

**RULE PART 102**

Part 101 only applies to RPAS of 25kg and under, that are fully complied with its requirements. To operate any aircraft over 25kg, and for operations that cannot comply with Part 101, the operator must be certificated under Part 102.

Part 102 is based on the risk of the operations. An exposition must be submitted by all applicants showing identifications of hazards and risks involved in their operation and how those risks can be mitigated. Each application will be considered on its merit - this allows for the wide scope of operations made possible by RPAS.

For all the information you need about flying your aircraft safely within the required rules;

**Contact:**

**Director of Civil Aviation**  
**Civil Aviation Division**  
**Ministry of Infrastructure**  
**P.O. Box 52**  
**Alaivahamamao & By Pass Road**  
**Vaololoa**  
**Nuku'alofa**  
**Tonga**  
**Phone: +676 28024 / 23100**  
**Email: [cadstaff@infrastructure.gov.to](mailto:cadstaff@infrastructure.gov.to)**



**CIVIL AVIATION DIVISION**  
**MINISTRY OF INFRASTRUCTURE**  
**KINGDOM OF TONGA**



**“Safety is our first priority”**

RPAS

Remotely Piloted Aircraft Systems known by RPAS or commonly known as Drones are aircrafts flown without a pilot on board but is being controlled or flown by a pilot/ system operator on the ground. RPAS is also known as Unmanned Aerial Vehicles (UAVs) or Unmanned Aerial Systems (UAS).



Tonga CAD and RPAS Support

The Tonga Civil Aviation Rules relating to your aircraft (RPAS) are known as ‘Part 101’ and ‘Part 102’. Everyone with RPAS must fly them according to these rule parts under which each RPAS is applicable to, after being registered and issued with a valid operator certificate granted by the Director of Civil Aviation under the Act and in accordance with these Rule Parts.

The utmost priority of Tonga’s Civil Aviation Division is making sure that the safety of individuals and the public is maintained with regards to all usage of Tonga’s controlled airspace. Like all aviation ‘participants’, people who fly RPAS need to understand and comply with these safety rules, so everyone in the air and on the ground, gets home safely and their aircraft is not destroyed.

RULE PART 101: 12 Safety Requirements when flying RPAS under Part 101.



Give way to all manned aircraft



Do not operate an aircraft that is 25kg or larger



Fly the aircraft so it isn’t a hazard to other aircraft, property and people.



Fly only in Daylight



Be able to see the aircraft with your own eyes (e.g. not through binoculars, a monitor or smart phone) or have a second person with you as an observer



Fly your aircraft no higher than 120 m (400 feet) above ground level



Have knowledge of airspace and restrictions applied in the area you want to operate



Fly no closer than 4km from any uncontrolled aerodrome



When flying in controlled airspace, obtain an air traffic control clearance issued from the Air Traffic Control Tower.



Have permission from the Administering Authority (such as army) to fly in special used airspace (such as a military operating area or restricted area eg, palace.)



Have consent from anyone you want to fly above



Have the consent of the property owner or person in charge of the area your wanting to fly above

For your safety and the safety of others, you are not flying:

- ⇒Over or near a wildfire
- ⇒Anywhere near electricity transmission pylons and wires

EXCEPTIONS TO THE RULES:

Many of the exceptions are related to what is known as a ‘shielded operation’.

1. A shielded operation is a flight where your aircraft is within 100 m of an object that’s capable of stopping it, like a building, or a forest of trees. In a shielded operation, the aircraft must fly no higher than the top of that object.
2. You can fly at night but only in a shielded operation.
3. You can fly your aircraft closer than 4 km from an uncontrolled aerodrome, or in controlled airspace, if you fly a shielded operation or have a licence or certificate issued by the Authority, or you’re under the direct supervision of someone with one, or they have official permission to instruct you about flying your aircraft, and;
4. In the case of uncontrolled aerodromes, you get agreement from the aerodrome operator and are willing to comply with their conditions, and you have someone else with you to help monitor the flight;
5. In the case of controlled airspace, you have authorization from the air traffic control unit responsible for that airspace.
6. In some situations you can fly higher than 120 m above the ground. Get advice from the Civil Aviation Division about how to do this legally. **Email: cadstaff@infrastructure.gov.to**
7. The owner of many local parks is the local council. Some councils have given blanket consent for people to fly their aircraft over those parks. Check with yours.