DRONES

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Drones Act 2018

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Drones Act 2018

TABLE OF AMENDMENTS

The Drones Act 2018 No 7 was certified and commenced on 6 March 2018 (GN No 171/2018; Gaz 37/2018).

Amending Legislation	Certified	Date of Commencement
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021
Constitution (Amendment) (No 2) Act 2026 No 21	12 May 2026	s 5: 12 May 2026

[The next page is 570,601]

An Act to regulate the importation, sale and use of drones in the Republic and for related purposes.

Enacted by the Parliament of Naoero as follows:
[cl am Act 21 of 2026 s 5, opn 12 May 2026]

PART 1 — PRELIMINARY

1 Short title

This Act may be cited as the *Drones Act 2018*.

2 Commencement

This Act commences upon certification by the Speaker and came into effect on 6 March 2018.

3 Objective

The objective of the Act is to regulate the importation, sale and use of drones in the Republic.

4 Definitions

In this Act:

'Department' means the Department of Finance;

'drone' means an aircraft that:
(a) is operated without a pilot on board;
(b) is controlled by a person by a remote or any other device;
(c) can fly autonomously through software-controlled flight plans in their computer systems; and
(d) includes an unmanned aircraft that is flown strictly for hobby or recreational purposes;

'Minister' means the Minister for Finance; and

'Secretary' means the Secretary for Finance.

[The next page is 570,801]

PART 2 — ADMINISTRATION

5 Powers of the Secretary

The Secretary has the power to:

(a) issue, vary, suspend or revoke permits or licences;
(b) establish and maintain a register of all permits or licences issued for drones imported and being sold in the Republic;
(c) monitor the importation or sale of drones; and
(d) administer and enforce conditions of permits or licences issued under this Act.

6 Delegation of powers of the Secretary

The Secretary may delegate with or without conditions to a person any or all of the Secretary's powers under this Act.

[The next page is 571,001]

PART 3 — PERMITS AND LICENCES

7 General prohibition

(1) A person shall not import or offer for sale a drone without a permit issued or licence granted under this Act.

(2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding $10,000 or to a term of imprisonment not exceeding 12 months or to both.

8 Application for permit to import drone

(1) A person who intends to import a drone shall apply for a permit in the prescribed form.

(2) The applicant shall pay the prescribed fee prior to the permit being issued.

9 Conditions for permit

(1) A permit issued under Section 8 shall be subject to such requirements and conditions as may be specified in such permit.

(2) A person who contravenes a requirement or condition imposed under subsection (1), commits an offence and upon conviction is liable to a fine not exceeding $5,000 or to a term of imprisonment not exceeding 6 months or to both.

10 Application for licence to sell drones

(1) A person who sells or who intends to sell drones shall apply for a licence in the prescribed form.

(2) The applicant shall pay the prescribed fee prior to the licence being granted.

11 Licence conditions

(1) A licence granted under Section 10 shall be subject to such requirements and conditions as may be specified in such licence or as may be prescribed by regulations.

(2) A licencee who contravenes a requirement or condition imposed under subsection (1), commits an offence and upon conviction is liable to a fine not exceeding $10,000 or to a term of imprisonment not exceeding 12 months or to both.

12 Power to revoke, limit or suspend permit or licence

The Secretary may revoke, limit or suspend a permit issued or licence granted under this Act, where there has been a breach of any requirement or condition of the permit or licence.

[The next page is 571,201]

PART 4 — PROHIBITION ON USE

13 Prohibited photography, filming and recording

(1) A drone shall not be used by a person to take photographs, film or record:
   (a) any event whether social, sporting or official without a permit issued by the Secretary in the prescribed form;
   (b) a person without such person's consent; or
   (c) an area declared by the Minister as a protected area under Section 17.

(2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding $50,000 or to a term of imprisonment not exceeding 12 months or to both.

14 Danger to person, property or animal

(1) A person shall not fly or cause to fly a drone in a manner which is likely to endanger the safety of a person, property or animal.

(2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding $50,000 or to a term of imprisonment not exceeding 12 months or to both.

