



Australian Government

Civil Aviation Safety Authority

CASA 01/17 – Approval – operation of RPA at night as amended

made under regulations 11.056 and 101.029 and subregulation 101.095 (1A) of the *Civil Aviation Safety Regulations 1998*.

This compilation was prepared on 3 August 2023 taking into account amendments up to *CASA 39/23 – Amendment of CASA 01/17 (Approval – operation of RPA at night) Instrument 2023* as amended and in force on 3 August 2023.

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Compilation No. 1.

3 Application

This instrument applies to the operation of an RPA, other than a large RPA, by a person who holds a certificate as an RPA operator (the *operator*).

4 Definitions

In this instrument:

authorised remote pilot means the operator's chief remote pilot, or a person authorised by the operator's chief remote pilot to operate the RPA in accordance with clauses 8 and 9 of Schedule 1.

RPAS Sample Operations Manual means any of the following documents published by CASA:

- (a) RPAS Sample Operations Manual with revision date 6 February 2017;
- (b) RPAS Sample Operations Manual version 1.0 published in January 2020;
- (c) RPAS Sample Operations Manual version 1.0 published on 22 June 2023.

5 Approval

- (1) The operator is approved to operate the RPA at night.
- (2) An authorised remote pilot is approved to operate the RPA at night.

6 Conditions

- (1) The approval in subsection 5 (1) is subject to the conditions mentioned in Schedules 1 and 2.
- (2) The approval in subsection 5 (2) is subject to the conditions mentioned in Schedule 2.

Schedule 1 Conditions — operator

- 1 The operator must have documented practices and procedures, that are approved in writing by CASA or by a Manager or Team Leader of CASA with responsibility for regulatory oversight of RPA operations, for training and testing of individuals in relation to operating RPA at night.
- 2 For clause 1, the practices and procedures mentioned in the RPAS Sample Operations Manual for training and testing of individuals in relation to operating RPA at night are taken to be approved by CASA.
- 3 The operator must have documented practices and procedures, that are approved in writing by CASA or by a Manager or Team Leader of CASA with responsibility for regulatory oversight of RPA operations, for:
 - (a) making records detailing the training and testing undertaken by authorised remote pilots; and
 - (b) retention of those records.
- 4 For clause 3, the practices and procedures mentioned in the RPAS Sample Operations Manual for making and retention of records detailing the training and testing undertaken by personnel involved in RPA operations are taken to be approved by CASA.
- 5 The operator must have documented practices and procedures, that are approved in writing by CASA or by a Manager or Team Leader of CASA with responsibility for regulatory oversight of RPA operations, for risk assessment and mitigation processes for operation of RPA at night.
- 6 For clause 5, the practices and procedures for risk assessment and mitigation mentioned in the RPAS Sample Operations Manual are taken to be approved by CASA.
- 8 The operator must ensure that the RPA is operated by only:
 - (a) the operator's chief remote pilot; or
 - (b) a person authorised by the operator's chief remote pilot.
- 9 Before authorising a person to operate the RPA, the operator's chief remote pilot must be satisfied that the person:
 - (a) holds a remote pilot licence that authorises the person to operate the RPA; and
 - (b) has the knowledge and practical abilities to operate the RPA; and
 - (c) has been approved by the operator to operate the RPA in accordance with the operator's documented practices and procedures and this instrument; and
 - (d) either:
 - (i) has received appropriate training and testing in relation to the operation of the RPA at night; or
 - (ii) will only operate the RPA while receiving training or taking a test in operating RPA at night.
- 10 Before any operation under this approval, the operator must ensure that a risk assessment is carried out by the operator's chief remote pilot in accordance with the documented practices and procedures mentioned in clause 5.

Schedule 2 Conditions — operator and authorised remote pilot

- 1 The operator and an authorised remote pilot must comply with a request from CASA for CASA to test the pilot on the pilot's knowledge and practical abilities to operate the RPA in accordance with this instrument.
- 2 The operator and the authorised remote pilot must ensure that the launch and landing and recovery areas are illuminated so that the position of the RPA can be established and maintained by the authorised remote pilot by visual reference.
Note For example, the areas may be illuminated by portable lighting or airfield lighting.
- 3 The operator and the authorised remote pilot must ensure that the RPA is fitted with all of the following:
 - (a) serviceable equipment for a GPS hold and return to home function;
 - (b) serviceable equipment for a GPS lock with a minimum of 7 GPS satellites.
- 4 The operator and the authorised remote pilot must ensure that the RPA displays orientation lighting when the RPA is in flight.
Note For example, the orientation lighting may consist of LED lights on the front and rear arms of a multi-rotor RPA.
- 5 The operator and the authorised remote pilot must ensure that ground station software is used to enable the authorised remote pilot to assess the RPA's position.
- 6 The operator and the authorised remote pilot must not operate the RPA outdoors:
 - (a) in rain; or
 - (b) if thunderstorms are observed or reported within 5 kilometres of the location of the proposed operation.

Note to CASA 01/17 – Approval – operation of RPA at night

CASA 01/17 – Approval – operation of RPA at night (in force under the *Civil Aviation Safety Regulations 1998*) as shown in this compilation comprises CASA 01/17 – Approval – operation of RPA at night amended as indicated in the Tables below.

Table of instruments

Year and number	Date of registration on FRL	Date of commencement	Application, saving or transitional provisions
CASA 01/17 – Approval – operation of RPA at night	24 February 2017 (see F2017N00016)	24 February 2017 (see s. 2)	—
CASA 39/23 – Amendment of CASA 01/17 (Approval – operation of RPA at night) Instrument 2023	2 August 2023 (see F2023N00236)	3 August 2023 (see s. 2)	—

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
s. 1	rep. <i>Legislation Act 2003</i> , s 48D
s. 2	rep. <i>Legislation Act 2003</i> , s 48C
Schedule 1	am. F2023N00236