

Remotely Piloted Aircraft Systems (RPAS)

Table of Contents

Table of Contents	2
Policy statement and principles	3
What	3
Why	3
How	3
Overview	4
Introduction	4
Purpose	4
Further information	4
RPAS Operations	4
Privileges	4
Special Designated Airspace	6
Military Operating Areas (MOA)	6
DOC Land	6
Embassies	6
Controlled Airspace	7
Incident Reporting	8
Pilots	9
Pilot Authorisation Levels	9
Training	10
Training provider	10
RPAS	11
Unique Identification	11
Service and Maintenance	11
Synchronising Controllers	11
Flights	11
Search and Surveillance	12
Privacy	12
Privacy breach management	13
Imagery	13
Specialist imagery	13
Storage and handling	14
Criminal disclosure	15
Third-party providers	15
Complaints of public misuse of RPAS	16
Response	16
Rule breaches	16
Incident involving Police RPAS	17
Risk to Life or Property	17
Criminal Offending	17
Forensic Examination	17
Trespass	18
Countering the use of RPAS	19
Appendix 1 - District RPAS Coordinators	20
Appendix 2 - RPAS Contracted Provider Form	21
RPAS Contracted Provider Form	21

Policy statement and principles

What

Remotely Piloted Aircraft Systems (RPAS) are an effective policing tool that enhance safety and efficiencies. This chapter covers:

- the operational use of RPAS by Police
- the response and investigation of RPAS complaints
- countering the use of RPAS.

Why

To effectively manage the Police RPAS capability to enhance safety and deliver on Our Business, and to effectively respond to the misuse of drones by third parties.

How

Police will ensure that:

- all RPAS operations are conducted in accordance with the NZ Police [RPAS Operations Manual](#)
- all operational use of RPAS complies with relevant legislation, Civil Aviation rules, and best practice
- all use of RPAS by other agencies and providers in support of Police will be conducted in accordance with relevant legislation, Civil Aviation Rules, and best practice
- response to, and investigation of RPAS third-party complaints will be managed with the Civil Aviation Authority (CAA)
- a counter drone capability is maintained that complies with legislation.

Overview

Introduction

Remotely Piloted Aircraft Systems (RPAS) are also known as Unmanned Aerial Vehicles (UAVs), Unmanned Aircraft Systems (UAS) and drones.

RPAS are effective tools for policing. They are employed to enhance safety and increase efficiencies and the effectiveness of Police operations. The use of RPAS by Police provides real benefits by capturing high-quality imagery, including real-time streaming. This use enhances operational capabilities in a range of situations, such as managing tactical situations, aerial photography, crime and crash scene mapping, search and rescue, and operational planning. The use of RPAS by Police comes with inherent risks which are managed to ensure the safe, compliant, and ethical use of RPAS. These risks include issues regarding privacy and civil liberties, technical or user failures causing injury or damage to property and operating in airspace with other aircraft.

Purpose

This chapter:

- provides guidelines on how Police will operate RPAS, ensuring adherence to the NZ Police [RPAS Operations Manual](#) (which is approved by the CAA)
- ensures that Police use of RPAS is safe and complies with legislation including the [Search and Surveillance Act 2012](#), [Privacy Act 2020](#) and Civil Aviation Rules
- outlines how Police manage complaints from members of the public about RPAS
- provides guidance on countering RPAS misuse.

Further information

For all RPAS related information, contact Aviation, Maritime and Border Group at PNHQ on:

- E-mail: [s6\(c\)](#)
- Telephone: Extn: [s6\(c\)](#)
- DDI: ([s6\(c\)](#))

RPAS Operations

Police has certification under Civil Aviation Rule Part 102 (CAR Part 102) for operating RPAS. This certification requires all Police use of RPAS to comply with the [NZ Police CAR Part 102 Certificate](#). The Police CAR Part 102 certificate permits Police to operate RPAS with additional provisions outside of the standard Civil Aviation rules. These provisions are called privileges.

All Police flights of RPAS (other than where another agency or external contractor is flying in support of Police) are to be operated in accordance with the NZ Police [RPAS Operations Manual](#).

Other agencies flying in support of Police must fly under their own exposition (the application showing how they will operate) and privileges. The Police exposition cannot be used by other agencies.

Districts will determine their RPAS deployment model. The Aviation, Maritime and Border Group are available to assist with advice.

