



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX52/24

I, ANDREAS MARCELJA, Acting Director of Aviation Safety, on behalf of CASA, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

**[Signed A. Marcelja]**

Andreas Marcelja  
Acting Director of Aviation Safety

26 September 2024

### **CASA EX52/24 — Flight Testing of Certain Remotely Piloted Aircraft (Airspeeder Operations and Zephatali Walsh) Exemption 2024**

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#### **1 Name**

This instrument is *CASA EX52/24 — Flight Testing of Certain Remotely Piloted Aircraft (Airspeeder Operations and Zephatali Walsh) Exemption 2024*.

#### **2 Definitions**

*Note* In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: **aircraft component**, **aircraft material**, **ARN**, **experimental certificate**, **remote pilot licence** and **RPA**.

In this instrument:

**Airspeeder Operations** means Airspeeder Operations Pty Ltd, ARN 1030663.

**applicable experimental certificate** means an experimental certificate issued by CASA to Airspeeder Operations for the purpose mentioned in paragraph 21.191(a) of CASR in relation to the relevant aircraft.

**relevant aircraft** means the Airspeeder MKM Multi-rotor RPA, with registration number VH-XM4, that is operated by Airspeeder Operations.

**remote pilot in command**, for an operation under this exemption, means Zephatali Tom Wilgi Walsh, ARN 1080342 (**Zephatali Walsh**), the remote pilot for this exemption.

#### **3 Application**

This instrument applies, in relation to the relevant aircraft, operated for the purpose of flight testing under an applicable experimental certificate issued for that purpose, to the following:

- (a) Zephatali Walsh, as the remote pilot in command;
- (b) Airspeeder Operations and Zephatali Walsh, as operators of the relevant aircraft;

- (c) each of the persons mentioned in section 8.

#### **4 Exemptions — remote pilot in command**

- (1) Zephatali Walsh is exempt from compliance with the following requirements, while operating the relevant aircraft for the purpose of research and development involving testing new aircraft design concepts:
  - (a) the requirement, under subregulation 101.252(2) of CASR, to hold a remote pilot licence that authorises the remote pilot in command to operate the relevant aircraft;
  - (b) the requirement, under subregulation 101.252(3) of CASR, to produce, for inspection by a person mentioned in paragraph 101.252(3)(b), a remote pilot licence that authorises the remote pilot in command to operate the relevant aircraft.
- (2) The exemption in subsection (1) is subject to the conditions in section 5.

#### **5 Conditions — remote pilot in command**

Zephatali Walsh must ensure that, while operating the relevant aircraft for the purpose of research and development involving testing new aircraft design concepts:

- (a) an applicable experimental certificate issued by CASA to Airspeeder Operations for the relevant aircraft and for that purpose is in force; and
- (b) the applicable experimental certificate is available to Zephatali Walsh during the operations.

*Note* An experimental certificate issued by CASA for an RPA may be granted subject to conditions or requirements, including conditions limiting the area within which the RPA may be flown or specifying the maximum height that may be reached by the RPA during a relevant operation. Under regulation 11.077 of CASR, it is an offence for a person who holds an experimental certificate to contravene such a condition.

#### **6 Exemptions — the operators**

- (1) Airspeeder Operations and Zephatali Walsh, when conducting operations using the relevant aircraft for the purpose of research and development involving testing new aircraft design concepts, are exempt from compliance with the requirement, under subregulation 101.270(2) of CASR, to hold a certificate as an RPA operator under Division 101.F.4 of CASR that authorises them to conduct the operations.
- (2) Airspeeder Operations and Zephatali Walsh, when operating the relevant aircraft for the purpose of research and development involving testing new aircraft design concepts, are exempt from the requirement, under subregulation 101.275(1) of CASR, to have CASA's approval to operate the relevant aircraft.
- (3) The exemptions in subsections (1) and (2) are subject to complying with the conditions mentioned in section 7.

## 7 Conditions — the operators

Airspeeder Operations and Zephatali Walsh must ensure that, while conducting operations using the relevant aircraft for the purpose of research and development involving testing new aircraft design concepts:

- (a) an applicable experimental certificate issued by CASA to Airspeeder Operations for that aircraft and that purpose is in force; and
- (b) the applicable experimental certificate is available, during the operations, to each maintainer mentioned in section 8.

*Note* An experimental certificate issued by CASA for an RPA may be granted subject to conditions or requirements, including conditions limiting the area within which the RPA may be flown or specifying the maximum height that may be reached by the RPA during a relevant operation. Under regulation 11.077 of CASR, it is an offence for a person who holds an experimental certificate to contravene such a condition.

## 8 Exemption — maintainer

- (1) A person mentioned in the table below is exempt from compliance with regulation 101.265 of CASR, to the extent that the regulation:
  - (a) applies in relation to the carrying out of maintenance on the relevant aircraft, an aircraft component for the relevant aircraft, or aircraft material for the relevant aircraft; and
  - (b) requires the person to hold an airworthiness authority that authorises the maintenance, or carry out the maintenance under the supervision of a person who holds such an authority.

**Table — maintainers**

Item	Person (Column 1)	Aviation Reference Number (Column 2)
1	James Andrew Kira	525755
2	Brett Benjamin Stawinski	1218649
3	Ilaria Angeli	1241366
4	Daniel Musau Kilonzo	1217634
5	Felipe Cestari De Paoli	1233743
6	Daniel James Thomas Moses	1218510
7	Edward George Burnham	1234453

- (2) The exemption in subsection (1) is subject to the condition in section 9.

## 9 Condition — maintainers

A person mentioned in section 8 must comply with any condition relating to the carrying out of maintenance of the relevant aircraft that is imposed by the applicable experimental certificate.

## 10 Repeal

This instrument is repealed at the end of 31 August 2027.