



GEOGRAPHICAL UAS ZONE REGULATIONS – GEOZONE EBR55 GHENT HARBOUR



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SECTION 1: GENERAL

1.1. INTRODUCTION

The presence of drones in the port area for industrial/commercial, government and recreational purposes gives rise to specific risks. The port area is a place where exceptional activities are carried out on industrial sites and that contains critical infrastructures which entail a number of greater risks to humans, the environment and society. Protection is therefore of paramount importance, including with regard to potential threats from the air.

Pursuant to Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft, converted into Belgian regulations by means of the Royal Decree of 8 November 2020 to implement Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft, Belgium (DGLV) has defined port areas as geographical UAS zones¹. In these zones, drone flights are subject to specific conditions (specific equipment, categories for flight operations, flight notifications and/or flight authorisations, ...). These conditions can be determined by the geozone manager.

Within the port area, Port Operations is charged with taking all measures to safeguard public order, the peace, safety and operation of the port and the environment in the port area. Port Operations supervises and enforces the port police regulations². The harbour master has authority over and is in charge of Port Operations.³

Consequently, for the port area of North Sea Port Flanders, authority for the management of the geozone has been vested in the harbour master, who has therefore established a number of measures in the geographical UAS zone EBR55 Ghent Harbour. These measures take account of the nature of the application and of the proportionality of the UAS operation and the associated risk on the ground. Consequently, certain UAS operations may be prohibited or only authorised subject to certain conditions.

The operational requirements and practical information for everyone who is directly or indirectly involved in carrying out drone operations in and around the port area are collected in the Geographical UAS Zone Regulations - Geozone EBR55 Ghent Harbour.

These regulations are the more detailed elaboration of Part 8 of the Port Police Regulation of North Sea Port Ghent.

The Geographical UAS Zone Regulations - Geozone EBR55 Ghent Harbour are subject to change. The most recent version is available on the website www.northseaport.com/geozone.

¹ Ministerial Decree of 21 December 2020 establishing fixed geographical UAS zones and access conditions for fixed geographical UAS zones

² See for the Port of Ghent: Port Police Regulation of North Sea Port Ghent.

³ Art. 4 of the decree of 3 May 2019 concerning harbour master divisions (Port Operations).



1.2. CONTACT DETAILS

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Geozone manager

Harbour Master

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Emergency Services – 24/7

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1.3. ABBREVIATIONS

AGL	Above Ground Level
AIP	Aeronautical Information Publication ⁴
BVLOS	Beyond Visual Line of Sight (of the pilot operating the drone)
DGLV	Belgian Civil Aviation Authority (<i>Directoraat-Generaal Luchtvaart van de Federale Overheidsdienst Mobiliteit en Vervoer</i>)
DSA	Drone Service Application (Web application implemented by Skeyes to simplify the procedures for planning, coordination and information flows between drone operators/pilots and air traffic control, see Drone Service Application skeyes)
ISPS	International Ship and Port Facility Security Code ⁵ , implemented in the International Convention for the Safety of Life at Sea
RD	Royal Decree
MD	Ministerial Decree
NOTAMS	Notices To Airmen
PFSO	Port Facility Security Officer
RPA	Remotely Piloted Aircraft
RPAS	Remotely Piloted Aircraft System
SPACC	Special Activities Coordination Cell (coordinates all flights of a specific nature that require special treatment by ATC (Air Traffic Controller), as well as all activities in the air and on the ground that can have an impact on normal air traffic in controlled air space, see SPACC skeyes)
STS	Standard Scenarios (see Standard Scenarios)
UA	Unmanned Aircraft
UAS	Unmanned Aircraft System (the UA and the equipment to operate it remotely)
VFR	Visual Flight Rules ⁶
VLOS	Visual Line Of Sight (of the pilot operating the drone)
VTOL	Vertical Take-off and Landing (also called 'air taxis')

⁴ Publication published by or with the authorisation of a state that contains aviation information of a permanent nature that is essential for air navigation.

⁵ The aim of the ISPS code is to increase the resilience of ships and port facilities to terrorist threats. The code also seeks to establish close cooperation between local, national and international institutions to realise better protection of maritime installations.

⁶ Flying using visual references, rather than relying on instruments alone.



1.4. DEFINITIONS

Autonomous operation	An operation during which an unmanned aircraft operates without the remote pilot being able to intervene (Art. 2(17) (EU) 2019/947)
Competent authority	In Belgium the competent authority is the Belgian Civil Aviation Authority (Directoraat-Generaal Luchtvaart van de Federale FOD Mobiliteit en Vervoer).
Crew	Personnel of a UAS operator involved in the operation of aircraft.
Sub-areas	The areas specified and marked on the map (see Annex 2) within the geozone EBR55 Ghent Harbour where additional or deviating conditions apply.
Drone	Common name for unmanned aircraft (UA) and remotely piloted aircraft systems (RPAS).
Operator	(i) a party that has one or more sites at its disposal in the port area, whether or not by way of ownership or concession, and uses such site or sites to carry out its business activities, and (ii) a party that carries out those business activities in the port area
Operational authorisation	Authorisation from the national competent authority to be allowed to carry out certain flights in certain circumstances and subject to certain conditions (i.e. flights that do not fit in a standard scenario).
Operational declaration	Declaration presented by the UAS operator that indicates that a well-defined operation will take place in accordance with a chosen standard scenario described in the SPECIFIC category, in which he accepts the responsibilities set out there (Art. 8 point 2 (EU) 2019/947).
Geocaging	A system that prevents that the unmanned aircraft system (UAS) flies outside a specific volume of the air space (vertically and horizontally), as defined during the flight planning stage for the intended operation (“setting the limits of the flight as a cage”).