Privileges

As Police is a holder of a Civil Aviation Rule Part 102 Unmanned Aircraft Operator Certificate, approved persons are permitted to fly RPAS under the various privileges provided for in the CAR Part 102 Exposition approved by the CAA. It is important that all flights comply with the Exposition, which is the NZ Police [RPAS Operations Manual](#).

Under NZ Police's Part 102 [Unmanned Aircraft Operations Specifications](#), Police is permitted to conduct operations under the following privileges:

[s6\(c\)](#)

s6(c)

All flights operated under these privileges must comply with the procedures outlined in the NZ Police [RPAS Operations Manual](#).

The operations permitted under NZ Police's Part 102 [Unmanned Aircraft Operations Specifications](#) are:

- Search and Rescue
- Civil Defence
- Surveillance
- Aerial survey
- Aerial photography
- Emergency service response.

Special Designated Airspace

The CAR Part 102 certificate is unable to authorise flights over these airspaces:

- Military Operating Areas (MOA)
- DOC land
- Embassies.

Military Operating Areas (MOA)

MOAs are designated airspaces identified by visual navigation charts (VNCs). Flights in MOAs require approval from NZDF before they can be flown.

NZDF acknowledge the potential need for Police to operate RPAS in MOAs and agreements are in the process of being drafted to reflect this. This chapter will be updated when these agreements are in place. In the interim, if there is a need to operate RPAS in a MOA, contact the Aviation, Maritime and Border Group for advice.

DOC Land

Legislation prohibits flights over DOC land unless authorised by a concession. Under [section 170\(3\)\(c\)](#) of the [Conservation Act 1987](#), flights that are for the purposes of saving or protecting life or health or preventing serious damage to property may be flown without first obtaining a concession.

An agreement is being worked through for a concession that will allow for Police flights over DOC land. This chapter will be updated when the agreement is finalised. In the interim, any flights that require concessions, approval is to be obtained from DOC through current arrangements.

For further advice contact the Aviation, Maritime and Border Group.

Embassies

Embassies require to be treated as foreign land, which is unable to be flown over without the express consent of embassy staff.

For further advice, contact Protection Services Group for advice and points of contact should there be a requirement to fly near or over an embassy.

Controlled Airspace

Airways Corporation, who operates the air traffic control (ATC) towers, has a copy of the Police exposition document, so air traffic controllers understand Police procedures when operating RPAS within 4km of controlled aerodromes. This ensures approvals can be issued urgently when required.

Police do not require approval from uncontrolled aerodromes when operating RPAS within 4km of the aerodrome. Under the [Police 102](#), contact is to be made with the aerodrome to advise of the impending flight and for advice on any potential hazards.

As Police will often operate RPAS urgently at or near controlled and uncontrolled aerodromes, it is recommended Police pilots contact their local aerodromes to establish lines of communication. This will ensure any urgent flights can be facilitated when required.

Incident Reporting

It is a requirement of the Police 102 certificate that all incidents (as defined in the [CAA005RPAS](#) form) are reported to the CAA. These are to be completed on the [CAA005RPAS](#) form and submitted to the Aviation, Maritime and Border Group via e-mail at **s6(c)**. The form can also be found in [AVCRM](#).

This form is to be used for any incident, occurrence or accident involving RPAS. For advice contact the Aviation, Maritime and Border Group.

Pilots

All RPAS pilots are to be approved in accordance with the NZ Police [RPAS Operations Manual](#). To be approved, pilots must complete the Advanced Remote Pilot Aircraft Certificate course delivered by the Police approved training provider, ASMS and maintain this qualification through an annual assessment.

Under the NZ Police [RPAS Operations Manual](#), privileges provided for under CAR Part 102 certification require levels of qualification. Pilots must comply with the NZ Police RPAS Operations Manual to meet their obligations and must only operate RPAS in line with their approved training level and current pilot authorisation level.

Pilot Authorisation Levels

s6(c)

* Level 2 Tactical BVLOS endorsement may be approved by the National RPAS Capability Manager, Assistant National RPAS Capability Manager, or the Training Manager.

Pilots must use AVCRM RPA Manager, the RPAS management system to fly RPAS.

Pilots are responsible for ensuring that they do not exercise the privileges of the NZ Police Part 102 certificate unless they have successfully passed an Operational Competency Assessment within the last 12 months.

