



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX104/23

I, JOHN FRANCIS GRIMA, Acting Executive Manager, Regulatory Oversight, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed J. Grima]

John Grima

Acting Executive Manager, Regulatory Oversight

9 October 2023

CASA EX104/23 — Flight Testing of Certain Remotely Piloted Aircraft (Innovaero Operations and Paul Dewar) Exemption 2023

1 Name

This instrument is *CASA EX104/23 — Flight Testing of Certain Remotely Piloted Aircraft (Innovaero Operations and Paul Dewar) Exemption 2023*.

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: **experimental certificate**, **operator**, **remote pilot licence** and **RPA**.

In this instrument:

Innovaero Fox RPA means any of the following four Innovaero Fox powered-lift RPA, as identified by their nationality and registration marks:

- (a) Hoverframe VH-BFI;
- (b) FTA-1 VH-BRX;
- (c) FTA-2 VH-BYI;
- (d) FTA-3 VH-EQY.

Innovaero Operations means Innovaero Operations Pty Ltd, ARN 1097978.

Innovaero Peregrine RPA means the Innovaero Peregrine powered-lift RPA, as identified by its nationality and registration mark Peregrine 0001 VH-82M.

Paul Dewar means Paul George Dewar, ARN 789851.

3 Application

This instrument applies to:

- (a) Paul Dewar, as the remote pilot in command; and
- (b) Paul Dewar and Innovaero Operations, as the operators, of the Innovaero Fox RPA and the Innovaero Peregrine RPA.

4 Exemptions — remote pilot in command

- (1) Paul Dewar is exempt from compliance with the following requirements while operating the Innovaero Fox RPA or the Innovaero Peregrine RPA 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 Paul Dewar to operate the RPA;
 - (b) the requirement under subregulation 101.252(3) of CASR to produce, for inspection by a person mentioned in paragraph 101.252(3)(b) of CASR, a remote pilot licence that authorises Paul Dewar to operate the RPA.
- (2) The exemptions in subsection (1) are subject to complying with the conditions mentioned in section 5.

5 Conditions — remote pilot in command

Paul Dewar must ensure that, while operating the Innovaero Fox RPA or the Innovaero Peregrine RPA for the purpose of research and development involving testing new aircraft design concepts:

- (a) an experimental certificate issued by CASA to Innovaero Operations for that aircraft and that purpose is in force; and
- (b) that experimental certificate is available to Paul Dewar 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) Paul Dewar and Innovaero Operations, when conducting operations using the Innovaero Fox RPA or the Innovaero Peregrine RPA 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) Paul Dewar and Innovaero Operations, when operating the Innovaero Fox RPA or the Innovaero Peregrine RPA 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 large RPA.
- (3) The exemptions in subsections (1) and (2) are subject to complying with the conditions mentioned in section 7.

7 Conditions — operators

Paul Dewar and Innovaero Operations must ensure that, while conducting operations using the Innovaero Fox RPA or the Innovaero Peregrine RPA for the purpose of research and development involving testing new aircraft design concepts:

- (a) an experimental certificate issued by CASA to Innovaero Operations for that aircraft and that purpose is in force; and

- (b) that experimental certificate is available to Paul Dewar and Innovaero Operations during the operation.

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 Repeal

This instrument is repealed at the end of 30 September 2026.
