



**REMOTELY PILOTED AIRCRAFT SYSTEMS (RPAS) – DRONE REGISTRATION AND OPERATOR  
ACCREDITATION SYSTEM**

**ASAP TECHNICAL WORKING GROUP (TWG)  
TASKING INSTRUCTIONS and FINAL MEETING REPORT**

*The RPAS Registration Technical Working Group is established and operates in accordance with the Terms of Reference of the Aviation Safety Advisory Panel (ASAP) dated September 2017 (or as amended).*

**PURPOSE**

The role of the TWG will be to provide relevant technical expertise and industry sector insight for the development of legislation in accordance with the agreed policy principles.

The TWG will:

- Provide industry sector insight and understanding of current needs and challenges
- Provide current, relevant technical expertise for the development, analysis and review of legislative and non-legislative solutions to the identified issues
- Assist with the development of policies, regulations, advisory materials and transition strategies
- Provide endorsement and or conditional endorsement of policies, regulations, advisory materials and transition strategies for consideration by the ASAP and CASA.

**KEY PRINCIPLES**

The key principles that will be applied for the reform are the following:

- CASA intends to implement a mandatory drone registration system for all drones weighing more than 250 grams and used in Australia – registration may be completed by an organisation or a person;
- CASA intends to implement an accreditation system for all drone users operating recreationally or under the excluded RPA category – accreditation may only be completed by a person;
- Drone measures will be subject to cost recovery.

**SPECIFIC OBJECTIVES**

The project has three key components:

1. **Regulation model.** Review ICAO standards and international legislation with a view to adopting the model that most closely meets the key principles for the reform.
2. **Legislation.** Review the existing Australian legislation against the selected international legislation and determine:
  - a. Any differences from the selected international legislation that are essential to address unique Australian conditions.
  - b. Transitional strategies to minimise the disruption to current industry.
3. **Detailed policy development.** Prepare a comprehensive document setting out the detailed policy settings required for provision of drafting instructions

Timelines for specific outputs are:

- Project launch and initial submissions: October 2018
- **TWG meeting: November 2018**
- Public consultation on detailed policy: December 2018 – February 2019
- Policy finalisation: March 2019
- **TWG meeting: March 2019**
- Legislation drafting: April 2019
- Regulatory package to Department: May 2019

## ROLES AND RESPONSIBILITIES

CASA	TWG Members
<ul style="list-style-type: none"> <li>Organise meetings and workshops, and produce agendas, papers and supporting materials</li> <li>Facilitate meetings and workshops</li> <li>Record insights and findings</li> <li>Communicate openly and consistently with TWG members about project status and issues</li> <li>Respect the time of all TWG members by minimising work required to achieve outcomes</li> </ul>	<ul style="list-style-type: none"> <li>Commit to supporting the project objectives and timeline</li> <li>Engage and collaborate constructively at all times</li> <li>Prepare for working group activities by reviewing agendas, papers and supporting materials</li> <li>Provide timely and considered advice in meetings, and between meetings as required</li> <li>Respond to requests for feedback on draft materials within agreed timeframes</li> </ul>

## CONSENSUS

A key aim of the TWG is that a consensus be reached, wherever possible, in the finalisation and preparation of advice for the Aviation Safety Advisory Panel and CASA.

The TWG will be guided by the ASAP Terms of Reference (Section 6 - attached) with respect to determining and documenting consensus.

## MEMBERSHIP

Members of the TWG have been appointed by the ASAP Chair, following ASAP processes.

The RPAS Registration TWG consists of the following members:

Greg Tyrrell – AAUS	Ron Bartsch – AR Consortium
Ben Harris – National Drones	Joe Urli – ACUO
Tyson Dodd – MAAA	Michael Snabaitis – AMAS
Adam Welsh – DJI	Will Stamatopoulos – AusALPA
*Chris Roberts – Parrot	*John Guselli – UAS International
*Jim Coyne – UAS International	*Reece Clothier – Boeing

*\* Unable to attend the TWG meeting on 27 March 2019.*

The TWG CASA Lead, Andrew Ward, was supported by Craig Brown and Jaclyn Smith, during the meeting.

The ASAP Secretariat was represented by Matthew Di Toro.