Training

The RPAS Training Manager and District Coordinators are responsible for ensuring that all pilots receive refresher training and undergo an Operational Competency Assessment every 12 months. Districts are responsible for ensuring that their pilots can attend the refresher training.

See 'Pilot authorisation levels' in the NZ Police [RPAS Operations Manual](#) for further information.

Staff interested in becoming Police pilots must be nominated by their respective district or work group through their district coordinators. See Appendix 1 for who to contact in each district.

Training provider

Police has approved Aviation Safety Management Systems Ltd (ASMS) as the single national training provider for RPAS training. ASMS will provide all the training required for initial certification of pilots, as well as the additional training required by the CAR Part 102 certification for:

- Advanced Remote Pilot Certificate (ARPC).
- Annual Competency Assessment (OCA).
- Night rating (unshielded flight at night).

The Advanced Remote Pilot Certificate includes the application of the [Search and Surveillance Act 2012](#).

Level 3 qualification is through attendance at the NZ Police Level 3 Pilot Course. Fire and Emergency NZ (FENZ) and the NZ Defence Force (NZDF) are also approved to deliver this course.

Enquiries for training should be made directly to the Aviation, Maritime and Border Group at PNHQ.

RPAS

Only RPAS approved in the NZ Police Operations Manual may be flown by Police. These are:

- DJI Matrice series
- DJI Mavic series
- DJI Phantom series
- DJI Spark series
- DJI Avata
- Autel EVO II series
- DJI mini series
- DJI Air Series.

Prior approval to purchase an approved RPAS is not required where it is of the type listed above. Aviation, Maritime and Border Group at PNHQ must be advised of all RPAS purchased (refer Unique Identification).

The preferred supplier for RPAS purchases is:

s6(c)

Where an unapproved RPAS is being considered, it can be operated by Police for up to 28 days without being added to the list of RPAS operated by Police (as per 'test and evaluation' obligations in the NZ Police Operations Manual). Where a different type of RPAS is being considered, advice is to be sought from the Aviation, Maritime and Border Group at PNHQ via s6(c)

Unique Identification

All Police RPAS have a unique identifier assigned to it. This identifier is labelled on the unit.

All RPAS are recorded in [AVCRM](#) RPA Manager, the RPAS management system, with the unique identification number. This number will be allocated by the Aviation, Maritime and Border Group at PNHQ and who will load the RPAS into [AVCRM](#) RPA Manager.

Service and Maintenance

All RPAS are maintained in accordance with the maintenance programmes detailed in the NZ Police Operations Manual and must only be flown when maintenance is up to date. The approved agent to service and maintain Police RPAS is:

s6(c)

Synchronising Controllers

Controllers are required to be logged into the approved DJI account and synchronised after each flight.

Synchronising controllers will ensure:

- all firmware updates are loaded to the RPAS, controller and any other connected equipment (e.g., cameras)
- all flights are uploaded to AVCRM RPA Manager
- geofencing restrictions are removed from the RPAS
- pilots remain in-date for night ratings currency.

Flights

All flights require detailed planning with applications used to assess ground and air risks before operating a RPAS.

To achieve this, pilots must have the following applications on their Police phone, with corresponding accounts linked to their police email. These applications are:

- AirShare
- Flight Advisor
- AIP Sups
- IFIS
- AVCRM

All flights are to be logged in AVCRM RPA Manager unless the system is unavailable. Logging flights in AVCRM RPA Manager is a requirement under the NZ Police [RPAS Operations Manual](#). Where AVCRM RPA Manager is unavailable, the pilot is responsible for ensuring all flight planning complies with CAR Part 102 requirements and aviation rules and that AVCRM RPA Manager is updated as soon as practical after it becomes available again.

When flights have been completed, the controller must be synchronised with the flights downloaded and linked in AVCRM RPA Manager. It is recommended this be done immediately after the flight has been completed.

Search and Surveillance

RPAS fitted with cameras are potentially surveillance devices and must be used in accordance with the [Search and Surveillance Act 2012](#). Flight over property is at all times subject to Subpart 1 of Part 3 of the [Search and Surveillance Act 2012](#), and particularly the restrictions in [section 45](#).

It is the responsibility of pilots to keep up to date with [law notes](#) relating to the use of RPAS and application of the [Search and Surveillance Act 2012](#).

The Advanced Remote Pilot Certificate Course includes training on [Search and Surveillance Act 2012](#) as it relates to the use of RPAS. The annual Operational Competency Assessment (OCA) for pilots to maintain currency also includes a component on the application of the [Search and Surveillance Act 2012](#).