15 Prohibition on drone flight over residential premises

(1) A person shall not fly or cause to fly a drone over residential premises or over the curtilage of such premises unless prior written permission has been provided by the owner of such premises.

(2) Subsection (1) does not prevent the owner of the residential premises from causing a drone to be flown or operated over premises he or she owns.

(3) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding $20,000 or to a term of imprisonment not exceeding 12 months or to both.

16 Prohibition on the carrying out of surveillance of residential premises

(1) A person shall not fly or cause to fly a drone for the purpose of carrying out surveillance at or over a residential premises or the curtilage of such premises.

(2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding $50,000 or to a term of imprisonment not exceeding 12 months or to both.

17 Protected area

(1) For the purposes of this Act, the Minister may declare an area or a place as a protected area.

(2) A person shall not fly or cause to fly a drone at any height over any area declared by the Minister to be a protected area under subsection (1).

(3) A person who contravenes subsection (2), commits an offence and upon conviction is liable to a fine not exceeding $50,000 or to a term of imprisonment not exceeding 12 months or to both.

[The next page is 571,401]

PART 5 — AUTHORISED OFFICERS

18 Minister may authorise officers

(1) The Minister may, by notice in the Gazette, authorise an officer of the Department or a police officer to be an authorised officer for the purposes of this Act.

(2) All police officers are authorised officers and may exercise all such powers as may be necessary for the enforcement of this Act.

19 Identification of authorised officers

(1) An authorised officer, other than a police officer or Customs officer, shall be issued with an identification card which:
   (a) contains his or her name and a recent photograph;
   (b) states that he or she is an authorised officer for the purposes of this Act;
   (c) provides the period of validity of the identification card;
   (d) states any conditions in his or her instrument of appointment that limits his or her powers as an authorised officer; and
   (e) shall be produced for the purposes of inspection or performance of any duties under this Act.

(2) Where an authorised officer is a police officer or a Customs officer, he or she shall produce for inspection his or her Police or Customs identification card.

20 Powers of authorised officers

(1) An authorised officer may seize and detain a drone and any component of such drone where the:
   (a) owner, operator or seller does not have or cannot produce a permit or licence as required under this Act;
   (b) drone is being flown or operated in a manner which is in contravention of a requirement or condition of the permit issued or licence granted under this Act; or
   (c) drone is flown or operated in contravention of this Act.

(2) For the purposes of subsection (1), an authorised officer may:
   (a) direct a person having control of the drone to land the drone;
   (b) assume control of the drone; or
   (c) force the drone to land or cease flight.

(3) A person who contravenes a direction of an authorised officer under this Section, commits an offence and upon conviction is liable to a fine not exceeding $20,000 or to a term of imprisonment not exceeding 12 months or to both.

[The next page is 571,601]

PART 6 — MISCELLANEOUS

21 Payment of penalty

The owner or operator of the drone seized under Section 20 shall on reclaiming the drone pay a prescribed penalty.

22 Release of drone

The Department shall release the drone to the owner or seller under Section 19 on the payment of the penalty and the permit or licence fee.

23 Offences by corporations

(1) Where an offence has been committed under this Act by a corporation, firm, society or other body of persons, a person who at the time of the commission of the offence was a director, manager, secretary or officer or a partner of the company, firm, society or other body of persons or was purporting to act in such capacity shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly unless he or she proves that:
   (a) the offence was committed without his or her consent or collusion; and
   (b) he or she exercised all such diligence to prevent the commission of the offence as he or she ought to have exercised, having regard to the nature of his or her functions in that capacity and to all circumstances.

(2) Upon conviction, the court may impose:
   (a) in the case of a corporation, firm, society or other body of persons, a fine not exceeding $100,000; and
   (b) in the case of a director, manager, secretary or officer or a partner of the company, firm, society or other body of persons, a fine not exceeding $20,000 or a term of imprisonment not exceeding 12 months or to both.

24 Jurisdiction of court

The District Court shall have jurisdiction to hear and determine all offences under this Act and shall have the power to impose the penalty or punishment in respect of the offences under this Act.

25 Regulations

The Cabinet may make regulations prescribing any matters necessary or convenient to be prescribed for carrying out or giving effect to this Act.

