# New Rules for RPAS

Last month, Associate Transport Minister Craig Foss announced an update to Civil Aviation Rules regulating Remotely Piloted Aircraft Systems (RPAS), also known as drones. The updated rules, coming into effect on 1 August 2015, will better manage safety risks of RPAS, which are currently regulated under Part 101 – rules designed for model aircraft.

While Part 101 has been updated, it will still apply to RPAS posing a low risk to the public, property and other airspace users.

The new Part 102 operator certification rules will regulate the use of RPAS when operated beyond the provisions of Part 101, such as at night or at public gatherings. Typically, these operations could pose a higher risk to the public and other airspace users, and so the Director needs to be assured that the operator has addressed all the safety risks associated with the operation. Those operating under a Part 102 certificate will still need to fly their aircraft to Part 101 limitations except where the operation's specification attached to the certificate specifically allows greater latitude.

Certification is not required for operations conducted under Part 101.

Operators seeking Part 102 certification must submit a safety case to the CAA to demonstrate how they will address the safety risks associated with their operation. There will be an Advisory Circular accompanying Part 102 giving guidance on how to apply for certification.

"From kiwifruit orchard mapping, to stock herding, to real estate aerial photography, and search and rescue, many of the activities we see in our skies today were difficult to imagine only a few years ago," says Steve Moore, CAA's General Manager of General Aviation.

"Many New Zealand businesses are already using RPAS. It's important for them, other airspace users, and the public, that those operations are conducted safely," he says.

One of the aims of Part 102 is to incorporate sufficient flexibility to cater for developing RPAS technology that may unlock economic and safety benefits.

There has been a growing number of incidents reported to the CAA over the last few years involving RPAS. In 2010 there was only one, in 2012 there were 12, and in 2014 there were 26.

While they didn't involve near misses with large aircraft, such incidents have occurred overseas. In 2014, a remotely piloted helicopter came within seven metres of an Airbus A320 landing at London's Heathrow Airport.

"The surge in popularity of RPAS has been a challenge for regulators around the world," adds Steve.

"It's critical we respond to the safety risk these new aircraft pose. But it's just as important that we don't rush to introduce regulations that could be ineffective or have unintended consequences.

"That's why we've taken a considered approach to developing rules that avoid an undue compliance burden, while managing current and future aviation safety risks."

The CAA consulted widely on the rule changes and received more than 80 submissions from a variety of individuals and organisations.

"Whether an operator is a weekend hobbyist, or a professional, all RPAS users need to know they must stick to the rules to ensure RPAS operations are safe," says Steve.

"The biggest challenge we face is ensuring that everyone who operates an RPA understands their obligations, as often this is the first time they've had to comply with Civil Aviation Rules."

To address this, the CAA is working with manufacturers and retailers to ensure they pass on the safety message when they sell an RPAS product.



We are also working with Airways New Zealand which is encouraging all operators to log their flights online at www.airshare.co.nz, a web site promoting safety in controlled airspace.

Operators who want to understand what their safety obligations are can find out at www.caa.govt.nz/rpas. We also recommend you subscribe to the CAA's email notifications to keep up to date with any changes involving RPAS rules at www.caa.govt.nz/subscribe. ■

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