

NIGERIAN AIRSPACE MANAGEMENT AGENCY ACT (AMENDMENT FOR USE
OF DRONES) BILL, 2016

ARRANGEMENT OF CLAUSES

- * Commencement
 - * Enacting Formula
 - 1. Amendment of Section 2 (4) of the Principal Act
 - 2. Amendment of Section 7 (1) of the Principal Act
 - 3. Further Amendment of Section 7 (1) of the Principal Act
 - 4. Amendment of section 36 (1) of the Principal Act
 - 5. Short Title of the Bill
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A BILL

FOR

AN ACT TO AMEND THE NIGERIAN AIRSPACE MANAGEMENT AGENCY (ESTABLISHMENT) ACT, CHAPTER N 90, LAWS OF THE FEDERATION 2004 FOR THE PURPOSE OF VESTING IN THE NIGERIAN AIRSPACE MANAGEMENT AGENCY THE ADDITIONAL FUNCTION OF REGULATING THE USE OF UNMANNED AIRCRAFTS (DRONES) WITHIN THE NIGERIAN AIRSPACE AND FOR RELATED MATTERS

Sponsored by Hon. Abiodun Dada Awoleye

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- 1 **1.** Section 2 (4) of the Principal Act is amended by inserting a new
2 numbering of Schedule as follows: Amendment of
3 “(4) The supplementary provisions set out in the Schedule 1 to this Section 2 (4) of
4 Act shall have effect with respect to the proceedings of the Board and the the Principal Act
5 other matters contained therein. (Schedule 1)”
- 6 **2.** Section 7 (1) of the Principal Act is amended by inserting a new Amendment of
7 sub-section “(u) immediately after sub-section (t) as follows: Section 7 (1) (t)
8 “(u) regulating the use and application of all unmanned aircrafts or of the Principal
9 drones within the airspace of the Federal Republic of Nigeria by individuals Act
10 or corporate entities”.
- 11 **3.** Section 7 (1) (t) of the Principal Act is further amended by Further
12 inserting a new sub-section (v) immediately after sub-section (u) as follows: amendment of
13 “(v) The criteria for obtaining certificate to operate unmanned Section (1) (t)
14 aircrafts and the categories of individuals and corporate entities is set out in
15 the supplementary provisions in the Schedule 2 to this Act contained therein.
16 (Schedule 2)”

1 SCHEDULE 2

2 (Section (1) (v))

3 Supplementary provisions relating to use of unmanned aircraft within
4 the airspace of Nigeria, etc.

5 *Permissible use of unmanned aircrafts or drones by the following categories*
6 *of persons and corporate entities*

7 (1) Subject to obtaining a certificate from the Agency as approved
8 under this Act unmanned aircrafts are permitted within the airspace of Nigeria
9 for the following purposes:

10 (a) Entertainment or leisure purposes by movie makers,
11 photographers or cinematographers;

12 (b) Commercial purposes;

13 (c) Surveillance of premises by private security firms;

14 (d) Reporting of news by mass media and other journalistic firms;

15 (e) Gathering of information by individuals or organisations involved
16 in botanical and zoological research activities;

17 (f) Gathering of information for weather forecast of meteorological
18 purposes;

19 (g) Gathering information for fishing or hunting purposes; and

20 (h) Any other purposes as may be determined by the relevant official
21 of the Agency.

22 *Procedure for obtaining certificate for use of unmanned aircraft*

23 (1) Any person who intends to use unmanned aircrafts or drones for
24 any of the purposes specified under the Act shall in the first instance submit an
25 application to the Managing Director of the Agency.

26 (2) In respect of applications for use of unmanned aircrafts for
27 surveillance purposes such applications must be accompanied by an EN-
28 USER CERTIFICATE obtained from the Office of the National Security
29 Adviser of the Federation.

30 (3) The Managing Director may exercise his discretion to grant or

1 refuse an application for use of unmanned aircraft made under this Act. The
2 decision of the Managing Director shall be communicated in writing within
3 twenty-one (21) days from the date of the receipt of the application.

4 (4) In the event of refusal, the applicant is at liberty to submit an
5 appeal to the Minister of Aviation within seven (7) days of the receipt of the
6 decision of the Managing Director. "Order or subsidiary legislation enacted
7 by the Minister of the FIRS in exercise of their powers under this section
8 shall be laid before the Senate of the National Assembly for approval prior
9 publication in the Gazette."

10 4. Section 36 (1) of the Principal Act is amended by inserting a
11 new additional meaning to the definition of the word "flight" immediately
12 after the full stop or period as follows:

Amendment of
Section 36 of the
Principal Act

13 "flight" also means a unmanned flight in the air with no on-board pile by
14 means of a remotely controlled model aircraft or an unmanned aircraft or
15 drone."

16 5. This Bill may be cited as the Nigerian Airspace Management
17 Agency Act (Amendment for use of Drones) Bill, 2016.

Short Title

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Airspace Management Agency Act, Chapter N90, Laws of the Federation of Nigeria, 2004 for the purpose of empowering the Agency with the additional function of regulating the use of unmanned aircrafts or drones within the airspace of Nigeria and to set out the procedure for obtaining a certificate to operate unmanned aircrafts and for other ancillary matters.