Geozone

Zone within which access to the airspace by drones is specifically regulated, for safety, security, privacy or environmental reasons.

Port area

Port area that is under the management of and is operated by North Sea Port Flanders as marked on the map attached as Annex 1 to these Regulations.

Identification of class (C0 - C2)

A CE marking shall be displayed on the drones to indicate their class within the OPEN category (to be determined based on various criteria, e.g., weight).

No-fly zone

A zone where flying is prohibited.

North Sea Port

North Sea Port Flanders n.v., a public limited company, registered in the K.B.O. with number 0218.843.678 which manages and operates the port area of Ghent.

Obstacle

All fixed (temporary or permanent) and mobile objects, or parts of objects that have been assessed to be a risk to air navigation. ((EU) 923/2012 "SERA" Art. 2 98).

OPEN category

UAS operation that cumulatively satisfies the conditions of Art. 4 of European Implementing Regulation (EU) 2019/947

Operation

An operation encompass the entirety of several flight operations with the same objective during a fixed period of time.

Pilot or operator

The pilot or operator is the person who operates the unmanned aircraft system (UAS) and has control of the aircraft.

Seveso establishment

An establishment that produces, processes, handles or stores dangerous substances, e.g. refineries, petrochemical companies, chemical factories, oil depots or storage sites for explosive substances.

SPECIFIC category

UAS operation that cumulatively satisfies the conditions of Art. 5 of European Implementing Regulation (EU) 2019/947.

UAS operator

A natural person or legal entity who carries out flights or intends to carry out flights using one or more UAS.



Flight information

The information that is relevant for a safe and efficient flight operation and that includes: meteorological information, information about possible risks to flight operations and information about other potential conflicting traffic, but without seeing to the positive separation of that traffic.

Operation

A flight operation encompasses the full operational cycle of one drone flight, starting with the take-off, the flight stage, the landing and ending with switching off the engines.

Flight permit

Authorisation that the geozone manager grants to a UAS operator for a UAS operation within the geographical UAS zone EBR55 Ghent Harbour.

1.5. PROCESSING OF PERSONAL DATA

North Sea Port makes use of cameras, VHF radio, radar and other detection systems in the context of exercising its administrative powers concerning the port. It receives, records, processes and manages this data.

If personal data is processed in the framework of the detection systems or other systems, North Sea Port shall always do so in compliance with Regulation (EU) 2016/679 of 27 April 2016 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC and the national legislation implementing the aforementioned regulation.

The information that is required to be provided pursuant to Articles 13 and 14 of Regulation 2016/679 can be found on the North Sea Port website. This information relates to personal data that is processed by North Sea Port in the framework of this Regulation. This concerns data of a data subject that is gathered from this person, as well as data that is not directly obtained from the data subject. In the latter case this concerns, among others, data gathered through detection systems or the systems that are used when exercising the authority of Port Operations.

SECTION 2: GENERAL CONDITIONS FOR UAS OPERATORS IN THE PORT AREA OF GHENT AND THE GEOZONE EBR55 GHENT HARBOUR

This section describes the general conditions that apply to UAS operators and their crew who are directly or indirectly involved in the carrying out of drone operations in and around the port area.

These general conditions always apply in the entire geozone EBR55 Ghent Harbour. Depending on the sub-area within the geozone where operations occur, additional, specific conditions shall be imposed: see Section 3.

2.1. GENERALLY APPLICABLE REGULATIONS FOR UAS OPERATIONS

Following is an informative and non-exhaustive summary of the current legislation relating to UAS operations:

- Commission Delegated Regulation (EU) 2019/945 of 12 March 2019 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems;
- Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft;
- Royal Decree of 8 November 2020 implementing Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft;
- Ministerial Decree of 21 December 2020 establishing fixed geographical UAS zones and access conditions for fixed geographical UAS zones;
- Port Police Regulation North Sea Port Ghent.

As soon as the UAS is used for monitoring purposes, account shall also be taken of:

- Act of 21 March 2007 regulating the installation and use of surveillance cameras and its implementing decisions.

2.2. CONDITIONS FOR GEOZONE MANAGEMENT

As geozone manager, the harbour master is in charge of the safety and security of UAS operations in the geozone EBR55 Ghent Harbour.

Port Operations manages the geozone EBR55 Ghent Harbour under the authority of the harbour master/geozone manager.

The geozone management encompasses:

- Monitoring the application of the Port Police Regulation North Sea Port Ghent and of the Geographical UAS Zone Regulations – Geozone EBR55 Ghent Harbour.



These regulations are the more detailed elaboration of Part 8 of the Port Police Regulation North Sea Port Ghent;

- The issuing of flight permits when a UAS operator satisfies the access conditions described in these Regulations;
- Providing area and flight information.

The geozone management does not encompass the provision of services relating to air traffic control and active deconfliction.

2.3. CONDITIONS FOR UAS OPERATOR AND PILOT

2.3.1. Identification and competence

The UAS operator must be registered with and recognised by the national CAA.⁷

In order to be able to operate a UAS in the geozone, notwithstanding the requirement of being in possession of a flight permit (see 2.5. Flight Permit), the party in question must also hold:

- For the OPEN category: proof of completion or a proficiency certificate for pilots in the OPEN category;
- For the SPECIFIC category: an operational authorisation or an operational declaration⁸.

2.3.2. Age

The pilot must be at least 18 years old.

The increased minimum age is justified due to the complexity of the port area and the increased risks this entails with regard to UAS operations in and around this area.

2.3.3. Communication

The pilot, or a person designated by the pilot in contact with Port Operations, must speak in Dutch or in English and toward this end shall have sufficient command of Dutch or English to do so, primarily for safety reasons.

