Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX63/26

I, DANIEL BERNARD O'HAGAN, Section Manager Drafting, Legal Division, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed D.B. O'Hagan]
Danny O'Hagan
Section Manager Drafting
Legal Division

24 August 2026

CASA EX63/26 — Remotely Piloted Aircraft Operations Beyond Visual Line of Sight Exemption 2026

1 Name

This instrument is *CASA EX63/26 — Remotely Piloted Aircraft Operations Beyond Visual Line of Sight Exemption 2026*.

2 Duration

This instrument:

(a) commences on 1 September 2026; and

(b) is repealed at the end of 31 August 2028.

3 Interpretation

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: ***operated within the visual line of sight***, ***remote pilot licence*** and ***RPA***.

(1) In this instrument:

documented practices and procedures has the meaning given by subsection 1.04(2) of the Part 101 Manual of Standards.

enclosed operation means an RPA operation in which an RPA is operated within a building or other structure, or a naturally occurring or manufactured space underground, in circumstances where:

(a) it is physically impossible for the RPA to escape and fly away from the building, structure or space if the RPA is no longer under the control of the remote pilot operating the RPA; and

(b) if the RPA collides with any part of the building, structure or periphery of the space, no material from the RPA, or building, structure or periphery of the space, can move or escape and cause injury to a person outside the building, structure or space.

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EVLOS operation has the meaning given by section 5.04 of the Part 101 Manual of Standards.

exempted flight means a flight of an RPA that is operated beyond visual line of sight of the person operating the RPA at any time during the flight.

remote pilot means:

(a) the holder of a remote pilot licence; or

(b) a person who is taken to hold a remote pilot licence under subregulation 202.461(3) of CASR.

RPA operator means a person who is certified as an RPA operator under regulation 101.335 of CASR.

supervising remote pilot, for an RPA operation, means a remote pilot who:

(a) meets the requirements of subregulation 101.300(4) of CASR for operating an RPA beyond visual line of sight; and

(b) either:

(i) is the RPA operator of the RPA being operated during the RPA operation; or

(ii) if the remote pilot is not the RPA operator of the RPA — has been appointed by the RPA operator to supervise the person operating the RPA during the RPA operation.

(2) In this instrument, an RPA is operated ***beyond visual line of sight*** of the person operating the RPA if it is not operated within the visual line of sight of the person.

4 Exemptions

(1) A remote pilot who, as an RPA operator or member of an RPA operator's personnel, operates an RPA for an exempted flight is exempt from compliance with paragraph 101.300(4)(a) of CASR.

(2) Subject to subsection (3), a remote pilot who, as a member of an RPA operator's personnel, operates an RPA for an exempted flight is exempt from compliance with subregulation 101.073(1) of CASR.

(3) The exemption granted under subsection (2) only applies if the RPA operator holds an approval, under regulation 101.029 of CASR, for the operator's personnel to operate the RPA beyond visual line of sight.

(4) The exemptions are subject to the conditions stated in section 5.

5 Conditions

(1) The remote pilot must ensure the RPA operation complies with the documented practices and procedures for operating the RPA for an exempted flight.

(2) Subject to subsection (4), the remote pilot must operate the RPA under the immediate supervision of the supervising remote pilot, for the RPA operation, who is:

(a) at the place where the remote pilot is located; and

(b) readily accessible to the remote pilot; and

(c) immediately available to advise, and direct, the remote pilot.

Note This subsection does not limit the supervising remote pilot observing multiple flights of RPAs, for the RPA operator, at the same time.

(3) Subject to subsection (4), the remote pilot must comply with the directions, in relation to the RPA operation, of the supervising remote pilot for the RPA operation.

(4) Subsections (2) and (3) do not apply if the RPA operation is an enclosed operation or EVLOS operation.

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