Privacy

The protection of privacy is a key consideration when using RPAS. There is the potential for the cameras fitted to RPAS to inadvertently capture imagery beyond the target location. Most high-resolution cameras used on RPAS flights will inadvertently collect imagery, including personal information, outside the target address and within the curtilage of private premises.

A variety of statutes allow and control the manner in which Police may collect evidence for court or resolve emergency situations; yet at the same time Police must be cognisant of, and comply with, the requirements to protect the privacy of individuals outside the focus of their operation. Care must be taken to avoid the inadvertent capture of images that are not relevant to the target, whether on private premises or not. Where photographs or videos of members of the public, unrelated to the operation, are captured they must be deleted and disposed of as soon as practicable. See '[photographing and videoing members of the public](#)' for further information.

To comply with the [Privacy Act 2020](#), when using RPAS it is important to remember the key Information Privacy Principles - summarised here from the Privacy Commissioner's website, with some practical guidance:

- **Only collect information you need:** take care in the deployment of [RPAS] to avoid viewing or capturing imagery outside the target location.
- **Tell people about what you are doing:** Where a [RPAS] is used on a pre-planned operation, where practicable, Police should notify people in the area observed of the operation. Where appropriate, after an RPAS operation, Police should consider advising any people who may have been subject to the RPAS scrutiny e.g., neighbouring properties / residences or business premises.
- **Control access to personal information:** keep the information gathered via the [RPAS] secure by storing all imagery in approved Police storage locations and identified by reference to a valid exhibit number or Police record for the event or incident.
- **Once you no longer need the personal information for the reason you collected it dispose of it securely so that no-one can retrieve it:** If the use of the visual surveillance device via RPAS is pursuant to the Search and Surveillance Act 2012, deal with evidence in the manner required under that Act. In all other cases, information should be deleted as soon as it is not needed for the purpose it was collected.

The [2012 Practice Note for Hearing of Applications for Surveillance Device Warrants](#) requires any applications for use of a visual

surveillance device warrant to set out the procedures to be adopted to keep private, images not required for the purposes of the investigation.

Privacy breach management

A 'privacy breach' includes an unauthorised or accidental access to, or disclosure, alteration, loss, or destruction of personal information. Police's use of RPAS resulting in the collection and storage of imagery that constitutes personal information could result in subsequent unauthorised or accidental access to, or disclosure, alteration, loss, or destruction of that personal information. Report all 'privacy breaches' or any incident or concern involving personal information in the Security and Privacy Incident Register ([SPIR](#)) within 24 hours of becoming aware of the incident. For detailed instructions, refer to our Police Instruction chapter [Privacy Breach Management](#).

Imagery

RPAS are equipped with live video streaming capabilities which provide real-time visual information to police on the ground, enhancing situational awareness and aiding in various policing operations. Streaming equipped RPAS can transmit high-quality video feeds directly to command centres or devices, enabling timely decision-making and effective response during emergencies, surveillance operations, or search and rescue missions. RPAS streaming enhances Police ability to monitor large areas, gather intelligence, assess risks, and coordinate operations, ultimately enhancing public safety and operational efficiency.

Live streaming is viewed via vGrid and is not automatically recorded onto an RPAS SD card; recording of video streams must be subject to a thorough assessment as to the necessity of capturing the imagery by utilising a decision-making framework. Any live-stream imagery that is recorded must be managed and stored in accordance with the '[Photography \(Forensic imaging\)](#)' chapter of the Police Manual.

Only people who are approved and granted access can view real time streaming. Streaming is only available to those who have a legitimate business requirement for the capability. A request for access can be made to **s6(c)**

Employees with access must only view real-time streaming when it relates directly to their operation, intelligence, or other relevant business requirement. It must not be viewed under any other circumstances. Failure to comply may result in disciplinary action under the code of conduct.

All still and video imagery and photography must comply and be in accordance with the '[Photography \(Forensic imaging\)](#)' chapter which details the requirements for the preparation, capture, protection, and use of digital imagery.

Specialist imagery

RPAS may be equipped with multiple specialised sensors to capture and analyse data across multiple spectral bands or detection capability (e.g., LiDAR, ground penetrating radar, metal detection). These sensors can detect and measure various wave lengths of electromagnetic radiation beyond what is visible to the human eye, including infrared, thermal, and ultraviolet spectra. By capturing data in multiple spectral ranges simultaneously, RPAS can provide valuable insights across various environments.

