



**Australian Government**  
**Civil Aviation Safety Authority**

I, SHANE PATRICK CARMODY, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 101.028 of the *Civil Aviation Safety Regulations 1998*.

Shane Carmody  
Director of Aviation Safety

xx September 2020

**Part 101 Manual of Standards (Miscellaneous Amendments) Instrument 2020 (No. 1)**

**1 Name of instrument**

This instrument is the *Part 101 Manual of Standards (Miscellaneous Amendments) Instrument 2020 (No. 1)*.

**2 Commencement**

This instrument commences on the day it is registered.

**3 Amendment of the Part 101 Manual of Standards**

Schedule 1 amends the *Part 101 (Unmanned Aircraft and Rockets) Manual of Standards Instrument 2019*.

**Schedule 1 Amendments**

**[1] Section 1.03, the Table, Item 1**

*repeal and substitute*

1	Chapter 2, other than paragraph 2.30 (2) (c) in Division 2.7	10 October 2020
1A	Paragraph 2.30 (2) (c) in Division 2.7 of Chapter 2	10 April 2022

**[2] Subsection 1.04 (2), Definitions**

*insert*

*classification*, for a model aircraft, refers to whether the model aircraft is (in an ascending scale):

- (a) a model aircraft; or
- (b) a giant model aircraft.

**classification**, for an RPA, refers to whether the RPA is (in an ascending scale):

- (a) a micro RPA; or
- (b) a very small RPA; or
- (c) a small RPA; or
- (d) a medium RPA.

*Note* **Classification** does not include a large RPA that is the result of a modification of another RPA because a large RPA would trigger the application of regulation 101.255 of CASR (requiring either a special certificate of airworthiness (restricted category), or an experimental certificate, issued under Subpart 21.H of Part 21 of CASR); and 101.275 (requiring CASA approval to operate).

**electronic identification**, for an RPA or model aircraft, means the unique, identifying, electronic code that is transmitted or broadcast by the aircraft:

- (a) automatically when in flight; or
  - (b) in response to transmissions from the ground-based electronic system used to control, program, prepare or monitor the aircraft for flight or in flight;
- but does not include any code that is transmitted or broadcast exclusively for air traffic control purposes.

**gross weight on take-off**, in relation to a model aircraft, or an RPA that does not have a certificate of airworthiness, is the maximum weight of the aircraft on take-off and includes, to the extent permitted by the manufacturer or recorded in the RPAS technical log, the weight of:

- (a) propulsion systems; and
- (b) all equipment, payload and energy sources carried on the aircraft in flight.

**modification**, for an aircraft, means that, as compared to the permit version, the aircraft is:

- (a) altered in any way; or
- (b) a duplicate of the permit version, whether or not it contains some things that were part of the permit version.

**permit version**, for an aircraft, means the version of the aircraft when it was first:

- (a) registered under Division 47. C.2 of CASR; or
- (b) granted a permission under section 13.01.

**unacceptable modification**, for an aircraft, means a modification to the aircraft that, as compared with the aircraft when it was first registered under Division 47.C.2 of CASR, or first granted a permission under section 13.01 (as the case may be):

- (a) changes the category of the aircraft; or

*Note* The categories for an RPA and model aircraft are as follows: aeroplane; helicopter (single rotor), helicopter (multi-rotor); powered lift and airship.

- (b) changes upwards the classification of the aircraft; or
- (c) increases the gross weight on take-off of the aircraft by more than 20%; or
- (d) does not contain parts and components from the permit version that are critical to the flight of the aircraft; or
- (e) fails to retain any of the following for the aircraft:

- (i) the manufacturer's serial number;
- (ii) if there is no manufacturer's serial number — the CASA serial number allocated in substitution for a manufacturer's serial number when the aircraft was registered;
- (iii) any electronic identification of the aircraft.

