

Aerial Photo Ban Lifted in The Netherlands



The Ministry of Defence in The Netherlands has revoked the ban on the taking of aerial photos and video films with effect from 1 June 2013. The reason for lifting the ban is that it has been superseded by map services such as those from Google and Microsoft, thus making it redundant.

In the past, a person wishing to take aerial photos from a UAS, aeroplane or helicopter needed to request a permit from the Dutch Ministry of Defence. This measure was meant to discourage spying, but now that satellite photos are now in the public domain, it is now out of date. Companies such as Google and Microsoft in particular are seen as the cause of the policy change, because they do not fall within the scope of the regulations.

Now that the ban has been revoked, this means that military bases or facilities may also be photographed from the air. A spokesman from the Dutch Ministry of Defence has, however, pointed out that even though the ban has been lifted, other regulations still apply, such as the Aviation Act and the law that guarantees the protection of personal data.

Unmanned flying

Professional flying with Unmanned Aircraft Systems (UAS) is governed by law in the Netherlands.

When use is made of a UAS on a professional basis, (there is no distinction between commercial and government authorities), the user should comply with the aviation regulations applying to unmanned aircraft. This is understood to mean a light unmanned aircraft, where the total takeoff weight amounts to no more than 150 kilograms and the maximum speed is lower than 129.64 km per hour (70 knots).

In addition to the speed limit, a number of other regulations apply in The Netherlands. For example, UAS must remain within a radius of 500 metres of the operator and they may only fly up to an altitude of 120 metres. Furthermore, UAS must remain at a distance of 150 metres from buildings and large groups of people.

Photo courtesy: Leon Thier/Atelier PRO.

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