## PROCESS FOR ACHIEVING CONSENSUS

As required by the ASAP (& TWG) Terms of reference, there must be agreement by all participants on the method used for obtaining consensus.

To obtain consensus, the TWG discussed the meeting and came to an agreement on whether consensus (or otherwise) has been met on the outcomes of this TWG workshop. This result has been recorded under Outcomes A and B with additional commentary captured in C.

The CASA Lead has also provided commentary of the effectiveness of the TWG and whether it's believed that the recorded outcomes are a fair representation of the TWG from a CASA perspective.

### SUMMARY OF OUTCOMES – TWG Meeting 27 March 2019

This meeting of the TWG worked towards achieving the overall TWG outcomes as described in the ASAP TWG Tasking Instructions.

The questions below seek to ascertain the views of the TWG at this time, so their advice can be provided to the ASAP. Importantly, the TWG may determine that the outcomes are not yet met and therefore provide advice to the ASAP that this is the case. The TWG would, however, also need to qualify and outline why this is the case along with recommendations as to what needs to occur for it to achieve the outcomes.

In addition to the below commentary, any issues raised in the TWG meeting will be provided to the TWG members, ASAP and CASA to ensure there is a common understanding of the areas where rework or investigation is required.

**A. Does the TWG agree that CASA's draft Summary of Consultation (SOC) was reviewed appropriately and was a true reflection of industry feedback?**

*\* Based upon the documents provided to the TWG members at the meeting in Brisbane on 27 March 2019.*

**FULL CONSENSUS** / GENERAL CONSENSUS / DISSENT

*Comments:*

The TWG achieved **full consensus** that the draft Summary of Consultation was reviewed appropriately and is a true reflection of industry feedback.

**B. Does the TWG support CASA's proposed policy and associated regulations for an RPA registration and accreditation scheme and do they meet the key principles?**

*\* Based upon the documents provided to the TWG members at the meeting in Brisbane on 27 March 2019.*

FULL CONSENSUS / **GENERAL CONSENSUS** / DISSENT

*Comments:*

The TWG achieved **general consensus** that they support CASA's proposed policy for a registration and accreditation scheme. There was **full consensus** that the cost component of registration was not supported by the TWG as they strongly believed it could potentially negatively impact the desired safety outcomes.

While the TWG supports the implementation of a registration scheme, the TWG members stated that they cannot support the registration scheme proposal solely on the grounds that the registration costs will result in the failure to meet the primary purpose and safety intent of a registration system. More detail is outlined in Outcome C.

The TWG achieved full consensus in supporting the proposed policy relating to the accreditation scheme.

C. Does the TWG recommend either:

a. That the ASAP endorse CASA's proposed policy and associated regulations for an RPA registration and accreditation scheme?

OR

b. That the ASAP endorse CASA's proposed policy and associated regulations for an RPA registration and accreditation scheme, noting that further discussions are required in relation to certain provisions.

OR

c. That the ASAP not endorse CASA's proposed policy and associated regulations for an RPA registration and accreditation scheme due to underlying policy inconsistencies.

\* Based upon the documents provided to the TWG members at the meeting in Brisbane on 27 March 2019.

FULL CONSENSUS / **GENERAL CONSENSUS** / DISSENT

Comments:

The TWG achieved **general consensus** in recommending that the ASAP can endorse CASA's proposed policy for an RPA registration and accreditation scheme, however there was **full consensus** that the cost component of the proposal could significantly undermine the aviation safety benefits that CASA seeks to achieve. As outlined in Outcome B, the TWG members stated that they cannot support the current proposal on the grounds of the proposed registration costs. This is based on the belief that there will be poor compliance uptake, which will render the scheme ineffective and likely impose significant compliance policing costs on CASA and other agencies far in excess of the cost recovery contemplated. It is fundamental to the success and effectiveness of the registration scheme that participation is maximised.

The TWG referenced the *Civil Aviation Act 1988* in regard to CASA's function to exercise its powers where aviation safety is the most important consideration as opposed to meeting any cost recovery obligations. With regards to RPA registration, the TWG strongly believes that improvements to aviation safety will only be achieved with a higher compliance uptake which they believe is not possible with the current registration cost proposal.