This allows Police to use RPAS equipped with multi-spectral capabilities to operate in nearly all types of potential situations and environments including in low-light, dark, or obscured environments, to reconstruct and support forensic analysis, detect chemical leaks, identify hazardous materials, monitor crowd movements, and identify potential threats.

All still and video imagery and photography must comply and be in accordance with the '[Photography \(Forensic imaging\)](#)' chapter which details the requirements for the preparation, capture, protection, and use of digital imagery.

Any new technologies that are RPAS mountable and are considered for use by Police are required to comply with the '[Trial or adoption of new policing technology](#)' chapter of the Police Manual. For advice, contact:

Aviation, Maritime and Border Group

e-mail: **s6(c)**

Phone: **s6(c)**

Emergent Technology Group

e-mail: **s6(c)**

Storage and handling

All storage, handling and retention policies apply to all RPAS used by Police, whether in-house, other agencies or contracted providers. This section should be read in conjunction with the '[Police filming and audio recording of operations and events](#)' chapter and '[Photography \(Forensic imaging\)](#)'

Thought should be given to the lifecycle of the photos and videos captured on RPAS to avoid unnecessary time and costs associated with their processing and storage.

Imagery captured from RPAS using third parties contracted by Police must:

- be recorded on removable storage systems (e.g., SD cards, flash drives, etc.)
- be handed over to Police immediately following completion of capturing imagery
- not be held by third parties or other copies made by the contractor
- be assigned an exhibit number
- be forwarded to Forensic Photography for storage and management in accordance with the '[Police filming and audio recording of operations and events](#)' chapter.

The [Search and Surveillance Act 2012](#) sets out time frames for retaining and then disposing of raw surveillance data obtained under the Act. Note that once all Court proceedings have finished or after three years, all raw surveillance data, excerpts from raw surveillance data, and information obtained from it must be deleted or erased unless a Judge makes an order extending the period for retaining it.

All still and video imagery must comply with the '[Photography \(Forensic imaging\)](#)' chapter which details the requirements for the preparation, capture, protection, and use of digital imagery. Any imagery captured on an RPAS SD card must be downloaded within 48 hours of an operation.

See also '[Privacy](#)', '[Photographing and videoing members of the public](#)' and '[Retention and disposal](#)'.

Criminal disclosure

[Section 13](#) of the [Criminal Disclosure Act 2008](#) requires full disclosure of relevant information held by Police to the defendant including rebuttal information. The defendant may also request additional disclosure under [section 14](#). Disclosure under both provisions is only required if the information or exhibit is “relevant” as defined in the Criminal Disclosure Act, namely “tends to support or rebut, or has a material bearing on, the case against the defendant.”

Imagery from private premises or of individuals that is not “relevant” to the criminal case should not be released as this may compromise the privacy of individuals not associated with the case. In appropriate cases, imagery that if released would compromise an individual’s privacy must be redacted by pixelating the imagery sufficiently to disguise identity of an individual or premises.

Check the Police instructions on [Criminal disclosure](#) when deciding what information to disclose or withhold.

Third-party providers

Third-party providers can be engaged by Police to provide RPAS capability. This may be where Police do not have a capability in that area, the specific skillset required, or the type of RPAS needed to achieve the desired outcome. Where third parties are engaged, the provider must fly RPAS under their own exposition.

Fire and Emergency NZ (FENZ) has an RPAS programme and can support Police. Requests can be made to the local FENZ contact for support. Where there are complex requests, these will be referred to the FENZ RPAS capability manager.

NZDF has an RPAS programme and can support Police. Requests can be made through Aviation, Maritime and Border Group at PNHQ on:

E-mail: **s6(c)**

Telephone: Extn: **s6(c)**

DDI: **s6(c)**

Other government departments are developing their own capability and may be available to support Police. Where support is provided to Police, it is important the agency has the appropriate certification to operate in the way Police request.

Where any third-party providers are engaged, they will provide advice to Police on any requirements they have to operate under their certifications or authorisations. Contracted providers must be supervised. Where operations involve search or surveillance the contracted provider must be supervised at all times by a constable pursuant to [section 56](#) of the [Search and Surveillance Act 2012](#).

