



11 October 2017

(17-5452)

Page: 1/2

Committee on Technical Barriers to Trade

Original: French

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

<b>1. Notifying Member:</b> <u>FRANCE</u> <b>If applicable, name of local government involved (Articles 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> <i>Direction générale de l'aviation civile (Directorate-General for Civil Aviation)</i> <i>Direction de la sécurité de l'aviation civile (Directorate for Civil Aviation Security)</i> 50 rue Henry Farman 75720 PARIS Cedex 15 <a href="mailto:philippe.aurade@aviation-civile.gouv.fr">philippe.aurade@aviation-civile.gouv.fr</a> <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition where applicable):</b> Civilian unmanned aerial vehicles (drones) of a weight exceeding 800g
<b>5. Title, number of pages and language(s) of the notified document:</b> <i>Décret relatif à la limitation de capacités des aéronefs civils circulant sans personne à bord (Decree on the capacity limitation of civilian unmanned aerial vehicles), (5 pages, in French)</i>
<b>6. Description of content:</b> This draft order aims to supplement, in order to guarantee public safety and State security, French legislation concerning civilian unmanned aerial vehicles (UAVs), i.e. the Order of 17 December 2015 on the design of civilian UAVs, the conditions for their use and the skills required by those using them, and the Order of 17 December 2015 on the use of airspace by UAVs, as amended on 30 March 2017.  The technical requirements contained in this draft Decree aim to ensure that drones will, in time, have a capacity limitation device that prevents them from flying above a maximum altitude. This will prevent drones from wandering off-course and, in particular, recreational drones from deliberately flying into airspace used by manned aircraft, as well as prevent drones from getting close to sensitive sites by flying covertly, because at a significant height, these behaviours are likely to constitute an attack on State security.  However, drones registered before 1 July 2018, under Article L.6111-1 of the Transport Code, may alternatively be equipped (as from 1 January 2019) with a function that alerts the remote pilot when the drone is reaching maximal altitude.
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> As a result of the increasing number of drones illegally flying over sensitive sites on French territory since autumn 2014, two parliamentarians submitted, in spring 2016, a proposed law on improving safety measures when using civilian drones. In particular, this draft followed the Government report to Parliament entitled " <i>L'essor des drones aériens civils en France: enjeux et réponses possibles de l'État</i> " ("The rise in civilian

<p>aerial drones in France: challenges and possible responses from the State"), published in October 2015.</p> <p>The law was finally adopted by the French Parliament and enacted on 24 October 2016 (Law No 2016-1428). It imposes new obligations on pilots, owners or manufacturers of civilian unmanned aerial vehicles (UAVs). These are intended to prevent incidents posing a risk to State security, and make pilots accountable.</p> <p>The aim of the draft Decree is to implement the obligation stipulating that unmanned civilian aircraft exceeding a threshold laid down by way of a decree must be equipped with a capacity limiting device.</p> <p>The draft decree also describes the exceptions authorized, and the penalties for failure to have the mandatory equipment, and applicability overseas.</p>
<p><b>8. Relevant documents:</b> Law 2016-1428 of 24 October 2016 introduced Article L6214-4 into the Transport Code. The notified text is enacted under this Article.</p>
<p><b>9. Proposed date of adoption:</b> 31 December 2017  <b>Proposed date of entry into force:</b> 1 July 2018</p>
<p><b>10. Final date for comments:</b> 60 days from the date of notification.</p>
<p><b>11. Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b></p> <p>See point 2.</p> <p><a href="https://members.wto.org/crnattachments/2017/TBT/FRA/17_4596_00_f.pdf">https://members.wto.org/crnattachments/2017/TBT/FRA/17_4596_00_f.pdf</a></p>