



Australian Government

Civil Aviation Safety Authority

Instrument number CASA 63/21

I, CHRISTOPHER PAUL MONAHAN, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulation 11.245 and paragraph 47.015 (1B) (a) of the *Civil Aviation Safety Regulations 1998*.

[Signed Christopher P. Monahan]

Christopher P. Monahan

Executive Manager, National Operations & Standards

14 October 2021

CASA 63/21 — Aircraft Not Requiring Registration (Classes of RPA and Model Aircraft) Prescription Instrument 2021

1 Name

This instrument is *CASA 63/21 — Aircraft Not Requiring Registration (Classes of RPA and Model Aircraft) Prescription Instrument 2021*.

2 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) is repealed at the end of 1 September 2026.

Note The prescription of classes of RPA and model aircraft in section 4 ceases to be in force at the end of 31 August 2023. The directions in section 5 are in force until the repeal of this instrument.

3 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: **medium RPA**, **micro RPA**, **model aircraft**, **RPA**, **small RPA** and **very small RPA**.

In this instrument:

prescribed class, for an RPA or model aircraft, means a class of RPA or model aircraft mentioned in subsection 4 (2).

test flight, for an RPA or model aircraft, means a flight of the aircraft solely to test the aircraft or its equipment to determine if the aircraft or equipment is in working order and in a condition for safe operation.

4 Prescription of classes of RPA and model aircraft

- (1) For paragraph 47.015 (1) (i) of CASR, the classes of RPA and model aircraft mentioned in subsection (2) are prescribed.

- (2) For subsection (1), the classes are the following kinds of aircraft when operated only for a purpose mentioned in subsection (3):
- (a) micro RPA;
 - (b) very small RPA;
 - (c) small RPA;
 - (d) medium RPA;
 - (e) model aircraft that are not covered by paragraph 47.015 (1) (f) of CASR.
- (3) For subsection (2), the purposes are:
- (a) a test flight following the manufacture of the RPA or model aircraft that is conducted:
 - (i) by, or at the request of, the manufacturer of the RPA or model aircraft; and
 - (ii) before it is provided to the initial purchaser of the RPA or model aircraft; and
 - (b) a test flight following the fitting of equipment to the RPA or model aircraft that is conducted by, or at the request of, the person who fitted the equipment; and
 - (c) a test flight before or after maintenance or repair of the RPA or model aircraft or its equipment that is conducted by, or at the request of, the person who carried out, or will carry out, the maintenance or repair.
- Note* Paragraph 47.015 (1) (i) of CASR provides an exception to the requirement for an aircraft to be registered if it is an aircraft that is prescribed by an instrument under subregulation 47.015 (1B) of CASR. Under paragraph 47.015 (1B) (a) of CASR, CASA may issue an instrument prescribing classes of RPA or model aircraft.
- (4) This section ceases to be in force at the end of 31 August 2023.

5 Directions relating to logging of test flights

- (1) A person who operates an RPA or model aircraft of a prescribed class (the **relevant operator**) for a test flight must prepare a written record of the test flight (the **record**) that includes the following:
- (a) the serial number of the RPA or model aircraft flown;
 - (b) the name, address, and ARN (if any) of the owner of the RPA or model aircraft;
 - (c) the time and date of the test flight;
 - (d) the location of the test flight;
 - (e) the reason for the test flight;
 - (f) any accident, incident or malfunction that occurred during the test flight;
 - (g) the name of the relevant operator.
- (2) The relevant operator must prepare the record as soon as possible after the test flight is completed and sign and date the record.
- (3) The relevant operator, or the employer of the relevant operator, must keep the record for 3 years from the date of the test flight.
- (4) The relevant operator, or the employer of the relevant operator, must give to CASA, on request, the record of any test flight of an RPA or model aircraft of a prescribed class that the relevant operator or employer has kept.

- (5) The person mentioned in subsection (4) who has kept the record may disclose the record to a person other than CASA only if:
- (a) the disclosure has the consent of the owner of the aircraft; or
 - (b) the disclosure is required by law.

Note For regulation 11.250 of CASR, the directions in section 5 cease to be in force at the end of 1 September 2026.
