Proposed Part 101 standards and guide for authorised beyond visual line of sight, outside of controlled airspace operations (CD 2216US)

# Overview

We would like your feedback on the proposed aeronautical knowledge standards and associated guide supporting an examination to authorise beyond visual line of sight (BVLOS) operations, outside of controlled airspace (OCTA).

This is an alternative to the current requirement to pass the instrument rating exam (IREX) – an exam originally designed for crewed aviation.

The proposed BVLOS OCTA exam would:

* act as an alternative pathway from the IREX for BVLOS operations outside of controlled airspace
* be the first step in a broader BVLOS licensing framework.

This exam is part of a larger body of work to future proof the Australian remotely piloted aviation industry, as outlined in the [Remotely Piloted Aircraft Systems (RPAS) and Advanced Air Mobility (AAM) Strategic Regulatory Roadmap](https://www.casa.gov.au/rpas-aam-roadmap).

### The proposed new standards

The proposed release of the BVLOS OCTA aeronautical knowledge standards and guide, which will be incorporated later into the Part 101 Manual of Standards, will provide easier access to tailored industry training courses specific to BVLOS.

To enable industry access to the proposed BVLOS OCTA exam sooner, we propose to finalise the BVLOS OCTA aeronautical knowledge standards and guide and make the documents formally available after review and relevant amendment, following public consultation feedback. The standards, guide and the exam would be supported by an instrument made for subparagraph 101.300 (4) (a) (iii) of the *Civil Aviation Safety Regulations 1998 (CASR)*, before the standards are incorporated into the Part 101 Manual of Standards (MOS) in the future.

A pass in the theoretical exam would provide a person with a BVLOS OCTA pass (a pass credit), which would permit them to operate in compliance with a remotely piloted aircraft operator’s certificate (ReOC) holders’ procedures and conduct BVLOS operations OCTA. The ReOC holder must hold an approval to operate BVLOS under regulation 101.029 of the CASR.

### Principal changes that would occur

Once the standards and guide are published:

* training organisations will be able to create training programs to develop candidate knowledge to a level that will prepare the candidate to pass the exam
* candidates who wish to self-study can use the aeronautical knowledge standards
* the exam will be available through the existing Pilot Examination Office (PEXO) system already in use across Australia
* they will become part of a larger integrated RePL framework as proposed in the CASA RPAS and AAM strategic roadmap.

**Earlier consultations**

Between 15 December 2021 and 21 February 2022, we sought feedback on proposed amendments to the drone rules which were meant to simplify the BVLOS approval process.

We further consulted on the need for an alternative pathway from the IREX through the ‘CASA RPAS and AAM strategic roadmap’ [Technical Working Group (TWG)](https://www.casa.gov.au/standard-page/part-101-twg-remotely-piloted-aircraft-systems). This group consisted of representatives from CASA and the RPAS industry and the outcomes informed and guided work on the BVLOS examination project. We publicly consulted on the CASA RPAS and AAM strategic roadmap from 8 March to 19 April 2022.

Prior to the release of the proposed BVLOS exam documents for public consultation, we consulted on the draft BVLOS aeronautical knowledge standards with a working group from within the RPAS industry. Feedback was incorporated and the working group were supportive of the content and approach.

We also receive ongoing feedback on drone-related issues and pain points from operators, industry bodies and the public. This feedback is collated and reviewed by subject matter experts and forms part of our consultative, policy development and regulatory review process.

**Why your views matter**

We recognise the valuable contribution community and industry consultations make to the policy decision-making process and future regulatory change. We are consulting to ensure that the proposed policies are clearly articulated, will work in practice, meet industry’s needs and identify any unforeseen consequences or impact.

We welcome comments from every sector of the community. This includes the public, government agencies and all sectors of the aviation industry, whether as an aviator, aviation consumer and/or provider of related products and services.

**Documents for review**

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

* Summary of proposed change on CD 2216US – background on the proposed standards
* BVLOS OCTA aeronautical knowledge standards
* BVLOS OCTA aeronautical knowledge guide
* MS Word copy of online consultation for ease of distribution and feedback within your organisation.

Please submit your Comments on the CD2216US through the Consultation Hub using the survey provided. If you are unable to provide feedback this way, please contact us for advice through regulatoryconsultation@casa.gov.au

### What happens next

At the end of the response period, 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 and outlines next steps.

Relevant feedback that identifies divergences from the agreed policies will be considered and changes made as required to ensure an outcome that accurately embodies the agreed policies.

We aim to roll out the proposed examination available through the current PEXO system in the first half of 2023. The feedback we receive from this consultation will also assist us in developing implementation and transition timeframes.

**Post-implementation review**

CASA will monitor exam results during the initial rollout phase and on an ongoing basis. We will also continue work as described in the RPAS and AAM strategic roadmap on further proposed changes to the Part 101 of CASR regulations and MOS to support uncrewed aircraft operations.

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

Online Survey [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]

**Related Links**

[CASA EX46/21 — Remotely Piloted Aircraft Operations Beyond Visual Line of Sight Instrument 2021](https://www.legislation.gov.au/Details/F2021L00505)

**Related Documents**

* Summary of proposed change on CD 2216US, which provides background on the proposed standards.
* BVLOS OCTA aeronautical knowledge standards.
* BVLOS OCTA aeronautical knowledge standards guide.

