



REGULATION REFORM

Flying drones in Australia



© Civil Aviation Safety Authority

Learn about the rules for flying drones in Australia—in effect since 29 September 2016.

The full rules are contained in Part 101 of the Civil Aviation Safety Regulations and cover all recreational and commercial unmanned flight, including model aircraft, airships, balloons, rockets, kites, pyrotechnics and, of course, the ever-growing drone/remotely piloted aircraft sector.

What are the basic rules I need to know?

Australia's safety laws for drones or remotely piloted aircraft (RPA) generally depend on whether the operator is flying commercially or recreationally.

If you are flying for any economic gain you need certification unless your RPA weighs less than two kilograms. Under these circumstances, you need to notify CASA and follow the standard operating conditions (SOCs). There are also reduced regulatory requirements for some private landowners/leaseholders operating RPAs.

If you are flying for fun and not any economic gain, then the regulations are less restrictive. You do not need to be certified, providing you follow some simple safety rules. (See www.casa.gov.au/rpa)

Whatever your reason for flying, it is an offence to operate an unmanned aircraft in a way that creates a hazard to another aircraft, another person or property.





Why change the rules?

CASA amended Part 101 of the Civil Aviation Safety Regulations to:

- › reduce the cost and regulatory burden on lower-risk RPA operations
- › clarify which operators needed an RPA operator's certificate (ReOC)
- › update terminology to align with the International Civil Aviation Organization, for example, UAV (unmanned aerial vehicle) has become RPA (remotely piloted aircraft).

What rules have changed?

The amendments to Part 101 create new weight classifications for RPA:

- › micro – 100 grams or less
- › very small – more than 100 grams and less than 2 kilograms
- › small – at least 2 kilograms and less than 25 kilograms
- › medium – at least 25 kilograms and less than, or equal to, 150 kilograms
- › large – greater than 150 kilograms.

New licensing and certification have been introduced for operators of RPAs outside of the excluded category:

- › a remote pilot licence (RePL)
- › an RPA operator's certificate (ReOC).





© Civil Aviation Safety Authority; Dean Covell

The regulation introduces the concept of excluded RPAs, that is, RPA operations considered to be lower risk. These operations have reduced regulatory requirements. There are two excluded categories:

- › very small RPAs
- › private landowners/leaseholders.

Excluded RPA – very small RPA commercial operators

Commercial operators flying very small (< 2 kg) RPAs do not require an RPA operator's certificate (ReOC) or a remote pilot licence (RePL).

You are required to notify CASA at least five days before your first commercial flight and operate by the SOCs. This means obtaining an aviation reference number (ARN) from CASA.

Excluded RPA – flying over your own land

Private landowners and leaseholders can carry out some operations on their own land with a small RPA (< 25 kg) without needing a ReOC or RePL, if you follow the SOCs and none of the parties involved receives remuneration. Activities include aerial spotting, photography, spraying and carrying cargo.

Under these conditions, you can also operate a medium RPA providing the remote pilot holds an RePL.



What are the standard operating conditions?

Excluded RPAs, i.e. commercial very small RPA operators and some private landowners, must follow the SOCs.

- › You must only fly during the day, not at night.
- › You must only fly by visual line of sight (VLOS)—close enough to see, maintain orientation and achieve accurate flight and tracking.
- › You must fly no higher than 120 metres (400 feet) above ground level.
- › You must not fly any closer than 30 metres from other people.
- › You must not fly in a prohibited area or in a restricted area without the permission of the responsible authority.
- › You must not fly over populous areas, such as beaches, parks and sporting ovals. The risk to life, safety and property depends not only on the density of people and property in an area but also the flying height and the likelihood of injury or damage should something go wrong with the RPA.
- › You must not fly within 5.5 kilometres (3 nautical miles) of a controlled aerodrome—one with an operating control tower.
- › You must not fly in the area of a public safety operation without the approval of a person in charge of the emergency response. This includes situations such as a car crash or any police, firefighting or search and rescue operations.
- › You must only fly one RPA at a time.

If you wish to fly outside any of these conditions, you need to be licensed and/or certified by CASA. For example, licensed pilots may, subject to an air traffic control clearance, fly an RPA within 5.5 kilometres of a controlled aerodrome.

There are also rules around flying an excluded RPA near smaller aerodromes. When flying near an aerodrome without an operating control tower, you must not fly above runways or taxiways or in the approach or departure paths. (See Advisory Circular 101-10 for a depiction of these restricted flying areas.)

Want to know more?

For details on the changes and general information on drone operations in Australia, including an eLearning module suitable for all operators, visit:

www.casa.gov.au/rpa

phone **131 757**

email rpas@casa.gov.au

On the CASA website you will also find:

- › Advisory Circular 101-01—details on flying commercially (other than with excluded RPA)
- › Advisory Circular 101-03—details on flying RPAs for fun or recreation
- › Advisory Circular 101-10—details on operating excluded RPAs
- › the RPAS Notification System
- › ARN application forms
- › how to apply for a ReOC and RePL
- › frequently asked questions.

This information sheet was updated December 2016