The pilot shall report both the start and end of every UAS operation to Port Operations in a timely manner. He shall do so by the phone, mobile or land line, on which he can be reached during the entire operation.

He shall report the start of the operation 30 minutes before take-off. The pilot shall state:

- The reference number of the flight permit;
- The names of the UAS operator and the pilot;
- The contact details of the pilot or crew, if these differ from those stated in the flight permit application, and a mobile phone number;
- The location of take-off, flight and landing, if other than stated in the flight permit application;

⁷ In Belgium, this is the Belgian Civil Aviation Authority (DGLV).

⁸ Art. 8 point 2 (EU) 2019/947

- The expected end time of the operation.

The pilot shall be available during the entire operation on the mobile or land line phone number stated in the flight permit application.

The end of the operation shall be reported immediately after landing. The pilot shall state:

- The reference number of the flight permit;
- The names of the UAS operator and the pilot;
- The place of landing, if other than planned/stated in the flight permit application or at take-off.

Flights relating to operations are exempt from the obligation to report the start and end of every operation to the Harbour Master's Office. The pilot or operator shall be available during the entire operation on the mobile or land line phone number stated in the flight permit application.

2.3.4. Responsibilities

A UAS operation can only take place at a location for which the UAS operator can demonstrate that the UAS has been adapted to the weather and safety conditions. This applies as a minimum to the UA, the pilot or operator, the crew and the wider UAS operating organisation.

Prior to the operation the pilot shall at least:

- consult the NOTAMS;
- check and evaluate the weather conditions;
- check the battery capacity of the UAS;
- check the technical condition of the UAS.

In case of BVLOS flights, the battery capacity and the technical condition of the UAS may be inspected by authorised ground staff.

The pilot or operator shall always remain responsible for his own actions (operation, aircraft, avoiding collision with another object or obstacle, ...).

If relevant rules are lacking, the pilot shall use 'good airmanship' to prevent lives being endangered, damage being caused or the surrounding area and the actors present in said area being put in danger.

It is the responsibility of the UAS operator and the pilot to be in compliance with all relevant active geozones in which they wish to operate.⁹

2.3.5. Insurance

As a minimum, third party insurance must have been taken out for every UAS operation.

⁹ Can be checked on [Droneguide](#)

In addition, for UAS operations in the SPECIFIC category, insurance is to be taken out in accordance with the provisions of Regulation (EC) No 785/2004 of the European Parliament and of the Council of 21 April 2004 on insurance requirements for air carriers and aircraft operators.

2.3.6. Privacy

The UAS operator, the pilot and their crew are bound to respect privacy laws.

2.4. CONDITIONS FOR UAS

The UAS must be fitted with:

- a system for direct remote identification;
- a geocaging system, so that the authorised flying zone, as defined in the flight permit application, can be set as a virtual cage.

2.5. FLIGHT PERMIT

2.5.1. Introduction

A valid flight permit is required in order to be able to operate UA in the geozone EBR55 Ghent Harbour.

A flight permit in the geozone EBR55 Ghent Harbour is required for every operation that

- does not take place in the same flight area (operational volume), or
- does not take place in a consecutive time frame; or
- is to be carried out for more than 12 hours on site.

If more time or other places are necessary, a new flight permit application must be submitted.

The period included in the flight permit must align as best as possible with the actual flight hours.

Submitting a flight permit application is necessary so that Port Operations can monitor the access conditions for a sub-area within the geozone. Port Operations shall also consider the other UAS operations or ground activities, such as activities of the police or customs, for which it has information at its disposal when assessing a flight permit application.

Furthermore, every flight permit application shall be assessed in chronological order of receipt.

2.5.2. Submitting a flight permit application

The UAS operator must submit a flight permit application for every UAS operation as follows.



The application form¹⁰ shall, together with all necessary documents, be delivered to Port Operations by e-mail at least 5 working days and a maximum of 14 days before the scheduled operation (geozone@northseaport.com).

The following information shall be enclosed with the application:

- For all categories:
 - Name and e-mail address of the UAS operator and the pilot/pilots;
 - Mobile phone number on which the UAS operator and the pilot/pilots can always be reached;
 - Registration details¹¹ of the UAS operator and/or the UA in case of a certified UAS;
 - Make, model and serial number of every craft that will be used;
 - Period of the operation (date, start and end time);
 - Purpose of the operation, description of the task;
 - Sub-area(s) above which the operation will take place; - Flight plan (map);
 - Valid insurance certificate(s)¹²;
 - If a flight will be over a 'Land' sub-area: written authorisation of the operator, and ○ if the flight is over an 'ISPS' sub-area: written authorisation of the PFSO;
 - if a flight will be over a 'Seveso establishments' sub-area: written authorisation of the security coordinator;
 - If a flight will be over a '(Temporary) Natural area' sub-area: written authorisation of the agency with authority over the '(Temporary) Natural Area';
 - If a flight will be over a '(Temporary) Military zone' sub-area: one of the explicit written authorisations listed under 3.1.6. (Temporary) Military zone;

- For operations in the OPEN category:
 - Proof of completion or a proficiency certificate for pilots in the OPEN category;
 - Risk analysis;

- For operations in the SPECIFIC category:
 - Operational authorisation, or
 - Operational declaration¹³

The operational authorisation or operational declaration and the requested flight shall be clearly coordinated with each other and shall always be validated by Port Operations.

The above form the first requirements for the basic access conditions. Port Operations may request additional information.

¹⁰ See www.northseaport.com/geozone

¹¹ Unique code of the UAS operator consisting of 16 alphanumeric characters in accordance with AMC1 Article 14(6) Registration of UAS operators and 'certified' UAS of (EU) 2019/947.