Any imagery requested by Police and collected by the contractor must be saved directly to an SD card which is provided to the supervising officer at the conclusion of the operation/flight. Assurances must be obtained that any imagery related to an operation has been permanently deleted from the RPAS and associated flight controller, and that it has not been uploaded to an internet or “cloud” server.

Police may also be requested to support other agencies. This can be requested through the normal channels that Police has with the respective agency. Any Police support to other agencies with RPAS operations is at the discretion of districts or workgroups that support is being sought from. All flights in support of other agencies must comply with the Police Operations Manual and any other relevant legislation.

For any questions or any issues on contracted providers, contact Aviation, Maritime and Border Group at PNHQ on:

E-mail: **s6(c)**

Telephone: Extn: **s6(c)**

DDI: **s6(c)**

Complaints of public misuse of RPAS

The Civil Aviation Authority (CAA) is the primary agency for investigating breaches of rules by RPAS. Police regularly receive calls relating to the potential misuse of RPAS which may include rule breaches or criminal offences.

The rules governing the use of RPAS are contained in the [Civil Aviation Rules](#). The two key rules are Part 101 and Part 102.

Part 101 rules are for recreational users and some commercial users who elect not to attain Part 102 certification. Most complaints to Police will involve use under Part 101 rules.

To comply with [Part 101](#), operators must:

- not operate an aircraft 25kg or larger and always ensure that it is safe to operate
- at all times take all practicable steps to minimise hazards to persons, property, and other aircraft
- fly only in daylight - unless shielded operation or indoors (exceptions exist - night rating)
- give way to all crewed aircraft
- be able to always see the aircraft with own eye
- not fly higher than 120 metres above ground level (exceptions exist)
- have knowledge of airspace restrictions in force
- when flying in controlled airspace, obtain air traffic control clearance
- not fly in special use airspace without permission of the controlling authority
- have consent from anyone below the aircraft
- have consent of the property owner or person in charge of the area being flown above
- not operate within 4 km of an aerodrome (exceptions exist).

Part 102 rules enable users who have this certification to operate in accordance with their exposition (the application showing how they will operate). These users may have privileges that allow them to fly over private property without seeking consent from those property owners.

Part 102 certificate holders are issued with a 102 certificate and Part 102 [Unmanned Operations Specifications](#) that outline what privileges they have. Further advice can be provided on this from: Aviation, Maritime and Border Group at PNHQ on:

E-mail: **s6(c)**

Telephone: Extn: **s6(c)**

DDI: **s6(c)**

Response

Police receive calls related to the public use of RPAS. Where this reported use is a potential risk to life or otherwise presents a serious risk, Police should respond to mitigate this risk.

Rule breaches

If the reported use is a simple breach of the Civil Aviation Rules - [CAR Part 101](#), details can be referred to the Civil Aviation Authority.

Under section 26a of the Civil Aviation Act 1990, Police can require a person to give all information in that person's possession or any reasonably obtainable information by that person that may lead to the identification of the pilot. The pilot must comply with the request within 10 working days.

The CAA can be contacted at:

e-mail: isi@caa.govt.nz

Phone: **s6(c)**

Where the reported use involves a holder of a CAR Part 102 certificate, they may have the privileges to operate in the way that is disputed. As commercial operators with a Part 102, they should be able to provide evidence of this with the following documentation:

- their Part 102 Unmanned Aircraft Operator Certificate
- their Part 102 [Unmanned Aircraft Operations Specifications](#) - this outlines what operations are permitted (note: this may

include flying over private property)

- their 102 Operations Manual - this outlines how they are to exercise their privileges will be exercised.
- their current OCA - a competency assessment for the individual who is flying, a requirement for flying under the 102.

For further advice, contact the following:

Aviation, Maritime and Border group:

s6(c)

s6(c)

CAA:

isi@caa.govt.nz

0508 4SAFETY (0508 472338)

Incident involving Police RPAS

Where the rule breach or flight incident involves a police RPAS pilot, this must be reported through the District RPAS Coordinator by the pilot completing a draft CA0005RPAS report. The District RPAS Coordinator will review the [CA0005RPAS](#) report prior to it being submitted to CAA.

Risk to Life or Property

If the reported use is a simple breach of the Civil Aviation Rules - [CAR Part 101](#), details can be referred to the Civil Aviation Authority. Under section 26a of the Civil Aviation Act 1990, Police can require a person to give all information in that person's possession or any reasonably obtainable information by that person that may lead to the identification of the pilot. The pilot must comply with the request within 10 days.