**[3] After section 2.02**

*insert*

**2.02A Transitional provisions for RePL training courses**

- (1) This section applies to a person (the *applicant*) who, for the manual or automated operation of a category of RPA that the applicant proposes to operate (the *relevant RPA*):
  - (a) for the relevant RPA — does not hold a RePL that was granted before 10 October 2020; and
  - (b) on or after 3 April 2020 but before 10 October 2020, for the relevant RPA — commenced a RPL training course or any training course in operating RPA, conducted by a certificated RPA operator whose operations include conducting such a training course; and
  - (c) not later than 31 January 2021, for the relevant RPA — has successfully completed and passed all theoretical and practical elements of the training course, including any theoretical knowledge examinations and practical competency assessments, in accordance with standards that were acceptable to CASA for the training course for the relevant RPA before 10 October 2020.
- (2) The training course undertaken by the applicant in accordance with subsection (1) is deemed to be training that complies with the standards and requirements prescribed by this Chapter for the relevant RPA.

**[4] Subsection 10.13 (1)**

*after*

paragraph 101.272 (1) (b)

*insert*

and subregulation 101.372 (1)

**[5] Subsection 10.13 (1)**

*after*

information

*insert*

or notice

**[6] Sections 10.14, 10.15 and 10.16**

*repeal and substitute*

**10.14 Very small, small, and medium excluded RPA — notification before first operation**

- (1) This section applies for any of the following that is an excluded RPA mentioned in subregulation 101.371 (1):
  - (a) a very small RPA;

- (b) a small RPA;
- (c) a medium RPA.
- (2) For subregulation 101.372 (1) of CASR:
  - (a) a person's use of his or her myCASA account and the CASA RPA online registration process to register an excluded RPA is the form and manner hereby approved by CASA for CASA to be notified before the first operation of the excluded RPA; and
  - (b) registration of the excluded RPA is taken to be such notification.

#### **10.15 Micro, very small, small, and medium registered RPA — other information**

- (1) For paragraph 101.272 (1) (b) of CASR, this section applies to a person who has registered an RPA.
- (2) If:
  - (a) the person has used his or her myCASA account to give CASA any personal or commercial identification, or contact details, or any other information; and
  - (b) any of the details or information changes;then the person must use the myCASA account to update the details and information not more than 21 days after the change.
- (3) A person must, as soon as practicable, give CASA specified operational information about the registered RPA, if CASA;
  - (a) considers that the information is necessary for the purposes of aviation safety; and
  - (b) requests the information in writing; and
  - (c) explains in the request why the information is necessary for aviation safety.

#### **[7] Chapter 11**

*repeal and substitute*

#### **Chapter 11 RESERVED**

#### **[8] After Chapter 11**

*insert*

### **CHAPTER 12 IDENTIFICATION OF RPA AND MODEL AIRCRAFT**

#### **12.01 Identification of RPA and model aircraft required to be registered**

- (1) This section is for subregulation 101.098 (1) of CASR.
- (2) In this section:  
***unmanned aircraft to which this section applies*** means an RPA or a model aircraft that is required to be registered under Division 47.C.2 of CASR.
- (3) An unmanned aircraft to which this section applies must at all times when it is operating:
  - (a) legibly display, in a manner that is easily seen or accessible:
    - (i) the manufacturer's serial number; or

- (ii) if there is no manufacturer's serial number — the mark allocated by CASA when the aircraft was registered; and

*Note* This requirement is met even if the serial number or CASA mark is written or affixed inside the aircraft, as long as the number or mark is in a position where an authorised person or a police officer on the ground can readily view, see or inspect it, for example, inside an easily opened battery compartment.

- (b) use the electronic identification of the aircraft (if any) allocated by the manufacturer, in such a way that it is not changed, masked or interfered with in any way without the written permission of CASA.

## CHAPTER 13      OPERATION OF FOREIGN REGISTERED RPA AND MODEL AIRCRAFT

### 13.01 Permission to operate foreign registered RPA or model aircraft

- (1) This section is for subregulation 101.099 (1) of CASR.

