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Use of drones to secure supplies

Adapt Permissibility of Drone Deployment for Times of Crisis

The current corona pandemic shows that the supply infrastructure quickly reaches its limits in times of crisis. Urgently needed goods such as disinfectants are running short, and deliveries are also coming to a standstill. The increased use of unmanned aerial systems - such as drones - could be a quick and efficient way of helping to secure the infrastructure.

In principle, the use of drones is regulated by the German Air Traffic Act (LuftVO). This also regulates that the overflight of industrial plants, critical infrastructures and hospitals is prohibited unless an exception is granted by the competent authority in individual cases. Only under certain conditions is the use of drones in disaster situations by organisations with security responsibilities permitted.

It is necessary to amend the legal provisions at short notice to ensure the use of drones to support medical and supply infrastructure. In the future, it is important to ensure that the widespread use of drones in times of crisis is legally permissible. Dr. Gernot-Rüdiger Engel, attorney and partner at the law firm Luther: "Drones must be deployed as quickly as possible in the air and make their contribution to overcoming such crises. The current situation shows that without future technologies such as drones, we are partially incapable of acting. In the interest of the population, we must be careful not to waste existing know-how and endanger human lives as a result," explained Engel and the industry group head "Health Care" attorney Cornelia Yzer, who together have already provided legal support for several drone projects in the hospital sector – such as the transport of laboratory samples.

The recently enacted Commission Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aerial vehicles (hereinafter: Regulation (EU) 2019/947) already has the effect of fundamentally changing the rules for the operation of drones from 1 July 2020. But even the implementing regulation will not help as long as national bans remain in place.

Background

When normally obvious activities such as shopping are no longer easily possible, alternatives such as delivery services are used. But even there, capacity limits exist, which quickly leads to supply bottlenecks. As soon as it becomes completely impossible for at-risk groups to leave their homes and make appointments with doctors, for example, it becomes extremely difficult to maintain stable conditions.

Drones could be used to fly urgently needed supplies virtually right up to the living room window without a supplier carrying germs into the home. They could also be used to transport medicines, making the trip to the pharmacy unnecessary. The transport of rapid tests and many other medical products would also be conceivable. The possible applications are many and varied and could bring great relief and save lives for millions of people.

On our *information page* at www.luther-lawfirm.com you will find comprehensive and cross-sector information on the effects of the Corona Virus.

Brief Profile Luther

Luther is a leading German commercial law firm that offers comprehensive legal and tax services. The full-service law firm, which has been awarded by JUVE as “Law Firm of the Year 2019”, employs more than 420 lawyers and tax advisors and is represented at 10 German economic centres and at 10 important investment locations and financial centres* in Europe and Asia. Our clients are medium-sized enterprises and large corporations, as well as the public sector.

Luther works closely with other commercial law firms in all the prevailing jurisdictions worldwide. On the Continent, Luther is part of a group of independent leading law firms who have worked together for many years on joint cross-border projects.

Luther Rechtsanwaltsgesellschaft mbH is a law firm with a business approach: our innovative awareness aspires us to provide our clients with customised legal advice that addresses individual needs and delivers the greatest possible economic benefit.

Our lawyers and tax advisors have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks. Further information is available at: www.luther-lawfirm.com

* including corporate services

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