Instrument number CASA EX58/13

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998* (***CASR 1998***).

**[Signed John F. McCormick]**

John F. McCormick
Director of Aviation Safety

24 June 2013

Exemption — Unmanned Aerial Vehicles (*UAV*) Controller’s Certificate requirements

1 Duration

 This instrument:

(a) commences on the day of registration; and

(b) expires at the end of May 2016 as if it had been repealed by another instrument.

2 Definitions

 In this instrument:

***approved RPAS training organisation*** means a certified UAV operator that is approved by CASA to conduct RPAS training.

***basic RPAS training program*** means a training program conducted by an approved RPAS training organisation for the operation of an RPA:

1. at less than 400 feet AGL; and
2. in visual line of sight; and

(c) outside controlled airspace; and

(d) more than 3 nautical miles from an aerodrome or aircraft landing area; and

(e) not over a populous area; and

(f) not within 30 metres of a person, other than the operator’s personnel.

***certified UAV operator*** means a person who holds a UAV operator’s certificate granted under regulation 101.335 of CASR 1998.

***operator’s personnel*** means:

1. a certified UAV operator; and

(b) a remote pilot employed by a certified UAV operator; and

(c) a person employed or engaged by the operator or the remote pilot to assist in the operation of the RPAS.

***remote pilot*** means a UAV controller.

***RPA*** means remotely piloted aircraft and includes a UAV.

***RPAS***means remotely piloted aircraft system and includes all components of the aircraft system, including the RPA.

***RPAS training***means training for the qualification of Certificate III in Aviation (Remote Pilot) mentioned in the Aviation Training Package, published by the Australian Government and available at: <http://training.gov.au>.

***UAV*** has the meaning given by regulation 101.240 of CASR 1998.

***UAV controller*** means a person who holds a UAV controller’s certificate granted under regulation 101.295 of CASR 1998.

*Note*   ***Remote pilot***, ***remotely piloted aircraft***, ***remotely piloted aircraft system***, ***RPA*** and ***RPAS*** are new terms used by the International Civil Aviation Organization (***ICAO***) to replace ***UAV*** and related terms. CASR 1998 currently uses ***UAV*** and related terms. To the extent practical, this instrument uses the new terms used by ICAO.

3 Application

This instrument applies to an applicant for certification as a remote pilot who:

(a) has completed a basic RPAS training program; and

(b) is registered with CASA by the approved RPAS training organisation.

4 Exemption

The applicant is exempt from the requirements of paragraphs 101.295 (2) (a), (b), (c), (d) and (e) of CASR 1998.