¹² For UAS operations in the SPECIFIC category, insurance is to be taken out in accordance with the provisions of Regulation (EC) No 785/2004 of the European Parliament and of the Council of 21 April 2004 on insurance requirements for air carriers and aircraft operators.

¹³ Art. 8 point 2 (EU) 2019/947

Due to the possibly high-risk nature of the port, Port Operations can also consult other public services¹⁴ to assess the flight permit application.

2.5.2.1. Authorisation by the operator

A UAS operator must always have the authorisation of a site operator for operations over the operator's site. It is the operator's task in the framework of the authorisation application to review whether the UAS operator satisfies the safety requirements of the terminal.

The authorisation for a UAS operator issued by an operator shall at least state the following minimum information:

- Identification of the UAS operator;
- Flight area (operational volume);
- Period of the operation (date, start and end time);
- Purpose of the operation, description of the task;
- The required altitude for the flight;
- Identification of the operator (company name, address and port number);
- Name, job title and signature of the responsible person on the part of the operator, and
 - o if the flight is over the 'ISPS' sub-area: of the PFSO;
 - o if the flight is over the 'Seveso establishments' sub-area: of the safety coordinator;

2.5.2.2. Submission of permit application for fixed flight routes by the operator

If an operator acts as UAS operator himself by carrying out operations, whether or not over fixed routes, such a UAS operator shall go through the same flight permit application procedure and satisfy conditions as described under 2.5.2. Submitting a flight permit application.

2.5.3. Submitting flight permits for operations

Applications for flight permits in the framework of operations in which several operations with the same objective will be carried out during a fixed period, are subject to the same conditions as described in Articles 2.5.1 – 2.5.2.

Prior to the flights within the operation, the UAS operator shall not submit any new application nor report the start or end of a flight.

2.5.4. Issue of the flight permit

The flight permit application shall be assessed by Port Operations. A flight permit shall only be issued after a positive assessment. The flight permit may include additional conditions and possibly restrictions.

¹⁴ Skeyes, Internal Affairs, Justice, Defence, ... as stipulated in Art. 4 §4 of the Royal Decree of 8 November 2020 implementing Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft.



Provided a positive evaluation of the flight permit application is given, Port Operations shall provide the flight permit for the requested UAS operation within at latest 4 working days after receipt of the flight permit application by e-mail.

The flight permit is only valid for:

- The information stated in the flight permit:
 - o UAS operator;
 - o Pilot/pilots;
 - o Craft with the specified serial number(s);
- The requested area or what is described in the flight permit, whichever is the most restrictive;
- The requested altitude or what is described in the flight permit, whichever is the most restrictive;
- The period (date, start time and end time) described in the flight permit.

Any remarks in the flight permit are deemed a requirement for the operation.

2.5.5. Changes to the flight permit

Changes to the flight permit for whatever reason must always be effected by e-mail. A new flight permit application must be submitted in such case.

Only in the event of great urgency can the applicant consult with Port Operations by telephone.

The modified flight permit shall be sent to the UAS operator by e-mail.

2.5.6. Extension of the flight permit

A granted flight permit cannot be extended. An application must be submitted for renewal of the flight permit.

Only in the event of great urgency can the applicant consult with Port Operations by telephone.

2.5.7. Refusal of the flight permit

If a flight permit application is rejected, this may be because the applicant:

- submitted a flight permit application which was given a negative evaluation by Port Operations;
- does not satisfy the basic access conditions, or
- does not satisfy the access conditions for a special sub-area within the geozone, or has received a negative recommendation from other public services.

If the application is rejected, the applicant shall be informed of the reasons for the rejection at latest 4 working days after submitting the application for a flight permit by e-mail.

2.5.8. Revocation of the flight permit

The flight permit can be revoked at any time, including during an operation, if it is suspected that the operation constitutes a risk for or a violation of, in the broadest sense:

- safety or security;
- breaches of privacy;
- safeguarding of the environment/surrounding area;
- provisions of the Port Police Regulation North Sea Port Ghent.

The flight permit can only be revoked by Port Operations.

2.6. OPERATIONAL REQUIREMENTS

2.6.1. General

VTOL aircraft are permitted. Fixed-wing aircraft are permitted.

2.6.1.1. OPEN category: C0 up to and including C2

Only visual line of sight operations (VLOS) that are in accordance with visual flight rules (VFR) are permitted.

2.6.1.2. OPEN category: other drones (not C0 up to and including C2)

In view of the general restriction within the geozone EBR55 Ghent Harbour to operations of the 'OPEN A2' type, the non-Cx drones for operations in the OPEN category are limited in accordance with the 'Limited OPEN category' to a maximum of MTOM of 2 kg and only to 1/1/2024¹⁵

2.6.2. Specific provisions connected with government flights

The following procedure has been established for government flights (military, customs, police, search and rescue, fire fighting, border patrol, coast guard or similar flights) or services under the supervision and responsibility of the Belgian State, that are carried out in the public interest by or in the name of a body to which government powers have been granted:

- Port Operations shall always be contacted before take-off.
- If the operation is urgent in nature, immediate take-off is permitted and flying is permitted at an altitude of 450 ft AGL. After Port Operations has contacted the UAS operators or the pilots of the flights that have already been scheduled, operations at an altitude lower than 400 ft AGL are permitted.
- If the operation is not urgent in nature, take-off is permitted after Port Operations has contacted the UAS operators or the pilots of operations that were already scheduled.

¹⁵ See (EU) 2019/947, Art. 22.

2.6.3. Weather conditions

The minimum statutory weather conditions for UAS operations within the pilot's visual line of sight (VLOS) are supplemented by the following rules:

- Horizontal visibility shall be at least equal to one and a half times the distance between the UA and the pilot or the UAS observer, unless the operational authorisation stipulates otherwise¹⁶.
- Flying through clouds is not permitted.