# **Audience and Interest groups**

**Audience**

* CASA staff
* Commercial drone operator
* Drone manufacturer
* Drone repairer
* Drone training organisation
* Emergency services provider/ operator
* Farmer/ agriculture/ operate over your own land
* Model aircraft enthusiast
* Remotely piloted aircraft operator’s certificate (ReOC) holder
* Remote pilot licence (RePL) holder
* Part 61 of CASR Pilot
* Recreational drone flyer
* School/ educational institution
* Training organisation representative

**Interest**

* Airspace and infrastructure
* Agriculture
* Drones / uncrewed aircraft systems
* First person view (FPV)
* Licensing
* Owner of drones and/or model aircraft

# Page 1. About this consultation

This consultation asks for your feedback on the proposed beyond visual line of sight, outside of controlled airspace aeronautical knowledge standards (CD 2216US).

The survey has been designed to give you the option to provide feedback on the survey in its entirety or to provide feedback on the policy topics applicable to you.

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
* **demographic information** to help us understand your interest in the regulations
* **any comments** you may want to provide

Our [website](https://www.casa.gov.au/rules/changing-rules/consultation-industry-and-public)<https://www.casa.gov.au/rules/changing-rules/consultation-industry-and-public>, contains more information on making a submission and what we do with your feedback.

# Page 2. 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

☐ Emergency services employee or volunteer

☐ Excluded category operator

☐ First person view pilot/enthusiast

☐ Education and/or research organisation

☐ Farmer/agriculture

☐ Model aircraft enthusiast

[ ]  Remote pilot licence (RePL) holder

[ ]  Remotely piloted aircraft operator’s certificate (ReOC) holder

[ ]  Recreational drone flyer

☐ RPAS training organisation

☐ RPAS manufacturer/repairer

☐ RPAS maintenance organisation/provider

☐ Part 61 crewed pilot licence holder

[ ]  Other

Please specify ‘Other’ if selected.

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# Page 3. Consent to publish submission

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 or
* **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

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.

Information about how we consult and how to make a confidential submission is available on our [website](https://www.casa.gov.au/rules/changing-rules/consultation-industry-and-public)<https://www.casa.gov.au/rules/changing-rules/consultation-industry-and-public>.

# Page 4: Aeronautical knowledge standards and guide

**Fact bank:** Beyond visual line of sight (BVLOS) outside of controlled airspace (OCTA) aeronautical knowledge standards

**Question 1.** Consider the aeronautical knowledge standards.

Do you think the proposed structure and scope of the knowledge required for conducting BVLOS operations outside of controlled airspace using remotely piloted aircraft systems (RPAS) is appropriate?

Radio buttons

[ ]  Yes

[ ]  Yes with changes (please provide suggested changes below)

[ ]  No (please explain why and provide alternative suggestions below)

[ ]  Undecided / Not my area of expertise

Comment

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**Question 2.** Consider each section of the aeronautical knowledge standards.

Do you think the proposed knowledge items are worded correctly and capture the knowledge requirements for the range of BVLOS operations that may be conducted using RPAS?

Radio buttons

[ ]  Yes

[ ]  Yes with changes (please provide suggested changes for the specific section below)

[ ]  No (please explain why and provide alternative suggestions below)

[ ]  Undecided / Not my area of expertise

Comment

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## **BVLOS OCTA Examination Guide**

**Intent of the guide for industry**

The purpose of this guide is to assist industry participants and approved training organisations to self-study or develop and provide additional training for a remote pilot licence holder to obtain a pass in the BVLOS OCTA examination.

The guide aims to further describe what each of the knowledge categories and standards in the BVLOS OCTA aeronautical knowledge standards document means, expanding on the topic in more detail.

**Fact bank:** BVLOS OCTA examination guide

**Question 3.** Does the aeronautical knowledge guide provide sufficient explanation of the new BVLOS OCTA examination?

*Radio buttons*

☐ Yes, I am satisfied

☐ No (please provide any alternative suggestions below)

☐ Undecided / Not my area of expertise

Comment

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## **BVLOS OCTA examination fee**

The proposed regulatory fee for the Beyond Visual Line of Sight (BVLOS) OCTA examination is A$70 AUD inclusive of GST, plus the examination delivery fee set by a third-party supplier (the examination provider).

The proposed regulatory fee would see an increase of A$5 compared to the IREX. This will be published in a Cost Recovery Implementation Statement (CRIS) on the [CASA website](http://www.casa.gov.au/%22%20%5Ct%20%22_blank) that will also be open for public consultation.

**Why does CASA charge?**

The Australian Government’s overarching cost recovery policy is that, where appropriate, recipients of government services should be charged some or all the costs of those activities. For more information, see the [Australian Government Charging Framework | Department of Finance](https://www.finance.gov.au/government/managing-commonwealth-resources/managing-money-property/managing-money/australian-government-charging-framework%22%20%5Ct%20%22_blank)

The Civil Aviation Safety Authority (CASA) is required to apply this policy to its regulatory charging activities, including exam fees.

**Question 4.** Do you agree to the charge of a regulatory fee of A$70 incl. GST for the BVLOS exam as CASA’s portion of work, plus a third-party provider charge?

Radio buttons

[ ]  Agree

[ ]  Disagree

[ ]  Neutral

Comment

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# Page 5: General response

Do you have any further comments on the proposed BVLOS OCTA standards and associated guide?

Please include anyunforeseen **impact** this change may have on you or your operation.

Comments

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