

## SCHEDULES

### SCHEDULE 9

Section 14

#### UNMANNED AIRCRAFT: POWERS OF POLICE OFFICERS RELATING TO ANO 2016

##### *Provision by remote pilots of evidence of competency*

- 1 (1) A constable may exercise the power conferred by this paragraph in relation to a person (P) if the constable—
  - (a) has reasonable grounds for believing that—
    - (i) a flight by an unmanned aircraft is taking place or has taken place, and
    - (ii) P is or was the remote pilot of the unmanned aircraft for the flight, and
  - (b) has reasonable grounds for suspecting that a relevant competency requirement is or was applicable as respects P and the unmanned aircraft and the flight.
- (2) The constable may require P to provide such evidence as the constable considers reasonable of P's compliance, as respects the unmanned aircraft and the flight, with a relevant competency requirement.
- (3) In this paragraph "relevant competency requirement" means a requirement imposed by, or referred to in, any of the following provisions of the ANO 2016—
  - (a) article 265B(5)(b) (open category: having the appropriate competency in the intended sub-category of flight);
  - (b) article 265B(5)(c) (open category: carrying proof of competency);
  - (c) article 265B(7)(b) (specific category: having the appropriate competency);
  - (d) article 265B(7)(c) (specific category: carrying proof of competency);
  - (e) article 265B(8) (specific category: having the appropriate competency specified in the authorisation relating to the flight);
  - (f) article 265E(2)(b)(ii) (tethered small unmanned aircraft of 250g or more: competency).
- (4) P is guilty of an offence if—
  - (a) P fails to comply with a requirement imposed by a constable under this paragraph to provide evidence of P's compliance, as respects an unmanned aircraft and a flight, with a relevant competency requirement,
  - (b) P is or was the remote pilot of the unmanned aircraft for the flight, and
  - (c) the relevant competency requirement is or was applicable as respects P and the unmanned aircraft and the flight.
- (5) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (6) Paragraph 10 includes a defence to the offence under this paragraph.

*Provision by remote pilots of information about UAS operators*

- 2 (1) A constable may exercise the power conferred by this paragraph in relation to a person (P) if the constable—
  - (a) has reasonable grounds for believing that—
    - (i) a flight by an unmanned aircraft is taking place or has taken place, and
    - (ii) P is or was the remote pilot of the unmanned aircraft, and
  - (b) has reasonable grounds for suspecting that a relevant registration requirement is or was applicable as respects the UAS operator for the unmanned aircraft and the flight.
- (2) The constable may require P to provide such information as the constable considers reasonable as to the identity of—
  - (a) the person or persons who are or were the UAS operator for the flight, or
  - (b) the person or persons who made the unmanned aircraft available for use by P.
- (3) In this paragraph “relevant registration requirement” means a requirement imposed by, or referred to in, any of the following provisions of the ANO 2016—
  - (a) article 265A(5)(a) (open category: registration of UAS operator);
  - (b) article 265A(5)(b) (open category: display of UAS operator’s registration number);
  - (c) article 265A(6)(a) (specific category: registration of UAS operator);
  - (d) article 265A(6)(b) (specific category: display of UAS operator’s registration number);
  - (e) article 265A(7)(a) (specific category: registration of UAS operator);
  - (f) article 265A(7)(b) (specific category: display of UAS operator’s registration number);
  - (g) article 265A(9)(a) (specific category: registration of UAS operator);
  - (h) article 265A(9)(b) (specific category: display of UAS operator’s registration number);
  - (i) article 265E(1)(a) (registration of tethered small unmanned aircraft of 250g or more);
  - (j) article 265E(1)(b) (display of registration number of tethered small unmanned aircraft of 250g or more).
- (4) P is guilty of an offence if—
  - (a) P fails to comply with a requirement imposed by a constable under this paragraph to provide, as respects a flight by an unmanned aircraft, information as to the identity of a person,
  - (b) P is or was the remote pilot of the unmanned aircraft for the flight,
  - (c) the relevant registration requirement which the constable had reasonable grounds for suspecting is or was applicable as respects the UAS operator for the unmanned aircraft and the flight is or was so applicable, and
  - (d) at the time when the constable imposed the requirement, P could have provided information of the kind which the constable required P to provide.
- (5) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (6) Paragraph 10 includes a defence to the offence under this paragraph.