No additional conditions have been established for BVLOS flights.

OPEN category C0 up to and including C2: only visual line of sight operations (VLOS) that are in accordance with VFR.

2.6.4. Maximum altitude

2.6.4.1. OPEN category

C0, C1 and C2 drones or equivalent as referred to in the RD of 8 November 2020 are authorised, from ground level up to a maximum altitude of 150 ft AGL.

2.6.4.2. SPECIFIC category

The vertical limits of the zones where the SPECIFIC category is authorised are from ground level up to an altitude of 400 ft AGL.

All drones that fall under C0, C1 and C2 or equivalent as stated in the RD of 8 November 2020 and that wish to fly at altitudes higher than 150 ft AGL, also fall under the SPECIFIC category and with their flight permit are authorised to fly from ground level to an altitude of 400 ft AGL.

2.6.5. Buffer

Flights that approach the site of another special sub-area, operator or public domain with a special or higher risk which did not receive special authorisation, shall maintain a buffer according to the 1-on-1 rule¹⁷ unless otherwise authorised by DGLV.

2.6.6. Obstacles

2.6.6.1. Standard UAS avoidance zone for obstacles

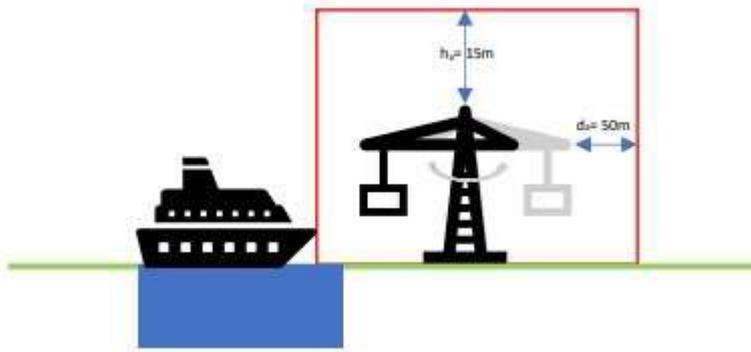
A UAS avoidance zone with the following dimensions shall be established:

- 15 m above the highest part of the obstacle;
- 50 m from the maximum radius of the obstacle.

¹⁶ The operational declaration is not considered sufficient because it assumes a standard situation. In the port area, visibility is crucial for the safety of the surrounding area and vice versa. There are too many moving (temporary) objects. An operational authorisation may have taken account of this risk and provided a technological answer.

¹⁷ Horizontal distance to third parties shall be at least equal to the flying altitude.

This distance or altitude is identical to UAS.OPEN.010 (3)¹⁸ and GM1 UAS.OPEN.010¹⁹, as the type of UAS may also be used in the OPEN category.



This avoidance zone naturally only applies to obstacles that do not form part of the UAS operation (e.g. with an obstacle inspection, the avoidance zone shall not count with regard to the inspected obstacle).

2.6.6.2. Determining the cruising altitude

The pilot shall determine a cruising altitude that avoids all obstacles in the port as much as possible and complies with the standard UAS avoidance zone.

2.6.6.3. BVLOS flights in the vicinity of obstacles

BVLOS UAS operations that have to fly close to obstacles must be fitted with technical equipment to be able to avoid collisions with obstacles.²⁰

If the UAS does not possess technical equipment, the operator who applies for the flight permit must be able to demonstrate on the basis of procedures set out in an operating manual that the flight route has been planned in such way that obstacles, e.g. buildings, structures, high-voltage lines, etc., can be avoided²¹.

2.6.7. Day and night flights

2.6.7.1. OPEN category

Night flights in the OPEN category are prohibited.

2.6.7.2. SPECIFIC category

¹⁸ See [Easy Access Rules for Unmanned Aircraft Systems - Revision from September 2022 | EASA \(europa.eu\)](#)

¹⁹ See [Easy Access Rules for Unmanned Aircraft Systems - Revision from September 2022 | EASA \(europa.eu\)](#)

²⁰ UAS operators shall provide this in the flight permit application

²¹ UAS operators shall provide this in the flight permit application

Night flights in the SPECIFIC category are permitted provided:

- the pilot has received training for this, if manual interventions are necessary during the operation, and
- the procedures and fitting-out have been adjusted accordingly, and
- It has been authorised by operational authorisation or declaration.

2.6.8. Fire hazard

The competent authority shall indicate whether there is a fire hazard in certain areas (e.g. in case of extreme drought).

If there is a fire hazard in a specific area, the following measures may be imposed:

- Prohibition of UAS operation(s);
- Extra fire extinguishers on site to be provided by the UAS operator;
- Modify the flight path of the UAS operations(s);
- Modify the period of the UAS operations.

2.7. SPECIAL SITUATIONS/EVENTS

2.7.1. Grounding

Port Operations or another competent authority can contact the pilot at any time to demand that he immediately and safely land the craft.

This action is always the result of an increased risk where the safety of the flight or environment is no longer guaranteed. These risks can be connected with general safety or security risks.

A grounding is temporary in nature, the duration of which is necessary to guarantee safety and/or security.

2.7.2. Incidents

If an incident occurs (e.g. a crash, an irregularity, the UA flies away, ...), the pilot must immediately notify Port Operations and all related authorities by telephone and state the following:

- time of incident,
- position of UA and pilot,
- type of UAS and description,
- contact details of the UAS operator and the pilot (mobile phone number).



In the event of a crash, the following information shall be provided in addition to the above-mentioned incident information:

- what happened,
- location of crash,
- weather conditions,
- actions taken,
- (possible) consequences.

