

## **EXEMPTION FROM PART IX OF THE CANADIAN AVIATION REGULATIONS**

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, and after taking into account that the exemption is in the public interest and is not likely to adversely affect aviation safety or security, I hereby exempt Model Aeronautics Association of Canada, Unit 9, 5100 South Service Road, Burlington, Ontario and their members in good standing from the requirements set out in Part IX of the *Canadian Aviation Regulations* (CARs) as amended from time to time, subject to the following conditions.

Part IX of the CARs governs the use of small remotely piloted aircraft systems (RPAS).

### **PURPOSE**

The purpose of this exemption is to allow members of the Model Aeronautics Association of Canada (MAAC) to operate remotely piloted aircraft systems within Canadian airspace while abiding by all applicable MAAC safety guidelines as amended from time to time.

### **APPLICATION**

This exemption applies to Model Aeronautics Association of Canada (MAAC) and their members in good standing that operate remotely piloted aircraft systems weighing between 250 grams and 35 kilograms in accordance with MAAC's safety guidelines as amended from time to time.

### **CONDITIONS**

This exemption is subject to the following conditions:

1. MAAC shall review and, if required, update its rules, procedures, and safety guidelines annually to ensure they reflect the most current safety practices and information;
2. MAAC shall maintain a list of all active members, their respective membership numbers, postal codes, the approximate number of models they intend to have airworthy for the year in question, and, shall provide this information to the Minister on an annual basis;
3. Prior to sanctioning a field in Class C, D, E, F, or any other type of restricted airspace, MAAC shall obtain an authorization through a written agreement from the appropriate controlling agency or user agency for the area. The agreement shall include operational boundaries, maximum altitudes, and communication protocols to facilitate the safe operation of RPAS at the field;

4. Prior to sanctioning a field which is within 3NM of an aerodrome, outside of controlled airspace and listed in the *Canadian Flight Supplement (CFS)* or the *Canadian Water Aerodrome Supplement (CWAS)*, MAAC shall establish procedures to ensure that RPAS do not conflict with or pose a hazard to other aircraft in the vicinity;
5. MAAC shall keep a list of incidents and accidents between MAAC operated RPAS and other aircraft or persons on the ground that are not members of the association to which this exemption applies. MAAC shall provide this list to the Minister upon request.
6. The member of MAAC shall not operate a RPAS unless the pilot or a visual observer has the aircraft in visual line-of-sight at all times during flight;
7. The member of MAAC operating a RPAS shall give way to power-driven heavier-than-air aircraft, airships, gliders and balloons at all times;
8. The member of MAAC operating a RPAS shall be in good standing with the association, namely have paid all dues and be following all MAAC rules;
9. The member of MAAC operating a RPAS shall adhere to the most current version of the applicable MAAC rules, procedures, and safety guidelines;
10. The member of MAAC shall not operate a RPAS unless the member has successfully demonstrated to a person delegated by MAAC in accordance with MAAC's rules, procedures, and safety guidelines that the member has sufficient knowledge and experience to control the RPAS in a safe and competent manner unless in the case where the member is under the direct supervision of a qualified MAAC instructor;
11. The member of MAAC operating a RPAS shall mark their aircraft with their MAAC member number in a way that the owner can be identified;
12. The member of MAAC operating a RPAS in Class C, D, E, F, or any other type of restricted airspace shall take-off, launch, land, or recover from a field sanctioned by MAAC or, in the case where the field is not sanctioned by MAAC, the member of MAAC shall obtain, prior to entering the airspace, an authorization from the appropriate controlling agency or user agency;
13. The member of MAAC operating a RPAS in Class C, D, E, F, or in any type of restricted airspace shall adhere to all the conditions that are detailed in the agreement with the controlling agency or user agency for the area;

14. The member of MAAC operating a RPAS within 3NM of an aerodrome outside of controlled airspace and identified in the *Canadian Flight Supplement (CFS)* or the *Canadian Water Aerodrome Supplement (CWAS)* shall, take-off, launch, land, or recover from either
- a) a field sanctioned by MAAC; or
  - b) a field which is not sanctioned by MAAC and establish procedures to ensure that RPAS do not conflict with or pose a hazard to other aircraft in the vicinity.
15. The member of MAAC shall not operate a RPAS in such a reckless or negligent manner as to endanger or be likely to endanger aviation safety or the safety of any person.

### **VALIDITY**

This exemption is in effect from June 1, 2019 until the earliest of the following:

- a) the date on which any condition set out in this exemption is breached; or
- b) the date on which this exemption is cancelled in writing by the Minister where he is of the opinion that it is no longer in the public interest or is likely to adversely affect aviation safety or security.

**DATED** at Ottawa, Ontario, this *17* day of May, 2019 on behalf of the Minister of Transport.



Nicholas Robinson  
Director General, Civil Aviation