Where there is a breach of the rules that may involve a risk to life or property, consider the following course of action:

- attend and attempt to locate operator
- consider arrest for a substantive offence where one has occurred
- take details of operator (consider using provisions under Policing Act rather than Civil Aviation Act where there is a substantive offence and person refuses to give details)
- consider seizing RPAS (if substantive offence) or record details of RPAS including photographs
- obtain complainant/witness details
- consider charges or refer to CAA.

Criminal Offending

Where the RPAS is being used to commit a substantive offence or facilitate a crime (other than just a breach of the Civil Aviation Rules), consider the following course of action:

- attend and attempt to locate operator
- take details of operator
- consider arrest for substantive offence
- seize aircraft after arrest if appropriate.

For further advice, contact the following:

Aviation, Maritime and Border group:

s6(c)

s6(c)

CAA:

isi@caa.govt.nz

0508 4SAFETY (0508 472338)

Forensic Examination

RPAS, including the aircraft, controllers, payloads and removable storage contain information that is of potential evidential value for criminal investigations involving RPAS. This information may include the path the RPAS has flown through GPS features of the RPAS.

The High-Tech Crime Group can forensically examine the RPAS, providing reports of any retrievable information as with other digital devices. Handling of RPAS and associated hardware is to be in accordance with procedures outlined in the '[Preservation and recovery of electronic evidence](#)' chapter of the Police Manual.

Trespass

An operator flying under Part 101 may be committing trespass if they are flying over a property where they do not have permission to fly, and provisions of the Civil Aviation Rules do not apply. Trespass involving RPAS is a developing area of law, a proposal to charge a suspect with trespass should be discussed with Legal.

Countering the use of RPAS

RPAS have the potential to be used criminally and misused to cause harm. There have been recorded incidents in New Zealand where RPAS have been used by criminals to observe Police.

There are two elements to counter RPAS:

1. Detection - devices that enable the detection of RPAS. Technologies include radio frequency detection, radar, acoustic detection, audio detection.
2. Defeat - methods to control, disable, forcibly land or destroy the RPAS.

s6(c)

Appendix 2 - RPAS Contracted Provider Form

RPAS Contracted Provider Form

For Completion by Police

As the member of Police engaging a contracted provider to provide RPAS services, it is your responsibility to ensure all flights comply with relevant laws, including Civil Aviation Rules and (if applicable) the Search and Surveillance Act. Discuss your requirements with the contractor and take their advice on technical capability and what needs to occur to ensure compliance with civil aviation rules. Have them complete this form. Additionally, you can contact Aviation, Maritime and Boarder Group **s6(c)** for advice.

This form should be retained on the file that relates to the matter for which the RPAS is to be used.

RPAS Services requested by Police: [set out services required, e.g. Use of RPAS to take still aerial photographs of traffic crash scene at SHXX while road is closed]

For Completion by RPAS Provider:

Name: _____

Company Name: _____ (if applicable)

Please discuss the RPAS services requested (above) with Police and **provide your expert advice on whether those services can be delivered in compliance with the Civil Aviation Rules** and related requirements and then record below. For any additional comments, or where clarification is required on any points, add these in the comments field.

YES/NO Do you have an Unmanned Aircraft Operators Certificate (UAOC) issued under Part 102?

YES/NO Can the Services requested be delivered by you in compliance with the Civil Aviation Rules (whether by operating under the rules of Part 101 or in accordance with your UAOC and associated operations specification and conditions)? If currently NO but could be YES if certain conditions were met (for example, if consent was obtained from the owner/occupier of the property/is where the RPAS is to be operated; or consent was obtained from all those people under where the RPAS is to be operated), please note requirements below. Police can assist with seeking any necessary consent.

YES/NO Would the flight have to be logged on Airshare? If not, please discuss the merits of logging with Police in this particular case with regard to operational needs and note the agreed position below.

YES/NO Will the appropriate air traffic radio channel be monitored? If not, explain below.

Where images (whether still or video are to be recorded), **what media will be used** to record the images?

This media must be provided to Police immediately upon completion of operation and no other media retained by you.

YES/NO Have you and any employees assisting with operating the RPAS been the subject of a Police vetting satisfactory to Police within the past 2 years?

YES/NO Do you carry public liability insurance that covers aviation or have additional aviation insurance?

Additional Comments (use space below signature if required)

Contractor signature

Date