*Provision by UAS operators of evidence of registration*

- 3 (1) A constable may exercise the power conferred by this paragraph in relation to a person (P) if the constable—
- (a) has reasonable grounds for believing that—
    - (i) a flight by an unmanned aircraft is taking place or has taken place, and
    - (ii) P is or was the UAS operator of the unmanned aircraft for the flight, and
  - (b) has reasonable grounds for suspecting that a relevant registration requirement is or was applicable as respects P and the unmanned aircraft and the flight.
- (2) The constable may require P to provide such evidence as the constable considers reasonable of P's compliance, as respects the unmanned aircraft and the flight, with a relevant registration requirement.
- (3) In this paragraph "relevant registration requirement" has the same meaning as in paragraph 2.
- (4) P is guilty of an offence if—
- (a) P fails to comply with a requirement imposed by a constable under this paragraph to provide evidence of P's compliance, as respects the flight, with a relevant registration requirement,
  - (b) P is or was the UAS operator of the unmanned aircraft for the flight, and
  - (c) the relevant registration requirement is or was applicable as respects P and the unmanned aircraft and the flight.
- (5) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (6) Paragraph 10 includes a defence to the offence under this paragraph.

*Provision by UAS operators of information about remote pilots*

- 4 (1) A constable may exercise the power conferred by this paragraph in relation to a person (P) if the constable—
- (a) has reasonable grounds for believing that—
    - (i) a flight by an unmanned aircraft is taking place or has taken place, and
    - (ii) P is or was the UAS operator of the unmanned aircraft for the flight, and
  - (b) has reasonable grounds for suspecting that a relevant competency requirement is or was applicable as respects the remote pilot for the unmanned aircraft and the flight.
- (2) The constable may require P to provide such information as the constable considers reasonable as to the identity of the person or persons who are or were the remote pilot or remote pilots of the unmanned aircraft for the flight.
- (3) In this paragraph "relevant competency requirement" has the same meaning as in paragraph 1.
- (4) P is guilty of an offence if—

---

*Status: This is the original version (as it was originally enacted).*

---

- (a) P fails to comply with a requirement imposed by a constable under this paragraph to provide information as to the identity of a person,
  - (b) P is or was the UAS operator of the unmanned aircraft for the flight,
  - (c) the relevant competency requirement which the constable had reasonable grounds for suspecting is or was applicable as respects the remote pilot for the unmanned aircraft and the flight is or was so applicable, and
  - (d) at the time when the constable imposed the requirement, P could have provided information of the kind which the constable required P to provide.
- (5) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (6) Paragraph 10 includes a defence to the offence under this paragraph.

*Provision by remote pilots or UAS operators of other information etc*

- 5 (1) A constable may exercise the power conferred by this paragraph in relation to a person (P) if the constable has reasonable grounds for believing that—
- (a) a flight by an unmanned aircraft is taking place or has taken place, and
  - (b) P is or was the remote pilot or the UAS operator of the unmanned aircraft for the flight.
- (2) The constable may require P to provide such information, documentation or evidence that is of a specified description as the constable considers reasonable.
- (3) In this paragraph “specified description” means a description specified by the Secretary of State by regulations for the purposes of this paragraph.
- (4) Regulations under this paragraph that specify a description of information, documentation or evidence may provide for conditions that must be met before a constable may require P to provide information, documentation or evidence that is within that description.
- (5) P is guilty of an offence if—
- (a) P fails to comply with a requirement imposed by a constable under this paragraph to provide information, documentation or evidence,
  - (b) P is or was the remote pilot or the UAS operator of the unmanned aircraft for the flight, and
  - (c) at the time when the constable imposed the requirement, P could have provided information, documentation or evidence of the kind which the constable required P to provide.
- (6) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (7) Paragraph 10 includes a defence to the offence under this paragraph.

*Provision of evidence of consents for certain flights*

- 6 (1) A constable may exercise the power conferred by this paragraph in relation to a person (P) if the constable—
- (a) has reasonable grounds for believing that—
    - (i) a flight by an unmanned aircraft is taking place or has taken place, and

---

*Status: This is the original version (as it was originally enacted).*

---

- (ii) P is or was the remote pilot or the UAS operator of the unmanned aircraft for the flight, and
  - (b) has reasonable grounds for suspecting that a provision of the ANO 2016 is or was being contravened unless a relevant consent is or was applicable as respects the unmanned aircraft and the flight.
- (2) The constable may require P to provide, as respects the unmanned aircraft and the flight, such evidence as the constable considers reasonable of a relevant consent.
- (3) In this paragraph “relevant consent” means a permission, operational authorisation, LUC, authorisation or certification required by, or referred to in, any of the following provisions of the ANO 2016—
  - (a) article 94A (permission for flights over or near aerodromes);
  - (b) article 265A(1)(b) (operational authorisation, LUC with appropriate privileges, or authorisation);
  - (c) article 265A(1)(c) (certification of UAS and UAS operator);
  - (d) article 265B(1)(b) (operational authorisation, LUC with appropriate privileges, or authorisation);
  - (e) article 265B(1)(c) (certification of UAS and UAS operator);
  - (f) article 265E(3) (tethered small unmanned aircraft: permission from CAA).
- (4) P is guilty of an offence if—
  - (a) P fails to comply with a requirement imposed by a constable under this paragraph to provide, as respects a flight by an unmanned aircraft, evidence of a relevant consent,
  - (b) P is or was the remote pilot or the UAS operator of the unmanned aircraft for the flight, and
  - (c) the relevant consent is or was applicable as respects the unmanned aircraft and the flight.
- (5) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (6) Paragraph 10 includes a defence to the offence under this paragraph.