[The next page is 580,001]

Drones (Forms and Fees) Regulations 2020

TABLE OF PROVISIONS

Regulation	*Title*
1	Citation
2	Commencement
3	Application for permit to import drone
4	Application for licence to sell drones
5	Application for permit to use drones
6	Permit to import drones
7	Licence to sell drones
8	Permit to use drones
9	Permit or licence not granted to minors
10	Fees
	SCHEDULE 1 — APPLICATION FORM FOR PERMIT TO IMPORT DRONE
	FORM 2 — APPLICATION FORM FOR LICENCE TO SELL DRONES
	FORM 3 — APPLICATION FORM FOR PERMIT TO USE DRONES
	FORM 4 — DRONES IMPORT PERMIT
	FORM 5 — LICENCE TO SELL DRONES
	FORM 6 — PERMIT TO USE DRONES
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Drones (Forms and Fees) Regulations 2020

TABLE OF AMENDMENTS

The Drones (Forms and Fees) Regulations 2020 SL 28 was notified and commenced on 18 September 2020 (GN No 710/2020; Gaz 177/2020).

Amending Legislation	Notified	Date of Commencement
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021
Constitution (Amendment) (No 2) Act 2026 No 21	12 May 2026	s 5: 12 May 2026

[The next page is 580,401]

The Cabinet makes the following Regulations under Section 25 of the *Drones Act 2018*:

1 Citation

These Regulations may be cited as the *Drones (Forms and Fees) Regulations 2020*.

2 Commencement

These Regulations shall commence on the day they are notified in the Gazette and came into effect on 18 September 2020.

3 Application for permit to import drone

For the purpose of Section 8 of the Act, an application for a permit to import drone shall be in Form 1 of Schedule 1.

4 Application for licence to sell drones

For the purpose of Section 10 of the Act, an application for a licence to sell drones shall be in Form 2 of Schedule 1.

5 Application for permit to use drones

For the purpose of Section 13(1)(a) of the Act, an application for a permit to use drones shall be in Form 3 of Schedule 1.

6 Permit to import drones

A permit to import drones shall be in Form 4 of Schedule 1.

7 Licence to sell drones

A licence to sell drones shall be in Form 5 of Schedule 1.

8 Permit to use drones

A permit to use drones shall be in Form 6 of Schedule 1.

9 Permit or licence not granted to minors

A permit or licence shall not be granted to a person under the age of 18 years.

10 Fees

The fees to be paid for the purposes of the Act and Regulations are set out in Schedule 2.

[The next page is 580,601]

SCHEDULE 1

REPUBLIC OF NAOERO

DRONES ACT 2018

APPLICATION FORM FOR PERMIT TO IMPORT DRONE

[Section 8; Regulation 3]

[Sch 1 am Act 21 of 2026 s 5, opn 12 May 2026]

PART 1: PARTICULARS OF APPLICANT

Surname: . . . . . Full Name: . . . . . .
Nationality: . . . . . Date of birth: . . . . . .
Identification No. /Passport No. . . . . Residential Address: . . . . . .
Email: . . . . . Telephone: . . . . . .

PART 2: IMPORTATION DETAILS

Port of departure: . . . . . Country of Manufacture: . . . . . .
Specify Number of drones imported: . . . . . .
Date of arrival: / /20 . . . .

PART 3: DRONE SPECIFICATION

Drone type and model: . . . . . Purpose: . . . . . .
Wing Span/rotor diameter (m): . . . . . Length(m): . . . . . .
Height (m): . . . . . .
Engine type: . . . . . Engine number: . . . . . .

Do you have any knowledge on operation of drones? (specify)

. . . . . .
. . . . . .

. . . . . .
. . . . . .

PART 4: DECLARATION OF APPLICANT

I, ... (name of applicant) do solemnly declare that the particulars and details stated in this application and the attachments are true and correct to the best of my knowledge and belief and that I have not wilfully suppressed any material fact or mistake.

I, understand that if any information provided by me is false or conceals any material fact or mistake, I shall be liable to punishment upon conviction.

