# Proposed Part 101 Chief Remote Pilot Licence Instructor and other matters - (CD 2401US)

# Overview

We are seeking feedback on proposed changes to the Part 101 Manual of Standards (MOS).

These changes include:

* a new Chief Remote Pilot Licence Instructor (CRI) position in the remote pilot licence (RePL) instructor qualification framework
* improved standards and flexibility
* transition plans
* other minor amendments to make it clearer.

The summary of proposed change document outlines:

* the new CRI policy
* how the CRI and other changes will be implemented
* how the CRI changes may impact training organisations, instructors, and chief remote pilots (CRP)
* minor clarifications for certain operations near aerodromes.

### Proposed changes

**Chief Remote Pilot Licence Instructor**

The CRI will be required to:

* hold one of the prescribed educational requirements and be assessed by CASA as suitable
* make sure training organisations have a person who is skilled in providing internal training and assessing the competence of RePL instructors.

**Replacement of RePL instructor qualification requirements**

RePL instructor qualification requirements will be replaced with a requirement for the instructor to:

* complete suitable internal training and checking
* be assessed by the CRI.

**Other minor amendments**

Other minor changes will be included in the MOS to provide clarity and remove ambiguities.

**More information**

For detailed information on the proposed amendments, please read the Summary of Proposed Change.

## **Previous consultations**

Previous consultations include:

* the Part 101 Post Implementation Review (PIR) [Technical Working Group](https://www.casa.gov.au/about-us/who-we-work/aviation-safety-advisory-panel/technical-working-groups/unpiloted-aircraft-and-rockets-part-101-post-implementation-review-technical-working-group) (TWG)
* [Policy Proposal 2107US](https://consultation.casa.gov.au/regulatory-program/pp-2107us/)
* [Proposed Part 101 MOS – Chief RePL Instructor assessment fee - (SPC 2319US)](https://consultation.casa.gov.au/regulatory-program/spc-2319us/)

We have also received ministerial support to introduce the CRI position.

# Why your views matter

Your feedback will help us make sure:

* the proposed requirements are suitable
* the final legislation is clear
* it will work as intended.

Please submit your comments using the survey link on this page.

If you are unable to provide feedback via the survey link, please email regulatoryconsultation@casa.gov.au

## **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 2401US
* Consultation Draft - Part 101 Manual of Standards (Chief Remote Pilot Licence Instructor and Other Matters) Amendment Instrument 2024
* [Proposed Part 101 MOS – Chief RePL Instructor assessment fee - (SPC 2319US)](https://consultation.casa.gov.au/regulatory-program/spc-2319us/)
* MS Word copy of online consultation for ease of distribution and feedback within your organisation.

# **What happens next**

At the end of the consultation period, we will:

* review all comments received
* make responses publicly available on the consultation hub (unless you request your submission remain confidential)
* publish a Summary of Consultation which summarises the feedback received and outlines any intended changes and next steps.

All comments received on the proposed legislation will be considered. Relevant feedback that improves upon the proposed instrument will be incorporated into the final instrument.

**Post-implementation review**

CASA will monitor and review the new rules during the transition phase and on an ongoing basis. We will also continue work on further changes to the Part 101 regulations to achieve suitable remote pilot instructor qualification outcomes, without affecting the overall standards of RePL instructors.

# 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 Documents**

* Summary of proposed change on CD 2401US
* Consultation Draft - Part 101 Manual of Standards (Chief Remote Pilot Licence Instructor and Other Matters) Amendment Instrument 2024
* MS Word copy of online consultation on - Part 101 Manual of Standards (Chief Remote Pilot Licence Instructor and Other Matters) Amendment Instrument 2024 – (CD 2401US).

# Audience & Interest groups

**Audience**

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| * Drone operators
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| * Drone training organisation
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| * Holder of RPAS remotely piloted aircraft operator’s certificate (ReOC)
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| * Holder of RPAS and remote pilot licence (RePL)
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| * Training organisation representative
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| * VET and tertiary sector organisations providing aviation theory training
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**Interest**

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| * Drones/uncrewed aircraft systems
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# Page 1. About this consultation

This consultation asks for your feedback on the Part 101 Manual of Standards (Chief Remote Pilot Licence Instructor and Other Matters) Amendment Instrument 2024 - (CD 2401US)

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*

[ ]  Drone training organisation

[ ]  Holder of RPAS remotely piloted aircraft operator’s certificate (ReOC)

[ ]  Holder of RPAS and remote pilot licence (RePL)

[ ]  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
* **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. Feedback on the proposed principal changes

Please provide any feedback you have on the proposed principal changes against the questions below.

**Question 1.** Do you think the principal changes outlined below and in the ‘Summary of proposed change’ will be beneficial to RPA training organisations and their personnel?

Please answer **yes** or **no** below and provide any comments you may have in the comments box. The fact banks below will assist you in reviewing the proposed changes.

**Duties and responsibilities of a Chief Remote Pilot Instructor**

**Fact bank:** General obligations

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| 1. For the purpose of conducting a Remote Pilot Licence (RePL) training course for a type of Remotely Piloted Aircraft (RPA), a RePL training organisation must ensure that its Chief Remote Pilot Licence Instructor (CRI) performs and discharges the duties and responsibilities of a CRI that are mentioned in this Manual of Standards (MOS), including those mentioned in this section.
2. The CRI must safely manage the conduct of each RePL training course of the organisation.
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**Fact bank:** Remote Pilot Licence training course

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| 1. The CRI must ensure that each RePL training course is conducted in a professional and systematic manner, in accordance with principles of competency-based training that are set out in detail in the organisation’s documented practices and procedures.
2. The CRI must ensure that the organisation complies with all aspects of the civil aviation legislation that relate to the conduct of each RePL training course, in particular the Part 101 of CASR and the Part 101 MOS.

