Instrument number CASA 22/22

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.245 of the *Civil Aviation Safety Regulations 1998*.

**[Signed P. Spence]**

Pip Spence
Director of Aviation Safety

30 March 2022

CASA 22/22 – Operation of Certain Unmanned Aircraft – Renewal of Directions Instrument 2022

1 Name

 This instrument is *CASA 22/22 – Operation of Certain Unmanned Aircraft – Renewal of Directions Instrument 2022*.

2 Duration

 The instrument:

(a) commences on 1 April 2022; and

(b) is repealed at the end of 31 March 2025.

3 Definitions

 (1) Subject to subsection (2), in this instrument, words and phrases have the same meaning as in Part 101 of CASR and the Act, unless the contrary intention appears.

 (2) In this instrument:

***Act*** means the *Civil Aviation Act 1988.*

***CASR*** means the *Civil Aviation Safety Regulations 1998*.

4 Application

 This instrument applies to the operation of unmanned aircraft of all kinds, except operations mentioned in subregulation 101.005 (3) of CASR.

5 Directions relating to the operation of unmanned aircraft higher than 400 ft AGL

 (1) A person controlling an unmanned aircraft must not operate the aircraft higher than 400 ft AGL.

 (2) The direction in subsection (1) does not apply to the following:

(a) the operation of a tethered balloon or kite in accordance with Subpart 101.D of CASR;

(b) the release of an unmanned free balloon in accordance with Subpart 101.E of CASR;

(c) the operation of a rocket in accordance with Subpart 101.H of CASR;

(d) the operation of an unmanned aircraft in accordance with:

 (i) an authorisation (however described) or exemption granted under CASR that permits operation of the aircraft higher than 400 ft AGL; or

 (ii) the approval of an approved area under regulation 101.030 of CASR;

(e) the operation of an RPA by the holder of a remote pilot licence in accordance with the privileges and limitations associated with:

 (i) the licence; and

 (ii) the certification of the RPA operator that is conducting the operation;

(f) the operation of a model aircraft in accordance with a written approval given by CASA for the purposes of this paragraph.

6 Directions relating to the operation of unmanned aircraft over areas of public safety or emergency operations

 (1) A person controlling an unmanned aircraft must not operate the aircraft over an area where a fire, police, or other public safety or emergency operation is being conducted.

 (2) The direction in subsection (1) does not apply to the extent that a person in charge of the emergency operation approves the operation of the unmanned aircraft.

7 Directions relating to the operation of RPA or model aircraft near people

 (1) A person controlling an RPA or a model aircraft must ensure that the aircraft is not operated within 30 m from a person unless the person has duties essential to the control or navigation of the aircraft.

 (2) For subsection (1), the distance of 30 m is measured in every direction from the point on the ground or surface of the water directly below the aircraft.

 (3) The direction in subsection (1) does not apply to the following:

(aa) to the operation of a micro RPA if the person holds an approval given by CASA for the purposes of this paragraph;

(a) to the operation of an RPA or a model aircraft in accordance with an authorisation (however called) or exemption granted under CASR that permits operation of the RPA or model aircraft less than 30 m from another person;

(b) if:

 (i) the person is controlling an RPA that is an airship; and

 (ii) the airship approaches no closer to the second person than 10 m horizontally and 30 ft vertically.

8 Directions relating to the operation of a single RPA or model aircraft

 (1) A person controlling an RPA or model aircraft must only operate 1 aircraft at a time.

 (2) The direction in subsection (1) does not apply to the following:

(a) the operation of a micro RPA or a model aircraft if the person holds an approval given by CASA for the purposes of this paragraph;

(b) the operation of an RPA, other than a micro RPA, in accordance with an authorisation (however called) or exemption granted under CASR.