. . . . . Date: / /20 . . . .
Signature of applicant

PART 5: OFFICIAL PURPOSES

Date application lodged by applicant: / /20 . . . .

Receiving officer:. . . . . Date: / /20 . . . .

□ Identification sighted: passport/drivers licence/other
□ Fee paid: Receipt No:. . . . . .

Date application submitted to Secretary: / /20 . . . .
Date applicant informed or decision by Secretary: / /20 . . . .

DECISION

Application is: Approved / Rejected

. . . . . Date: / /20 . . . .
Secretary for Finance

FORM 2

REPUBLIC OF NAOERO

DRONES ACT 2018

APPLICATION FORM FOR LICENCE TO SELL DRONES

[Section 10; Regulation 4]

PART 1: PARTICULARS OF APPLICANT

Surname: . . . . . Given Name: . . . . . .
Nationality: . . . . . Date of birth: . . . . . .
Identification No. /Passport No. . . . . Residential Address: . . . . . .
Email: . . . . . Telephone: . . . . . .

PART 2: APPLICATION

Do you have an import permit?

□ Yes

□ No

If NO, you need to apply for an import permit.

PART 3: DECLARATION OF APPLICANT

I . . . . . *(state name)* of. . . . . *(address)*,. . . . . *(occupation)*, do solemnly and sincerely declare that *(set out matter declared, using numbered paragraphs if it is lengthy)*:

(a)

And I make this solemn declaration by virtue of the *Oaths, Affirmations and Statutory Declarations Act 1976* conscientiously believing in the statement contained therein to be true in every particular.

Signed by the applicant:. . . . . .

Name of person filing this form:. . . . . .

Declared at . . . . . this. . . . . .day of. . . . . .20. . . . . .

Before me:

(Signature)

(Title)

NOTE: Any person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.

PART 4: OFFICIAL PURPOSES

Date of application lodged by applicant: / /20 . . . .

Receiving officer:. . . . . Date: / /20 . . . .

□ Identification sighted: passport / drivers licence

□ Import permit

□ Fee paid: Receipt No:. . . . . .

Date application submitted to Secretary: / /20 . . . .
Date applicant informed of decision by Secretary: / /20 . . . .
DECISION
Application is: Approved / Rejected
. . . . . Date: / /20 . . . .
Secretary for Finance

[Form 2 am Act 21 of 2026 s 5, opn 12 May 2026]

FORM 3

REPUBLIC OF NAOERO

DRONES ACT 2018

APPLICATION FORM FOR PERMIT TO USE DRONES

[Section 13(1)(a); Regulation 5]

PART 1: PARTICULARS OF APPLICANT	
Surname:	Given Name: . . . . .
Nationality:	Date of birth: . . . . .
Identification No. /Passport No.	Residential Address: . . . . .
Email:	Telephone: . . . . .
PART 2: USE OF DRONES	**PART 3 – PURPOSE OF USE OF DRONE**
1. Have you ever used a drone?	□ Social
□ Yes	□ Sporting
□ No	□ Professional/Media
2. Do you own a drone?	□ Personal/Recreational
□ Yes	
□ No	Other: . . . . .

PART 4: DECLARATION OF APPLICANT

I . . . . . *(state name)* of. . . . . *(address)*,. . . . . *(occupation)*, do solemnly and sincerely declare that *(set out matter declared, using numbered paragraphs if it is lengthy)*:

(a)

And I make this solemn declaration by virtue of the *Oaths, Affirmations and Statutory Declarations Act 1976* conscientiously believing in the statement contained therein to be true in every particular.

Signed by the applicant:. . . . . .

Name of person filing this form:. . . . . .

Declared at . . . . . this. . . . . .day of. . . . . .20. . . . . .

Before me:

(Signature)

(Title)

NOTE: Any person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.

PART 5 - OFFICIAL PURPOSES	
Date application lodged by applicant: / /20 . . .	Receiving officer:. . . Date: / /20 . . . .

□ Identification sighted: passport / drivers licence / other
□ Import permit (if drone is to be imported)
□ Attachments: yes / no
Fee paid. Receipt no:. . . . . .
Date application submitted to Secretary: / /20 . . . .
Date applicant informed of decision by Secretary: / /20 . . . .