The TWG discussed the provision of free-registration for a short period after it is mandated (i.e. a 'grace period') as another method to ensure a higher compliance uptake and noted that they have received feedback from their associations supporting this. Some members also noted that the TWG heavily discussed and considered registration fee options in the previous meeting, and this is stipulated in their previous report (in Appendix 3, Item 6). They believe that this has not been appropriately considered and recommend that it should be reviewed once again.

The TWG advocates that a lower upfront cost that ensures a better compliance uptake would lead to longer-term benefits for CASA and the broader industry. This includes sustainable cost-recovery and ensuring enforcement resourcing in the future. Some members also noted that they believed that the proposed registration costs will have a negative economic impact on the Australia RPA industry which will be an unintentional consequence and could negatively impact innovation.

TWG member Ron Bartsch provided additional feedback and considerations pertaining to the possibility for CASA to conduct a risk assessment, and the impact the regulations may have on CASA's resourcing. The comments are outlined in Appendix 2.

TWG member Tyson Dodd (MAAA) noted that the proposed policy provides appropriate exemptions at MAAA Club locations and member flying sites for their members. Appropriate exemption established to ensure continued use of sites where risk mitigation and procedural operation occurs under the MAAA MOP's.

The TWG also noted the safety benefits associated with the registration and accreditation scheme:

- Safer operation through increase in lawful operation due RPA ownership being more identifiable to authorities.
- Better operator understanding of how to operate safely through education thereby reducing likelihood of incident/accident.
- Differentiation of the accredited population to inform CASA's risk-based surveillance program (also useful to other government entities).
- Safety information - provision of a mechanism to proactively target RPA users.
- Demographic profile within the RPAS sector to assist in the development of safety campaigns
- Industry sector intelligence made available to CASA decision makers

#### **CASA Lead Summary**

#### **ANDREW WARD**

*Comment:*

I would like to thank the TWG members for taking the time to provide their input to CASA's proposed policy for the RPA registration and accreditation scheme. Their engagement and views have been valuable in assisting CASA shape this policy.

This TWG report accurately depicts the views of the TWG members and the discussion held during the meeting.

## **Appendix**

1. Extract from ASAP Terms of Reference

**(extract) From ASAP and TWG Terms of Reference regarding Consensus**

- 6.1** A key aim of the ASAP is that a consensus be reached, wherever possible, in the finalisation and preparation of advice to the CEO/DAS.
- 6.2** For present purposes, 'consensus' is understood to mean agreement by all parties that a specific course of action is acceptable.
- 6.3** Achieving consensus may require debate and deliberation between divergent segments of the aviation community and individual members of the ASAP or its Technical Working Groups.
- 6.4** Consensus does not mean that the 'majority rules'. Consensus can be unanimous or near unanimous. Consensual outcomes include:
  - 6.4.1 Full consensus**, where all members agree fully in context and principle and fully support the specific course of action.
  - 6.4.2 General consensus**, where there may well be disagreement, but the group has heard, recognised, acknowledged and reconciled the concerns or objections to the general acceptance of the group. Although not every member may fully agree in context and principle, all members support the overall position and agree not to object to the proposed recommendation.
  - 6.4.3 Dissent**, where differing in opinions about the specific course of action are maintained. There may be times when one, some, or all members do not agree with the recommendation or cannot reach agreement on a recommendation.

*Determining and Documenting Consensus*

- 6.5** The ASAP (and Technical Working Groups) should establish a process by which it determines if consensus has been reached. The way in which the level of consensus is to be measured should be determined before substantive matters are considered. This may be by way of voting or by polling members. Consensus is desirable, but where it is not possible, it is important that information and analysis that supports differing perspectives is presented.
- 6.6** Where there is full consensus, the report, recommendation or advice should expressly state that every member of the ASAP (or Technical Working Group) was in full agreement with the advice.
- 6.7** Where there is general consensus, the nature and reasons for any concern by members that do not fully agree with the majority recommendation should be included with the advice.
- 6.8** Where there is dissent, the advice should explain the issues and concerns and why an agreement was not reached. If a member does not concur with one or more of the recommendations, that person's dissenting position should be clearly reflected.
- 6.9** If there is an opportunity to do so, the ASAP (or Technical Working Group) should re-consider the report or advice, along with any dissenting views, to see if there might be scope for further reconciliation, on which basis some, if not all, disagreements may be resolved by compromise.