



RISE OF THE DRONES: BUSINESS OPPORTUNITIES AND RISKS

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A drone is an unmanned aircraft, essentially a flying robot guided by remote control or flying on its own through an onboard computer, onboard sensors and GPS. Drones were first used by the military in the late 19th century for anti-aircraft target practice, intelligence gathering and as weapons' platforms. Drones got their name from the early, remotely-flown target aircraft used for practice firing of battleship's guns, the 1930's de Havilland Queen Bee. Today's drones have come a long way from their 1930's counterparts. They present tremendous opportunities for businesses, but their use can also pose challenges and risks.

Drones are widely used to support many every day activities. Last October, the devastating effects of flooding in parts of Trinidad were captured by drones. Over the Carnival weekend the Trinidad and Tobago Police Service utilised drones to maintain real time surveillance of activities in and around Port-of-Spain. Daily weather and traffic reports are fed by drone-gathered data. Search and rescue efforts are supported by drones, including, sadly, the recent example of the identification of the wreckage of the plane carrying Argentine soccer star Emiliano Sala. Sala was found using an underwater drone that recorded video of the plane's wreckage including his body. The use of drones is also being explored in agriculture and even the delivery of drugs and vaccines to remote parts of Africa. Mass distribution companies such as Amazon

are keenly interested in utilising drone technology in transportation. Predictably, there is an emergence of third party 'drone for service' vendors offering drones for rental to commercial operators.

Worryingly, it is also likely that the technology will also be available for use by drug traffickers and terrorists alike. Some fears include the potential threat of unmanned aircraft systems (UAS') being used to target critical infrastructure, drone overflights at power stations and the possibility that UAS' could be utilized to attack events where large crowds gather such as sports stadia or sites of major tourist attractions. Last year convictions were obtained in a California court against a couple who used drones to deliver illegal drugs to customers in a parking lot near to their home. In December of last year, London's Gatwick Airport had to be shut down twice after drones entered surrounding airspace. Hundreds of flights were cancelled, thousands of passengers had to be diverted and a significant amount of money was lost. This incident highlighted the very disruptive effect that drones can have to commerce and to people's lives.

How then are the potential benefits of drones to be balanced against their obvious potential harm? Regulation is one approach to controlling widespread misuse of drones.

The use of drones within the territory of Trinidad and Tobago is regulated by the Civil Aviation Authority ('CAA') under the Trinidad Civil Aviation Act and Civil Aviation Regulation No 19 (the 'UAS Regulation') governing Unmanned Aircraft Systems. The UAS Regulation defines and classifies different types of drones or Unmanned Aircraft according to their maximum take-off mass and velocity. It also defines UAS' to include the Unmanned Aircraft and all related command and control links and components. All UAS' are required to be registered with the CAA. All operators of UAS' are also required to obtain an Unmanned Aircraft Operator Certificate and a licence in respect of each classification of UAS operated. All registration requirements are set out in the UAS Regulation.

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