DECISION

Application is: Approved / Rejected

. . . . . Date: / /20 . . . .
Secretary for Finance

[Form 3 am Act 21 of 2026 s 5, opn 12 May 2026]

FORM 4

REPUBLIC OF NAOERO

DRONES ACT 2018

DRONES IMPORT PERMIT

[Regulation 6]

Permit No:. . . / 20. . .

This permit is issued to . . . . . .*[Full name of applicant]*
of. . . . . *[residential address],* subject to the following conditions:

Conditions of permit

1. This permit is not transferable and is valid only for the shipment specified below.
2. This permit applies only to the following shipment:
   (a) Date of importation: / /
   (b) Countries of origin:.....
   (c) Type of carrier (ship/aircraft):.....
   (d) Name of vessel/aircraft:.....
   (e) Drone type and model .....
3. The importer shall keep records of drones imported.
4. Permit valid from ..... [dd/mm/yy] to.....[dd/mm/yy]

TO: **NAOERO CUSTOMS SERVICE** at the Seaport / Airport
This is to declare that a. . . . . *(quantity)* of drones is due to arrive at the above seaport/airport from. . . . . *(last port of call)* at. . . . . *(time)* on. . . . . *(date).*
Flight No. or Ship's name:. . . . . .

Signature:. . . . . Date: / /20 . . . .
Secretary for Finance

[Form 4 am Act 21 of 2026 s 5, opn 12 May 2026]

FORM 5

REPUBLIC OF NAOERO

DRONES ACT 2018

LICENCE TO SELL DRONES

[Regulation 7]

[Name of licensee], [address of licensee] is hereby licensed to sell drones at *[place of business]*

This licence is subject to the following conditions:

1. This licence is not transferable.
2. Any breach of the licence condition can result in a revocation or suspension of a licence.
3. Licensee shall comply with all the laws of the Republic.

The following authorised officers shall be afforded such assistance to ensure compliance with the *Drones Act 2018*:

(a) *[Full name]*

(b) *[Full name]*

Licence valid from. . . . . *[dd/mm/yy]* to. . . . . *[dd/mm/yy]*

Dated this [dd] of [mm] [yy]

[Signature of Secretary for Finance]

[Full name of Secretary for Finance]

SECRETARY FOR FINANCE

[Form 5 am Act 21 of 2026 s 5, opn 12 May 2026]

FORM 6

REPUBLIC OF NAOERO

DRONES ACT 2018

PERMIT TO USE DRONES

[Regulation 8]

Permit No:. . . / 20. . .

[Name of applicant], [address of applicant] is hereby permitted to use drones as specified below:

Purpose of use of drones: . . . . . .

Conditions

1. Hours for use of drones from . . . . . am / pm to . . . . . am / pm
2. The drone shall not be used to take photographs, film or record a person without such person's consent.
3. The drone shall not be flown over an area declared by the Minister as a protected area under Section 17 of the *Drones Act 2018*.
4. Any breach of the permit may result in revocation or suspension of a licence/commission of an offence under Section 13(2) of the *Drones Act 2018*.

Permit valid from. . . . . *[dd/mm/yy]* to. . . . . *[dd/mm/yy]*

Dated this [dd] of [mm] [yy]

[Signature of Secretary for Finance]

[Full name of Secretary for Finance]

SECRETARY FOR FINANCE

[Form 6 am Act 21 of 2026 s 5, opn 12 May 2026]

[The next page is 580,801]

SCHEDULE 2

REPUBLIC OF NAOERO

DRONES ACT 2018

SCHEDULE OF FEES

[Regulation 10]

[Sch 2 am Act 21 of 2026 s 5, opn 12 May 2026]

Item	Relevant provision	Purpose	Fees
1	Section 8	Application for import permit for drones	$200
2	Section 10	Application for licence to sell drones	$500
3	Section 13	Application for permit for use of drone *(per application)*	
		Social (wedding, birthday, party)	Nil
		Sporting	$150
		Official/Media (foreign applicant)	$1,000
		Personal/Recreational	Nil
		Other use	$100

[The next page is 600,001]