- (2) In this section:

*Australian civil aviation legislation* means the *Civil Aviation Act 1988* (the *Act*), the regulations made under the Act, and any legislative instruments made under the Act or the regulations.

*model glider* means a model aircraft that is an unpowered aeroplane.

*unmanned aircraft to which this section applies* means an RPA or a model aircraft that has been registered under a law of a foreign country but not registered in Australia, and is one of the following:

- (a) any RPA;
- (b) a model aircraft (but not a model glider) that has a gross weight greater than 250 g on take-off, except when the aircraft is flown:
  - (i) at a site approved in writing by CASA for model aircraft flight; and
  - (ii) in accordance with the conditions (if any) of the approval.
- (3) Subject to this section and Part 47 of CASR, an unmanned aircraft to which this section applies is not required to be registered in Australia.
- (4) A person must not operate an unmanned aircraft to which this section applies unless the person:

- (a) has applied to CASA for permission to operate the aircraft, in accordance with the approved form for such applications; and

*Note* The approved form requires the applicant to supply the details of all of the following for the aircraft (as applicable): any manufacturer's serial number; any electronic identification; any mark or other visual identification attached or displayed.

- (b) has paid the legislated fee for such a permission; and
- (c) has obtained the written permission of CASA, and that permission
  - (i) has not expired; and
  - (ii) has not been revoked under section 13.03; and
  - (iii) is not affected by subsection (5).

*Note* In the interests of safety, all permissions will be time-limited.

- (d) operates the aircraft in accordance with the conditions (if any) in the permission; and

- (e) otherwise complies with the limitations and restrictions on the operation of an unmanned aircraft set out in the Australian civil aviation legislation; and
  - (f) when operating the aircraft, produces the permission, along with photographic identification, on request by an officer of CASA, or of an Australian police service, acting in the course of his or her official duties.
- (5) If, after permission has been granted, an unmanned aircraft to which this section applies is the subject of an unacceptable modification, the aircraft, as modified, must not be operated unless a new permission under this section is granted for the aircraft in its modified form.
- (6) If an unmanned aircraft to which this section applies is:
- (a) the subject of a permission under this section; and
  - (b) subsequently modified; and
  - (c) the modification is not an unacceptable modification;
- then the permission:
- (a) is taken to apply to the aircraft as modified; and
  - (b) ceases to apply to any other aircraft.

*Note* The effect of subsection (6) is that a permission with respect to an aircraft only ever applies to a single version of the aircraft at any time.

### **13.02 Renewal of permission to operate foreign registered RPA or model aircraft**

A permission granted under section 13.01 may be renewed, or re-issued in an amended form, before or after the permission has expired, if the person who holds or last held the permission applies for the renewal or re-issue of the permission as if section 13.01 applied to the application for the renewal or re-issue.

### **13.03 Revocation of permission to operate foreign registered RPA or model aircraft**

- (1) CASA:
- (a) subject to paragraph (b), may revoke a permission given to a person to operate an RPA or a model aircraft to which section 13.01 applies (the *aircraft*) in any of the circumstances set out in subsection (2); and
  - (b) must revoke the permission if CASA considers that revocation is necessary in the interests of aviation safety.
- (2) For subsection (1), the circumstances are any of the following:
- (a) where CASA considers that operations under the permission present an unreasonable risk to aviation;
  - (b) where CASA considers that the aircraft has been flown in contravention of paragraph 13.01 (4) (d) or (e).
  - (c) where CASA considers that, since the permission was granted, the aircraft has undergone an unacceptable modification;
  - (d) where, before a permission issued under section 13.01 expires, the person to whom it was issued requests, in writing, that the permission be revoked;

*Note* There is no fee for a revocation of this nature.

- (e) where, before a permission issued under section 13.01 expires, CASA has received an application under section 13.01 for permission (a *new permission*) to operate the aircraft from a person (a *new applicant*) other

than the person who holds the permission to operate the aircraft (the *old permission holder*) — provided the application is accompanied by a written statement of agreement to the new permission from the old permission holder.