If the UA has flown away, the following information shall be provided in addition to the above-mentioned incident information:

- what happened,
- start position and last known position of the UA,
- direction in which the UA flew away and altitude of the UA,
- weather conditions,
- battery capacity (in minutes).

SECTION 3: SPECIFIC CONDITIONS FOR SPECIAL SUB-AREAS WITHIN THE GEOZONE EBR55 GHENT HARBOUR

This section is an addition to the general conditions that apply to all UAS operators and their crew (see Section 2) and sets out conditions for specific sub-areas within the geozone EBR55 Ghent Harbour.

3.1. SUB-AREAS WITH SPECIAL REGULATIONS WITHIN THE GEOZONE

The following areas are specifically identified sub-areas that are indicated on the map (see Annex 2) of the geozone EBR55 Ghent Harbour where additional or deviating conditions (may) apply for specific safety, security or environmental reasons.

3.1.1. Water

The 'Water' sub-areas are areas within the geozone EBR55 Ghent Harbour where there are fewer risk factors on the ground, but where the port activities on and around the water do still have to be safeguarded in terms of safety, security or environmental risks. The entire port area is still critical infrastructure which is subject to the Port Police Regulation North Sea Port Ghent.

UAS operations may not fly over ships as standard, unless ships are part of the operation or unless operations above ships have been specifically requested and authorised. UAS operations must avoid shipping to the greatest extent possible at all times.

The following conditions apply to UAS operations above the sub-areas 'Land' of the geozone EBR55 Ghent Harbour:

- A safety checklist must be followed for UAS operations in the OPEN category before the UAS operation can take place (see Annex 4).

The 'Water' sub-areas within the geozone EBR55 Ghent Harbour are indicated on the map in Annex 2.

3.1.2. Land

The 'Land' sub-areas are areas within the geozone EBR55 Ghent Harbour where there are fewer risk factors on the ground, but where the port activities on and around the water do still have to be safeguarded in terms of safety, security or environmental risks. The entire port area is still critical infrastructure which is subject to the Port Police Regulation North Sea Port Ghent.

The following conditions apply to UAS operations above the sub-areas 'Land' of the geozone EBR55 Ghent Harbour:

- An express written authorisation for UAS operations that are carried out above an operator's site is always required from the operator.
- UAS operations above an operator's site shall always be carried out under the operator's supervision.

- A safety checklist must be followed for UAS operations in the OPEN category before the UAS operation can take place (see Annex 4).

The 'Land' sub-areas within the geozone EBR55 Ghent Harbour are indicated on the map in Annex 2.

3.1.3. ISPS

The 'ISPS' sub-areas are areas within the geozone EBR55 Ghent Harbour with specific risks in connection with terrorism, sabotage, espionage and smuggling and are subject to measures in accordance with the legislation relating to Maritime Security.

These sub-areas must be specifically safeguarded against security risks. Consequently, specific conditions may apply to UAS operators to gain access to the site.

The following conditions apply to UAS operations above the 'ISPS' sub-areas of the geozone EBR55 Ghent Harbour in addition to the conditions under 3.1.2. Land:

- Express written authorisation of the PFSO is required.
- Only UAS operations in the SPECIFIC category are permitted. Flights in the OPEN category are prohibited because there are no requirements for UAS operations for that category to disclose all responsibilities and procedures to the air traffic authorities and that can be requested by Port Operations before the operation. Knowledge of the persons in the organisation, the flight activities and the processing of data makes it necessary for security purposes to only have confidence in organisations that as a minimum meet the requirements of the SPECIFIC category.
- Autonomous operations²² are prohibited.

The 'ISPS' sub-areas within the geozone EBR55 Ghent Harbour are indicated on the map in Annex 2.

3.1.4. Seveso establishments

'Seveso establishment' sub-areas are areas within the geozone EBR55 Ghent Harbour where UAS operations can form a danger to the surrounding area.

These sub-areas must be specifically safeguarded in relation to safety and environmental risks. Consequently, specific knowledge is required of UAS operators who wish to carry out UAS operations above the 'Seveso establishments' sub-areas with regard to Seveso establishments and the application of emergency planning in order to limit (further) damage and the adverse consequences for humans and the environment in case of any incidents.

The following conditions apply to UAS operations above the 'Seveso establishments' sub-areas of the geozone EBR55 Ghent Harbour in addition to the conditions under 3.1.2. Land:

²² See (EU) 2019/947, Art. 2(17) 'autonomous operation': an operation during which an unmanned aircraft

- Express written authorisation of the safety coordinator is required.
- Only UAS operations in the SPECIFIC category are permitted. Flights in the OPEN category are prohibited because there are no requirements for UAS operations for that category to disclose all responsibilities and procedures to the air traffic authorities and that can be requested by Port Operations before the operation. Knowledge of the persons in the organisation, the flight activities and the processing of data makes it necessary for security purposes to only have confidence in organisations that as a minimum meet the requirements of the SPECIFIC category.
- STS aircraft are not permitted.
- Autonomous operations²³ are prohibited.
- VLOS UAS operations shall always be carried out with a UA observer.
- The UAS operator must study and sufficiently mitigate the risks in order to limit personal injury or environmental damage in consultation with the operator's security coordinator.
- The UAS must be fitted with a navigation system that transmits its location to the ground station with a maximum accuracy of 10 m.
- Should the navigation system malfunction, the operation must be terminated in a manner that limits the effect on third parties in the air or on the ground.
- The UAS must then at least have a reliable and predictable method with which the UA can restore the command and control link or, if it malfunctions, can terminate the operation in a manner that limits the effect on third parties in the air or on the ground in the case of loss of the operating and control connection, unless the UAS has been fastened with a cable.
- The UAS must be safe to operate with regard to stability, manoeuvrability and the performance of the operating and control connection, by a remote pilot with sufficient proficiency as defined in Implementing Regulation (EU) 2019/947 and in accordance with the manufacturer's instructions, as necessary under all expected operating circumstances, even after one or more systems (if applicable) malfunction.
- Flights that have an operational authorisation the conditions of which take account of Seveso establishments are permitted. With an operational authorisation, these conditions form an indirect part of the assessment of the application for an operational authorisation or LUC.