*Provision of evidence of exemptions for certain flights*

- 7
- (1) A constable may exercise the power conferred by this paragraph in relation to a person (P) if the constable—
    - (a) has reasonable grounds for believing that—
      - (i) a flight by an unmanned aircraft is taking place or has taken place, and
      - (ii) P is or was, as respects the flight, the remote pilot or the UAS operator of the unmanned aircraft, and
    - (b) has reasonable grounds for suspecting that a provision of the ANO 2016 is or was being contravened unless an ANO exemption is or was applicable as respects—
      - (i) a person and the unmanned aircraft and the flight, or
      - (ii) the unmanned aircraft and the flight.
  - (2) The constable may require P to provide, as respects the unmanned aircraft and the flight, such evidence as the constable considers reasonable of an ANO exemption.

---

*Status: This is the original version (as it was originally enacted).*

---

- (3) In this paragraph “ANO exemption” means an exemption under article 266 of the ANO 2016.
- (4) The evidence which a constable may require a person to provide under this paragraph includes evidence of the applicability of an ANO exemption to a person, or the unmanned aircraft, as respects the flight.
- (5) P is guilty of an offence if—
  - (a) P without reasonable excuse fails to comply with a requirement imposed by a constable under this paragraph to provide, as respects P and the unmanned aircraft and the flight, or as respects the unmanned aircraft and the flight, evidence of an ANO exemption,
  - (b) P is or was the remote pilot or the UAS operator of the unmanned aircraft for the flight, and
  - (c) the ANO exemption is or was applicable as respects—
    - (i) P and the unmanned aircraft and the flight, or
    - (ii) the unmanned aircraft and the flight.
- (6) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (7) Paragraph 10 includes a defence to the offence under this paragraph.

*Power to inspect unmanned aircraft in connection with other powers*

- 8 (1) A constable may require a person in possession of an unmanned aircraft to allow the constable to inspect it if the constable considers that the inspection would assist the constable in deciding whether a power conferred by any of paragraphs 1 to 7 is exercisable.
- (2) A constable may if necessary use reasonable force for the purpose of exercising the power conferred by this paragraph.
- (3) A person who fails to comply with a requirement imposed under this paragraph is guilty of an offence.
- (4) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

*Offence of providing false or misleading information etc*

- 9 (1) A person commits an offence if—
  - (a) anything that the person provides under this Schedule is false or misleading in a material respect, and
  - (b) the person either—
    - (i) knows that it is false or misleading, or
    - (ii) is reckless as to whether it is false or misleading.
- (2) A person who is guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

*Provision of information etc at a police station*

- 10 (1) A person (P) may comply with a requirement imposed by a constable under any of paragraphs 1 to 7 by providing what the constable required at a police station specified by P at the time when the constable imposed the requirement (the “nominated police station”)—
- (a) within seven days beginning with the day after which the constable imposed the requirement, or
  - (b) if it is not reasonably practicable to do so within that seven day period, as soon after the end of that period as is reasonably practicable.
- (2) It is a defence for a person charged with an offence under any of paragraphs 1 to 7 in respect of a failure to comply with a requirement imposed by a constable to prove that it was not reasonably practicable to provide what the constable required at the nominated police station before the day on which the proceedings were commenced.
- (3) For that purpose, the proceedings against a person for an offence are commenced when—
- (a) in the case of proceedings in England and Wales—
    - (i) an information is laid for the offence,
    - (ii) the person is charged with the offence under Part 4 of the Police and Criminal Evidence Act 1984, or
    - (iii) a written charge is issued against the person for the offence under section 29 of the Criminal Justice Act 2003;
  - (b) in the case of proceedings in Scotland, a complaint is served on the person in respect of the offence;
  - (c) in the case of proceedings in Northern Ireland—
    - (i) a summons or warrant is issued under Article 20 of the Magistrates’ Courts (Northern Ireland) Order 1981 in respect of the person and the offence,
    - (ii) a summons is issued under section 93 of the Justice Act (Northern Ireland) 2015 in respect of the person and the offence, or
    - (iii) the person is charged with the offence after being taken into custody without a warrant.

*Interpretation*

- 11 (1) In this Schedule the following expressions have the same meanings as in the ANO 2016 (see Schedule 1 to the ANO 2016)—
- “remote pilot”;
  - “UAS operator”.
- (2) A reference in this Schedule to a provision of subordinate legislation (whenever the reference is passed or made) is a reference to that provision as it has effect from time to time.
- (3) Sub-paragraph (2) is subject to any contrary provision made in subordinate legislation.