*Note: See also the wide definition of civil aviation legislation in subsection 1.04(2) and section 3 of the Civil Aviation Act 1988.* 1. The CRI must regularly report to the Chief Executive Officer (CEO) and the Chief Remote Pilot (CRP) on the discharge of the duty under subsection (4).
2. The CRI must ensure that the organisation’s documented practices and procedures for each RePL training course are suitable for competent and effective training of applicants in each course.
3. The CRI must ensure that sufficient numbers of RePL training instructors, and RPA that are appropriate for the training course, are deployed and allocated to allow for competent and effective training of each applicant in each RePL training course.
4. *Note: An RPA is not appropriate for a particular the training course if, for example, it is not capable of performing and enduring the manoeuvres required by the relevant practical competencies under this MOS.*
5. The CRI must set, monitor and maintain the organisation’s standards for its RePL training courses, in accordance with the organisation’s documented practices and procedures.
6. The CRI must establish, implement and manage the organisation’s procedures to identify and rectify deficiencies in RePL training course training outcomes.
7. RePL training instructors.
8. The CRI must ensure that each RePL training instructor is provided with the training, information and documentation required to deliver competent and effective training in each RePL training course.
9. The CRI must ensure that each RePL training instructor is initially assessed, and subsequently regularly assessed, in accordance with the organisation’s documented practices and procedures, to determine that they are competent to commence, and continue, to conduct the training or examining assigned to them.
10. The CRI must ensure that RePL training instructors remain competent to perform their duties, and that any competency refresher training that may be required is appropriate for its purpose.
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**Fact bank:** RePL Instructor qualification requirements

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| 1. Prescribed qualification requirements on RePL instructors currently listed in paragraph 2.30 (2) (c) of the Part 101 MOS will be removed. The standard of instructors will be managed through internal check and training under the oversight of the CRI.
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**Fact bank:** Transitional arrangements

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| 1. On 10 April 2024, the CRI position commences in the MOS. The position will automatically be occupied by the CRP of the approved RePL training organisations.
2. From 10 April 2024, RePL training organisations who wish to have a person other than the CRP fill the CRI position can submit a CRI nomination to CASA. The nominee will need to undergo CASA assessment, and must hold a RePL for each type of RPA for which the RePL training organisation conducts training (this also covers each make and model of the type). The nominee must also hold one or more of the following:
* a pilot instructor rating issued under Part 61 of CASR; and/or
* a Certificate IV in Training and Assessment issued by an approved educational institution/ and/or
* a tertiary level qualification in teaching that is recognised as such by a State or Territory government.
1. Where a CRI the nomination is received by CASA prior to 10 October 2024 from a RePL training organisation (that has a CRP deemed to be the CRI on 10 April 2024), the application processing fees will be waived.
2. RePL training organisations wishing to that the CRP retain the CRI role will need to ensure that:
* **by 10 October** **2024** - the CRP holds a RePL for each type of RPA for which the RePL training organisation conducts training.
* **by 10 April** **2024** - the CRP holds one or more of the following:
	+ a pilot instructor rating issued under Part 61 of CASR
	+ a Certificate IV in Training and Assessment issued by an approved educational institution
	+ a tertiary level qualification in teaching that is recognised as such by a State or Territory government.
1. RePL training organisations will need to provide CASA with updated documented practices and procedures that incorporate the CRI position by 10 October 2024 or upon the nomination of a CRI.
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**Minor and machinery changes to the MOS**

The following minor and machinery changes are sought to be included in the MOS to provide clarity and remove ambiguities.

**Fact bank:** Minor and machinery changes

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| **Topic** | **Reason** |
| **Change of movement area definition** | Consequence of change of legislation. The current Part 101 MOS refers to a repealed definition. |
| **Definition of RPA** | Aligning with Part 101 CASR and removing ambiguity. |
| **Inclusion of airside area as part of the no-fly zone of controlled aerodromes** | There is an unintended consequence in the current Part 101 MOS that allows RPA and model aircraft weighing not more than 250g to operate over the airside area, in some cases this includes the movement area of larger controlled aerodromes. |
| **Addition of model aircraft to chapter 9** | Chapter 9 of the Part 101 MOS is intended to cover model aircraft. It presently does so by using a definition of ‘RPA’ that includes model aircraft. This definition of ‘RPA’ differs from the Part 101 of CASR definition.For consistency, the proposed amendment removes the difference in the definition of RPA between the CASR and MOS.To facilitate this change, Chapter 9 of the MOS needs to specifically refer to model aircraft. |
| **Enable certain RPA and model aircraft operations near non-controlled aerodromes during relevant events** | To better align with Chapter 4 and the risk profile, the proposed MOS amendment replicates the Chapter 4 permission, allowing RPA and model aircraft weighing not more than 250 grams to operate in the no-fly zone of a non-controlled aerodrome during a relevant event conditional on the aircraft remaining outside of the approach and departure paths, and the movement areas. |

Radio buttons

[ ]  Yes

[ ]  No

Please provide any comments you may have on the principal changes proposed.

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**Question 2.** If you operate an existing drone training organisation, do you propose to nominate someone other than the CRP for the CRI position?

Radio buttons

[ ]  Yes

[ ]  No

Comments

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**Question 3.** If you are part of a drone training organisation, what will be the impact on your operations in terms of the transition timeframes and internal changes?

Comments

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**Question 4.** Is there anything further that you would require clarity on from CASA to give effect to this proposal?

Comments

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