The 'Seveso establishments' sub-areas within the geozone EBR55 Ghent Harbour are indicated on the map in Annex 2.

²³ See (EU) 2019/947, Art. 2(17) 'autonomous operation': an operation during which an unmanned aircraft

3.1.5. (Temporary) Natural areas

The '(Temporary) Natural areas' sub-areas are areas within the geozone EBR55 Ghent Harbour that are subject to special regulations. UAS operators must familiarise themselves with the applicable requirements.

(Temporary) Natural areas are coupling areas, buffer areas, green zones, parks and areas where temporary restrictions can be set for UAS operations, for example during breeding season, within the geozone EBR55 Ghent Harbour.

The following conditions apply to UAS operations above the '(Temporary) Natural areas' sub-areas of the geozone EBR55 Ghent Harbour in addition to the conditions under 3.1.2. Land:

- Express written authorisation of the competent agency in charge of '(Temporary) Natural areas' is required.

The '(Temporary) Natural areas' sub-areas within the geozone EBR55 Ghent Harbour are indicated on the map in Annex 2.

3.1.6. (Temporary) Military zones

The '(Temporary) Military zones' sub-areas are areas within the geozone EBR55 Ghent Harbour that are subject to special regulations. UAS operators must familiarise themselves with the applicable legislation.

The following conditions apply to UAS operations above the '(Temporary) Military zones' sub-areas of the geozone EBR55 Ghent Harbour in addition to the conditions under 3.1.2. Land:

- Express written authorisation is required, being:
 - 1° a prior flight permit from SPACC via DSA planner; or
 - 2° a prior flight permit from the manager of the zone that is applied for in accordance with the procedure laid down in the prior flight permit referred to in 1°; or
 - 3° a prior flight permit from the General Information and Security Service (ADIV) making use of this form via the FOD Mobiliteit website; or
 - 4° a prior flight permit from the Belgian Military Airworthiness Authority (BMAA) via the FOD Mobiliteit website.

The '(Temporary) Military zones' sub-areas within the geozone EBR55 Ghent Harbour are indicated on the map in Annex 2.

3.1.7. Residential areas and marinas

In deviation from the provisions under 2.5. Flight permit, no flight permit application needs to be submitted for UAS operations in the 'Residential areas and marinas' sub-areas within the geozone EBR55 Ghent Harbour if the operation is to take place within the lateral limits of the 'Residential areas and marinas' sub-areas as indicated on the map in Annex 2.

3.1.8. Emergencies

UAS operations are prohibited in zones where an emergency occurs. Only UA necessary for security or to deal with the emergency are permitted.

3.1.9. Temporary UAS no-fly zones

Only operations of a very exceptional nature²⁴ can be authorised in temporary UAS no-fly zones.

3.1.10. Other (temporary) geozones

The UAS operator is obliged to satisfy the access conditions for other (temporary) geozones.

²⁴ The safe departure of a helicopter, incidents of a diplomatic or judicial nature, military exercises, research and development by North Sea Port in the public interest.



ANNEX 2: INFORMATION AND GEOZONE MAP OF EBR55 GHENT HARBOUR

Name of the geozone

EBR55 Ghent Harbour

Location of the geozone

To the north of Ghent, covering the entire boundary of the seaport as defined in the Port Police Regulation – North Sea Port – Port of Ghent.

Geographical coordinates

The coordinates of the geozone are described in the AIP²⁵ (EBR55 Ghent Harbour):

Lateral limits:

510422N 0034403E - 510433N 0034502E - 510511N 0034530E - 510623N 0034543E - 510633N 0034801E - 510730N 0034813E - 511054N 0035008E - 511113N 0034959E - 511133N 0034913E - 511132N 0034830E - 511248N 0034821E - 511238N 0034804E - 511133N 0034755E - 511141N 0034702E - 511137N 0034646E - 511050N 0034529E - 511014N 0034517E - 510838N 0034420E - 510820N 0034450E - 510757N 0034513E - 510726N 0034428E - 510616N 0034309E - 510544N 0034314E - 510422N 0034403E.

□ Vertical limits:

1000 FT AMSL / GND

Height of the zone

The following vertical limits apply to the geozone:

- UAS operations in accordance with the OPEN category: 150 ft AGL
- UAS operations in accordance with operations in the SPECIFIC category: 400 ft AGL

