



Civil Aviation Legislation Amendment (2023 Measures No. 1) Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 25 May 2023

David Hurley
Governor-General

By His Excellency's Command

Catherine King
Minister for Infrastructure, Transport, Regional Development and Local Government

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1 Name

This instrument is the *Civil Aviation Legislation Amendment (2023 Measures No. 1) Regulations 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	26 May 2023

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the following:

- (a) the *Civil Aviation Act 1988*;
- (b) the *Civil Aviation (Unmanned Aircraft Levy) Act 2020*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Repeal of model aircraft registration and accreditation scheme

Civil Aviation Safety Regulations 1998

1 Paragraph 47.015(1)(f)

Omit “covered by subregulation (1A)”.

2 Paragraph 47.015(1)(n)

Omit “or a model aircraft”.

3 Subregulation 47.015(1A)

Repeal the subregulation.

4 Paragraphs 47.015(1B)(a) and (b)

Omit “, micro RPA or model aircraft”, substitute “or micro RPA”.

5 Division 47.C.1 of Part 47 (heading)

Omit “and model aircraft”.

6 Regulation 47.058 (note)

Omit “, micro RPA and model aircraft”, substitute “and micro RPA”.

7 Division 47.C.2 of Part 47 (heading)

Omit “, micro RPA and model aircraft”, substitute “and micro RPA”.

8 Paragraph 47.096(1)(d)

Omit “RPA;”, substitute “RPA.”.

9 Paragraph 47.096(1)(e)

Repeal the paragraph.

10 Subregulation 47.096(2)

Omit “or model aircraft”.

11 Regulation 47.096A (heading)

Repeal the heading, substitute:

47.096A Registration requirements for certain RPA

12 Subregulation 47.096A(1) (heading)

Repeal the heading.

13 Subregulations 47.096A(3) and (4)

Repeal the subregulations.

14 Regulation 47.097 (heading)

Omit “and model aircraft”.

15 Subregulations 47.097(1) and (2)

Omit “or as a model aircraft”.

16 Subregulation 47.097(3)

Repeal the subregulation.

17 Regulation 47.098 (heading)

Omit “and model aircraft”.

18 Subregulations 47.098(1) and (2)

Omit “or as a model aircraft” (wherever occurring).

19 Regulation 47.099 (example)

Omit “or model aircraft” (wherever occurring).

20 Subregulations 47.099B(1), (3), (4) and (5)

Omit “or model aircraft” (wherever occurring).

21 Regulation 47.131C (heading)

Omit “and model aircraft”.

22 Subregulation 47.131C(1)

Omit “or model aircraft”.

23 Subregulation 47.131C(2)

Repeal the subregulation, substitute:

- (2) CASA may, by written notice given to the registration holder of an RPA registered under Division 47.C.2, cancel the registration of the RPA if another certificate of registration for the RPA is issued to another person.

24 Subregulation 101.047(3)

Repeal the subregulation (including the note).

25 Regulation 101.098 (heading)

Omit “and model aircraft”.

26 Subregulation 101.098(1)

Omit “and model aircraft”.

27 Paragraph 101.098(2)(a)

Omit “, or a model aircraft.”.

28 Regulation 101.099AA (heading)

Omit “and model aircraft”.

29 Regulation 101.099A (heading)

Omit “and model aircraft”.

30 Subregulation 101.099A(1)

Omit “or model aircraft”.

31 Paragraph 101.099A(2)(a)

Omit “or model aircraft”.

32 Regulation 101.099B (heading)

Omit “and model aircraft”.

33 Subregulation 101.099B(1)

Repeal the subsection (not including the heading), substitute:

- (1) The Part 101 Manual of Standards may prescribe the circumstances in which an RPA that is not required to be registered under Division 47.C.1, and is not registered under Division 47.C.2, may be operated for the purposes of a test flight.

34 Subregulation 101.099B(3)

Omit “paragraph (1)(a) or (b)”, substitute “subregulation (1)”.

35 Paragraph 101.099B(4)(a)

Omit “or a model aircraft”.

36 Subpart 101.FA of Part 101 (heading)

Omit “, micro RPA and model aircraft”, substitute “and micro RPA”.

37 Regulation 101.374A

Omit “, micro RPA and model aircraft, other than model aircraft that are gliders”, substitute “and micro RPA”.

38 Regulation 101.374A (note 2)

Repeal the note, substitute:

- Note 2: This Subpart does not apply to model aircraft, as they are not RPA—see the definitions of *RPA* in regulation 101.021 and *model aircraft* in regulation 101.023.

39 Regulation 101.374B (heading)

Omit “, micro RPA and model aircraft”, substitute “and micro RPA”.

