take-off weight of more than 150 kilograms.

(7) "Unmanned aircraft system" means the system consisting of an unmanned aircraft and its associated remote control station, mission payload and control link. Among them, "remote control station" means the whole formed by the various operating equipment (means) for remotely controlling the unmanned aircraft and the relevant systems.

(8) "Agricultural unmanned aircraft" means unmanned aircraft with a maximum true flight altitude of not more than 30 meters, a maximum level flight speed of not more than 50 kilometers per hour, a maximum flight radius of not more than 2,000 meters, equipped with an airspace retention capability and a reliable surveillance capability, specially used for agricultural, forestry, animal husbandry and fishery operations such as plant protection, seeding and bait casting, and the capability of manual intervention in operation at any time throughout the flight.

(9) "Segregated flight" means the flight of unmanned aircraft and manned aircraft not simultaneously in the same airspace.

(10) "Integrated flight" means the flight of unmanned aircraft and manned aircraft simultaneously in the same airspace.

(11) "Distributed operation" means a mode of operation in which the operation of an unmanned aircraft system is decomposed into multiple sub-businesses and deployed at multiple stations or terminals for coordinated operation.

(12) "Swarm" means an unmanned aircraft operation mode in which the same system or platform capable of controlling multiple unmanned aircraft is adopted and, for handling the same mission, characterized by the

interconnection and coordinated processing of the operation data of each unmanned aircraft, multiple unmanned aircraft are operated in parallel at the same time to fly in a relatively physically concentrated manner.

(13) "Model aircraft", also known as aeromodels, means unmanned aircraft with size and weight limits that cannot carry people and do not have altitude-holding and position-holding flight functions, including free-flight, wire-controlled, direct visual line-of-sight manual uninterrupted remote-controlled, and first-person-view manual uninterrupted remote-controlled model aircraft.

(14) "Unmanned aircraft countermeasure equipment" means equipment specially used to prevent and control irregular flight of unmanned aircraft, having functions such as jamming, interception and control, capture and destruction.

(15) "Airspace retention capability" means the capability to control the altitude and horizontal range of an unmanned aircraft through technical measures such as electronic fences.

Article 63 — These Regulations shall come into force on January 1, 2024.

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