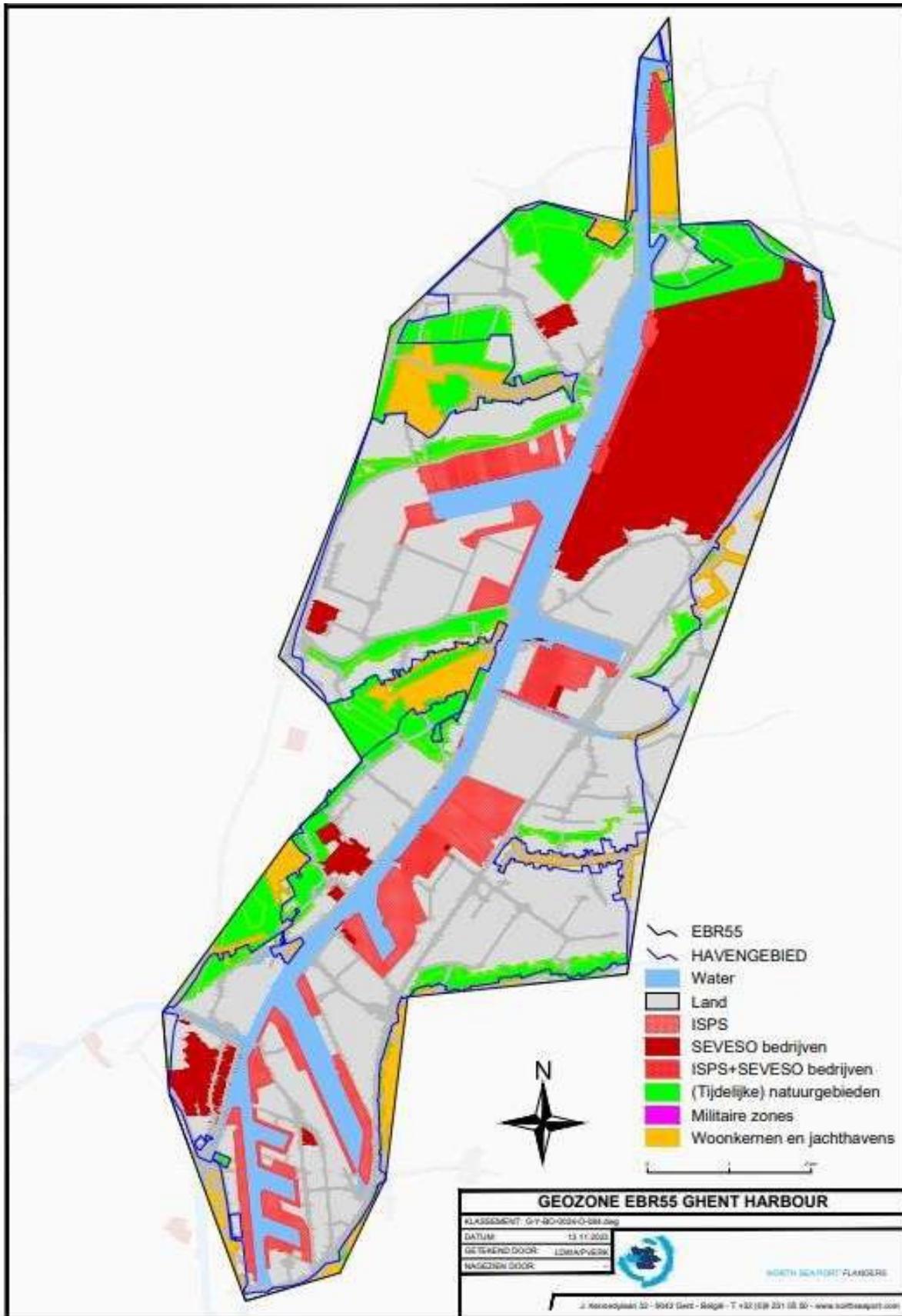
Type of restrictions / Nature of the danger

Prohibited for all aircraft, except:

- inspection flights, landing and take-off of helicopters, environmental control missions carried out on behalf of government agencies, with prior approval of Port Authority⁽¹⁾;
- State aircraft missions, SAR, medical flights, evacuations and fire-fighting intervention, prior notification to Port Authority⁽¹⁾ as soon as practically possible.

(1) Contact Port Authority Ghent: TEL +32 9 251 56 39 or email geozone@northseaport.com.

²⁵ See [AIP for BELGIUM \(section ENR-5.1\) valid from 05 OCT 2023 \(skeyes.be\)](#)



ANNEX 3: SAFETY CHECKLIST 'OPEN' CATEGORY

This checklist is used by everyone who wishes to operate in the OPEN category above the special sub-areas within the geozone EBR55 Ghent Harbour.

No.	Check / Question	Implementation
1.	Have you received authorisation from the operator to make use of the land as take-off or landing location?	If no, make sure to get authorisation first. If yes, go to the next question.
2.	Have you submitted an application for your flight to Port Operations?	If no, apply for flight permission via geozone@northseaport.com and await your flight permit. If yes, go to the next question.
3.	Do you feel well enough to fly?	It is prohibited to fly if you are under the influence of drugs, alcohol or medicine. Make sure you are rested.
4.	Do the weather conditions permit the operation?	If no, postpone the operation. If yes, go to the next question.
5.	Are there companies and/or is there port activity nearby?	If you do not have authorisation to fly over such an area, avoid it.
6.	Are there motorways nearby?	Avoid these at all times.
7.	Are there ships nearby?	If you do not have consent to fly over such an area, avoid it.
8.	Are there other aircraft nearby?	Avoid these at all times.
	Are there (temporary) natural areas nearby?	If you do not have authorisation to fly over such an area, avoid it.
	Are there military domains or military operations nearby?	If you do not have authorisation to fly over such an area, avoid it.
	Are there emergencies nearby?	If you do not have authorisation to fly over such an area, avoid it.
	Are there temporary UAS no-fly zones nearby?	Avoid these at all times.
9.	Is your maximum altitude set at 45 m?	Set your maximum altitude at 45 m.

10.	Will you be available during the entire operation on the mobile phone number stated in the flight permit application?	<p>If no:</p> <ul style="list-style-type: none"> - make sure that you will be available during the entire operation on the mobile phone number stated in the flight permit application; - make sure that you will be available during the entire operation on another mobile phone number and inform Port Operations of this number.
11.	Is it 30 minutes before take-off?	Report the take-off to Port Operations via your mobile phone.