- (3) For subsection (1), CASA’s revocation must be by written notice given to the person who holds the permission that is being revoked.

*Note* For review of a decision to revoke a permission under paragraphs 13.03 (1) (a) or (b), see regulation 201.004 of CASR.

## **CHAPTER 14          PERMISSIBLE MODIFICATIONS TO REGISTERED RPA AND MODEL AIRCRAFT**

### **14.01 Modifications to registered RPA and model aircraft**

- (1) This section is for subregulation 101.099A (1) of CASR.

- (2) In this section:

*unmanned aircraft to which this section applies* means an RPA or a model aircraft that:

- (a) is not a foreign registered RPA or a foreign registered model aircraft; and  
(b) is required to be registered under Division 47.C.2 of CASR.
- (3) If, after it has been registered, an unmanned aircraft to which this section applies is the subject of an unacceptable modification, the aircraft, as modified, must not be operated unless it is registered again in its modified form.

*Note* For the meaning of *unacceptable modification*, see subsection 1.04 (2).

- (4) If an unmanned aircraft to which this section applies is:

- (a) registered under Division 47.C.2 of CASR; and  
(b) subsequently modified; and  
(c) the modification is not an unacceptable modification;

then the aircraft’s registration:

- (c) is taken to apply to the aircraft as modified; and  
(d) ceases to apply to any other aircraft.

*Note* The effect of subsection (4) is that an aircraft registration only ever applies to a single version of the aircraft at any time.

## **CHAPTER 15          CONDUCT OF ONLINE TRAINING COURSES AND EXAMINATIONS FOR ACCREDITATION**

### **Division 15.1          General**

#### **15.01 Purpose of Chapter**

This Chapter is for subregulation 101.374F (1) of CASR.

#### **15.02 Definition**

In this Chapter:

*approved manner*, for an applicant's submission of a declaration to CASA, means to personally submit the declaration to CASA:

- (a) through the unmanned aircraft accreditation portal on the CASA website; or
- (b) if CASA, in writing, approves another form and manner of submission — in accordance with that form and manner.

## **Division 15.2 Online training courses**

### **15.03 Completion of online training courses**

- (1) An online training course under paragraph 101.374E (2) (b) of CASR for a particular kind of accreditation mentioned in regulation 101.374D is not completed by a person who has applied under regulation 101.374D for a particular accreditation (the *applicant*) unless the requirements of section 15.04 are complied with.
- (2) An online examination under paragraph 101.374E (2) (c) of CASR for a particular kind of accreditation mentioned in regulation 101.374D is not completed by the applicant unless the requirements of section 15.05 are complied with.

### **15.04 Integrity of online training courses**

The applicant must:

- (a) personally successfully complete the entirety of the online training course for the particular kind of accreditation mentioned in regulation 101.374D of CASR that is applied for; and
- (b) personally complete the declaration for the course to the effect that the applicant is the person who:
  - (i) applies for the accreditation; and
  - (ii) completes all of the course for the accreditation; and
- (c) personally submit the declaration to CASA in the approved manner.

### **15.05 Integrity of online examination**

The applicant must:

- (a) personally complete the on-line examination for the particular kind of accreditation mentioned in regulation 101.374D of CASR that is applied for, without any assistance, oral, manual or in writing, from another person; and
- (b) achieve the pass mark specified in the online examination for the accreditation; and
- (c) personally complete the declaration for the online examination to the effect that the applicant:
  - (i) is the person who applies for the accreditation; and
  - (ii) is the person who completes all of the online examination; and
  - (iii) solemnly undertakes that he or she has not, and will not without a court order, or CASA's written permission which may be given for the purposes of any formal process of dispute resolution, disclose to any person the questions that were asked in the online examination; and
- (d) personally submit the declaration to CASA in the approved manner.

*Note* If CASA has reasonable grounds for believing that an applicant made a false declaration, this may result in the giving of a show cause notice that could lead to the suspension or cancellation of the accreditation: see regulations 101.374H and 101.374J.



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