



High risks when flying drones in Norway

A ship's officer onboard one of our member's vessels was recently arrested, fined and at risk of being deported from Norway for flying his personal drone over a commercial port in Norway, where the vessel was berthed.

Published 07 October 2024

The information provided in this article is intended for general information only. While every effort has been made to ensure the accuracy of the information at the time of publication, no warranty or representation is made regarding its completeness or timeliness. The content in this article does not constitute professional advice, and any reliance on such information is strictly at your own risk. Gard AS, including its affiliated companies, agents and employees, shall not be held liable for any loss, expense, or damage of any kind whatsoever arising from reliance on the information provided, irrespective of whether it is sourced from Gard AS, its shareholders, correspondents, or other contributors.

Whilst the officer in the above case was a European national, several Russian citizens have also been detained in Norway for flying drones near certain sites, including oil platforms and airports. An individual with dual Russian and British citizenship was jailed for flying a drone on Svalbard.

Norwegian and other national authorities take these matters very seriously in the current geopolitical climate and a number of foreign nationals have already been deported for flying drones in various locations around Norway.

The risks involved in flying and carrying drones' onboard vessels are not new. <u>Back in 2016</u>, a vessel entered with Gard was detained following the launch of a drone to photograph the vessel proceeding through the Suez Canal. <u>In 2022</u>, our local correspondent in Egypt reported an increase in cases where seafarers were being detained for carrying prohibited items, such as drones and other "suspicious" electronic devices, in their luggage when embarking or disembarking ships in the country.

Norwegian legislation

To fly a drone for personal or professional use in Norway, you must register your drone and take the necessary exams at www.flydrone.no. You must always fly below 120 meters from the ground and your drone must be kept within your line of sight at all times. Avoid flying near restricted areas such as ports, airports, airfields, or accident areas, and respect the privacy of others by not flying over private properties without permission.

If you do not follow these rules, recent experience has shown that you could face hefty fines and legal action. Your drone will be confiscated if found in a restricted area, and severe breaches, especially near sensitive sites, can lead to the arrest and deportation of foreign nationals.

Recommendations

Our recent case experience demonstrates that to launch a drone from a vessel, for example to take photographs, may have serious consequences for the crew, the vessel and the shipowner. Members and clients are therefore advised to raise awareness of the use of drones among their Masters and crew, especially when the vessel is in port or is sailing within a country's territorial waters. Regulations concerning the use of drones differ from one country to another and failure to comply with any given legislation may lead to a criminal prosecution.

Below are some key points to consider:

- 1. Registration and certification
- In Norway, you need to regis<u>tervat.flydrone.no</u> and take<u>an online course and</u> exam
 - You must have liability insurance for drones over 250 grams in weight.

2. Operational limits

- Always keep your drone within your line of sight.
- Do not fly higher than 120 meters (approximately 400 feet) above the ground.
- Avoid flying over people, especially large gatherings like festivals or sports events.

3. No-fly zones

- Stay clear of airports and other restricted areas unless you have special permission.
- Be aware of national parks, protected areas, and places where airborne photography is prohibited.

4. Age requirements

• Pilots must be at least 16 years old. Younger pilots can fly under supervision.

5. Privacy and data protection

 Respect people's privacy and comply with any GDPR regulations when taking photos or videos.

If you're flying in other countries, such as the United States, the <u>Federal Aviation</u> <u>Administration (FAA)</u> has similar requirements, including passing an aeronautical knowledge exam and being at least 16 years old.

We recommend having company and shipboard procedures in place for use of all personal and company drones. Stay informed and fly responsibly to avoid these serious consequences.

Safe flying!

Further references

Fly drones safely - Civil Aviation Authority in Norway

Become a certificated drone pilot - US Federal Aviation Administration

EU drone law requirements

