Proposed policy amendments to Part 101 MOS registration, accreditation and transitional provisions - (CD 2014US)

# Overview

CASA is seeking feedback on the proposed changes to the rules for drones, also known as remotely piloted aircraft, including details on:

* the registration and accreditation scheme
* COVID pandemic relief
	+ transitional provisions for remote pilot licences (RePL)
	+ an extension to the commencement of RePL training instructor requirements

The proposal amends the Part 101 Manual of Standards (MOS).

**Registration and accreditation**

The amendments detail requirements to support the registration and accreditation scheme for:

* the operation of foreign-registered drones under a permission in Australian territory
* the proper conduct of online examinations (accreditation)
* registration holders to display CASA-generated registration marks (legibly at all times)
* the acceptable modification of registered drones and criteria when any modified drone must be re-registered
* reducing red tape by replacing the requirement for excluded category notifications with registration.

**COVID pandemic relief**

In April 2020, CASA made an urgent amendment to the Part 101 MOS to extend the date that training organisations were required to transition to the new training syllabi and the MOS requirements. This six-month extension, from 10 April 2020 to 10 October 2020, was provided due to the impact of COVID-19 on the RPAS industry and the training organisation’s ability to meet the transition requirements.

CASA is proposing additional relief in the form of a transitional amendment to Chapter 2 of the Part 101 MOS in relation to RePL training courses.

The first proposed transitional provision will provide that any student who commenced a RePL course on or after 3 April 2020, but before 10 October 2020, will have until 31 January 2021 to fully complete all aspects of the course and its examinations and assessments, under the relevant syllabi, as is in force before 10 October 2020. Any course commenced on or from 10 October 2020 must be completed against the new relevant syllabi.

As a further COVID-19 measure, CASA is proposing to extend the effective date for Part 101 MOS paragraph 2.30 (2) (c) in Division 2.7 RePL training course instructors. This extension will provide RePL training instructors an additional 18 months, to the start of 10 April 2022, to obtain instructor qualifications (in addition to the existing technical and licence requirements) which have been difficult to obtain in the uncertain COVID-19 environment.

**Consequential amendments and Guidance material**

Amendment to RPAS Advisory Circulars may be required. A holistic review of RPAS guidance material is scheduled to be conducted and amended according to priority.

**Previous and ongoing consultations**

In response to recommendations made by the Senate Rural and Regional Affairs and Transport Committee, in July 2019, the Government passed the Civil Aviation Safety Amendment (Remotely Piloted Aircraft and Model Aircraft - Registration and Accreditation) Regulation 2019 legislation, to introduce an RPA and model aircraft registration and operator accreditation scheme.

Between 25 January and 22 February 2019, CASA consulted on this proposal, receiving 4, 236 online submissions.

Consultation on the proposed charges for drones, also known as remotely piloted aircraft, regulatory services, opened on 25 August 2020 and will close 13 September 2020. The proposed charges include an initial fee-free registration period for commercial drones or RPA registered before 30 June 2021, and the introduction of a simplified fee structure for other drone or RPA services.

CASA has also previously consulted with the community on drone registration and accreditation.

In November 2018, a group of drone industry experts met to consider drone registration and accreditation. This technical working group, made up of industry representatives, was established by the Aviation Safety Advisory Panel (ASAP) to direct our engagement with industry and seek input on regulatory and associated policy approaches. The group strongly supported the introduction of a scheme. However, there were some concerns expressed about the impact on some model aircraft owners and operators.

In August/September 2017, CASA published a drone discussion paper. The majority of respondents also supported some form of registration, training or proficiency when the weight of the drone was taken into account.

# Why we are consulting

CASA recognises the valuable contribution community and industry consultations make to the policy decision-making process and future regulatory change. We are seeking your feedback to ensure that the proposed amendments are clearly articulated and will work in practice and as they are intended. Please take this opportunity to provide your views on the proposed amendment.

**Documents for review**

All documents related to this consultation are attached in the ‘related’ section at the bottom of the page. They are:

* Summary of proposed change on CD 2014US, which provides background on the proposed standards
* Exposure Draft Part 101 MOS proposed amendments
* MS Word copy of online consultation for ease of distribution and feedback within your organisation.