40 Subparagraph 101.374B(1)(b)(i)

Omit “, micro RPA and model aircraft”, substitute “and micro RPA”.

41 Subregulations 101.374B(2) and (3)

Repeal the subregulations.

42 Subregulation 101.374B(4) (heading)

Omit “or model aircraft”.

43 Subregulation 101.374B(4)

Omit “Subregulations (1) and (2) do not apply to a person under 16 years old (the *child*) operating an excluded RPA, a micro RPA or a model aircraft”, substitute “Subregulation (1) does not apply to a person under 16 years old (the *child*) operating an excluded RPA or a micro RPA”.

44 Paragraph 101.374B(4)(c)

Omit “if the child is operating an excluded RPA or a micro RPA—”.

45 Subparagraph 101.374B(4)(c)(i)

Omit “, micro RPA and model aircraft”, substitute “and micro RPA”.

46 Subparagraph 101.374B(4)(c)(ii)

Omit “licence; and”, substitute “licence.”.

47 Paragraph 101.374B(4)(d)

Repeal the paragraph.

48 Regulation 101.374C (heading)

Omit “, micro RPA and model aircraft”, substitute “and micro RPA”.

49 Subregulation 101.374C(1)

Omit “, micro RPA or model aircraft”, substitute “or micro RPA”.

50 Subregulation 101.374C(2)

Repeal the subregulation (not including the heading), substitute:

- (2) The following accreditations and licences are covered by this subregulation:
- (a) an accreditation authorising the operation of excluded RPA and micro RPA;
 - (b) a remote pilot licence.

51 Paragraph 101.374C(4)(a)

Omit “, micro RPA or model aircraft”, substitute “or micro RPA”.

52 Subregulation 101.374C(5)

Omit “, micro RPA or model aircraft”, substitute “or micro RPA”.

53 Paragraph 101.374C(5)(b)

Omit “101.374B(3) or”.

54 Subregulation 101.374C(6)

Omit “, micro RPA or model aircraft”, substitute “or micro RPA”.

55 Subregulation 101.374C(6)

Omit “or model aircraft” (second occurring).

56 Paragraph 101.374C(7)(a)

Omit “, micro RPA or model aircraft”, substitute “or micro RPA”.

57 Division 101.FA.3 of Subpart 101.FA (heading)

Omit “, micro RPA and model aircraft”, substitute “and micro RPA”.

58 Regulation 101.374D

Repeal the regulation, substitute:

101.374D Accreditation—application

An individual may apply to CASA, in writing, for accreditation authorising the holder to operate excluded RPA and micro RPA.

59 Subregulation 101.374E(1)

Omit “an accreditation of the kind applied for if the applicant is eligible for that kind of”, substitute “the accreditation applied for if the applicant is eligible for that”.

60 Subregulation 101.374E(2)

Omit “an accreditation of a particular kind”, substitute “the accreditation”.

61 Paragraphs 101.374E(2)(b) and (c)

Omit “kind of”.

62 Subregulation 101.374E(3)

Omit “an accreditation” (first occurring), substitute “the accreditation”.

63 Subregulation 101.374E(4)

Omit “an accreditation”, substitute “the accreditation”.

64 Subregulation 101.374E(5)

Repeal the subregulation (not including the note), substitute:

- (5) The accreditation authorises the holder to operate excluded RPA and micro RPA as stated in the accreditation.

65 Subparagraphs 101.374J(1)(c)(i), (ii) and (iii)

Omit “or a model aircraft”.

66 Subregulation 201.016(3) (heading)

Omit “and model aircraft”.

67 Division 202.BF.3 of Part 202

Repeal the division.

68 Regulation 202.463 (definitions of *model aircraft stage 1 application day* and *model aircraft stage 2 application day*)

Repeal the definitions.

69 Regulation 202.464

Repeal the regulation.

70 Subregulations 202.466(1), (2), (2A), (4) and (5)

Repeal the subregulations.

71 Part 1 of the Dictionary (definition of *accreditation*)

Repeal the definition, substitute:

accreditation means an accreditation under Division 101.FA.3 authorising the holder to operate excluded RPA and micro RPA.

72 Part 1 of the Dictionary (paragraph (b) of the definition of *registration holder*)

Omit “or a model aircraft”.

Civil Aviation (Unmanned Aircraft Levy) Regulations 2021

73 Paragraph 5(b)

Omit “nil; and”, substitute “nil.”.

74 Paragraph 5(c)

Repeal the paragraph.

Schedule 2—Other amendments

Civil Aviation Safety Regulations 1998

1 Paragraph 117.030(3)(d)

Repeal the paragraph.

2 Subregulation 201.022(3)

Omit “of the Commonwealth, or”.