



# Drones

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## Overview

Unmanned Air Vehicles (UAVs), or Unmanned Aircraft Systems (UASs), more commonly known as drones, is an emerging industry in Canada. There has been a continued increase in the number of individuals and companies that are interested in getting into commercial drone operations, but many do not know where to start.

As part of its commitment to emerging technology, Field Law has developed a highly qualified group of lawyers with particular knowledge and experience relating to drone law both for commercial and recreational use. Our team includes the only litigator in Canada with a reported successful drone law decision, among other qualified members, to help advance your business and personal interests to navigate the legal landscape for drone use including contractual, insurance, privacy, and intellectual property issues.

To date, there has been concern with privacy issues and potential liability resulting from the use of drones. The goal of the new drone regulations, published by Transport Canada on January 9, 2019, was to enhance predictability for businesses, improve the security of aviation and ensure our airspace is safe for everyone.

The new regulations came into effect June 1, 2019 which distinguished between basic and advanced operations and require drones of a certain size to be registered with Transport Canada and drone pilots to get a drone pilot certificate. The regulations also prohibit reckless or negligent operation of a drone and those who break the rules can face fines up to \$25,000 or jail time. The rules apply to drones that weigh between 250 grams and 25 kilograms.

## Experience

R v Shah, 2017 ABQB 144

## People

**Erika Carrasco**  
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## Industries

- Construction
- Energy + Environment
- Manufacturing
- Media + Entertainment
- Technology
- Transportation

## Services

- Business
- Insurance
- Intellectual Property + Technology
- Emerging Technology
- Drones

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## News + Views + Events

May + June 2019

[Drone Workshop: Updates on Canada's Drone Regulations](#)

May 2019

[New Canadian Drone Regulations](#)

March 18, 2019

[Tech Support: Law Firms Lining up to Take Advantage of Tech Boom](#)

January 10, 2019

[New Canadian Drone Regulations](#)

January 10, 2019

[Will new rules for drone flights in Canada make our skies safer?](#)

## Helpful Links

[Flying your drone safely and legally \(current rules\)](#)

[New rules for drones in Canada \(from June 1, 2019\)](#)

[Getting a drone pilot certificate](#)

## Client Stories

**Where we began:** Our client was convicted under s. 602.45 of the Canadian Aviation Regulations (part of the Aeronautics Act) for flying his drone too close to an airport. A trial he was represented by volunteer law students. We were approached by them to represent the client on the appeal of the conviction. The issue on appeal was whether the trial judge had correctly found that our client had beyond a reasonable doubt, flown a model aircraft in a manner that was or was likely hazardous to aviation safety. The only law that applied to recreational use of a drone at that time.

**Our approach:** Through the appeal process we used our in-depth industry knowledge and deep understanding of the new regulatory frameworks to assist the Court in understanding the applicable law relating to recreational drone use.

**The result:** The appeal of our client's conviction was successful. Within weeks of the decision s. 602.45 of the Canadian Aviation Regulations was amended to no longer apply to drones and the Minister of Transport issued an Interim Order that provide more clarity for recreational drone operators. This prevented other drone users across Canada from facing the same penalty.

### Alietum Ltd.

Alietum Ltd., based in Yellowknife, NWT, is a remote sensing business providing aerial mapping and surveying services from both aircraft and remotely piloted systems (drones). Alietum strives to revolutionize remote sensing in Canada's North, merging technological advancements from the drone industry with traditional manned aircraft photogrammetry. As a young entrepreneur in the aerospace industry, Jennifer Waugh was seeking a lawyer and firm to help move her business forward.

Introduced to Field Law through their involvement with Unmanned Systems Canada, Jennifer connected with Erika Carrasco. Since that meeting, Field Law has supported Alietum with all its legal matters, including providing corporate and employment advice but most

importantly by providing strategic advice on issues unique to drone regulations and the industry. Talking about her experience of working with the firm, Jennifer said, “Erika's knowledge and experience of the legal and industry issues impacting drone technology is invaluable to my business. When additional support is needed, Erika is able to reach out to a strong team of fellow lawyers at Field Law. Erika is confident and concise in her advice, and I trust her to professionally represent me and my company’s best interests.”