**What happens next**

At the end of the response period for public comment, we will review each comment and submission received. We will make all submissions publicly available on the CASA website, unless you request your submission remain confidential. We will also publish a Summary of Consultation which summarises the feedback received.

Information about how we consult and how to make a confidential submission is available on the **CASA website** [*<https://www.casa.gov.au/rules-and-regulations/landing-*](http://www.casa.gov.au/rules-and-regulations/landing-) *page/consultation-process>* .

To be notified of any future consultations, you can subscribe to our **consultation and rulemaking mailing list** *<https://mailinglist.casa.gov.au/?p=subscribe&id=3>*.

Give Us Your Views [Appears on the overview page at the bottom]

[Online Survey](https://consultation.casa.gov.au/regulatory-program/pp1816us/consultation/) [This link is on the front page of the survey and takes you to the survey questions]

**Related**[This section is at the bottom of the front page and contains all the links to other sites and documents related to this consultation]

List of documents to attach to the consultation

* Summary of proposed change on CD 2014US, which provides background on the proposed standards
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**Audience & Interest groups**

## **Audiences**

* CASA Staff
* Drone operator
* Drone training organisation

## **Interests**

* Drones / unmanned aircraft systems
* Sport and recreational aviation

Page: About this consultation

This consultation asks for your feedback on the Proposed policy amendments to Part 101 MOS registration, accreditation and transitional provisions (CD 2014US)

We will ask you for:

* **personal information**, such as your name, any organisation you represent, and your email address
* **your consent** to publish your submission
* **your responses** to the proposed changes in the regulations
* **any comments** you may want to provide
* **demographic information** to help us understand your interest in the regulations

Our website contains more information on making a submission and what we do with your feedback.

**Page 1:** Personal information

## First name

*(Required)*

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## Last name

*(Required)*

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## Email address

*If you enter your email address you will automatically receive an acknowledgement email when you submit your response.*

## Email

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## Do your views officially represent those of an organisation?

*(Required)*

*Please select only one item*

[ ]  Yes, I am authorised to submit feedback on behalf of an organisation

[ ]  No, these are my personal views.

## If yes, please specify the name of your organisation.

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Which of the following best describes the group you represent?

*Please select only one item*

[ ]  Training organisation

[ ]  ReOC holder

[ ]  RePL holder

[ ]  Excluded RPA pilot

[ ]  Recreational flyer

[ ] Other

Please specify “Other” if selected.

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**Page 2:** Consent to publish submission

In order to provide transparency and promote debate, we intend to publish all responses to this consultation. This may include both detailed responses/submissions in full and aggregated data drawn from the responses received.

Where you consent to publication, we will include:

* **your last name** if the submission is made by you as an individual
* **the name of the organisation** on whose behalf the submission has been made
* **your responses** and comments

We **will not** include any other personal or demographic information in a published response.

Information about how we consult and how to make a confidential submission is available on the **CASA website** [*<https://www.casa.gov.au/rules-and-regulations/landing-*](http://www.casa.gov.au/rules-and-regulations/landing-) *page/consultation-process>* .

## Do you give permission for your response to be published?

*(Required)*

*Please select only one item*

[ ]  Yes - I give permission for my response/submission to be published.

[ ]  No - I would like my response/submission to remain confidential but understand that de-identified aggregate data may be published.

[ ]  I am a CASA officer.

**Page 3:** Feedback on the proposed policy amendments to Part 101 MOS registration, accreditation, and transitional provisions

Question 1:

Do you agree that the Part 101 MOS amendments reflect the change in policy as set out in the summary of proposed change and will work as intended?

*Radio buttons*

[ ]  I agree

[ ]  I do not agree (please specify why below)

Comments

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Question 2.

Do you agree that the Part 101 MOS amendments will not result in unintended consequences?

*Radio buttons*

[ ]  I agree

[ ]  I do not agree (please specify why below)

Comments

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**Page 4:** General comments

## Do you have any additional comments about the proposed policy?

*(Please note, this should not include points you have already raised)*

Comments

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