

## Interim Approach feedback

In December 2013 the CAA provided a draft policy paper to key stakeholders in the RPAS sector for their comment: *Interim Approach to the Regulation of Remotely Piloted Aircraft Systems*. The Interim Approach included proposals for potential rule changes and the development of a comprehensive education and communications programme on the safe operation of RPAS.

There was considerable interest from the RPAS and wider aviation sector on potential RPAS regulations, with some very detailed submissions. Most submissions supported the wider plan of the CAA, including:

- Changes to the rules currently governing RPAS.
- Development of an education programme.
- Creation of an RPAS register.
- On-going engagement with international aviation organisations.

## Change of approach to RPAS regulation

These submissions prompted the CAA to revisit the original proposal to regulate RPAS by distinguishing between commercial and recreational operations, with the commercial operations to be authorised under Part 19 and recreational to continue to fly under Part 101, regardless of weight.

Some submitters pointed out that this approach did not appropriately regulate the risk of RPAS activity. The CAA gave careful consideration to this view and agreed that it was not necessarily clear that commercial operations were riskier than recreational ones, especially given the absence of passengers or an on-board pilot.

The CAA is recommending a new interim approach to RPAS regulation to the Minister of Transport. RPAS will be distinguished by Part 101 operators and Part 19 operators:

- Part 101 operators are those who fly within Part 101 rules, and will not require an authorisation. As part of rule development, Part 101 will be reviewed and updated to ensure it is fit-for-purpose given developments in RPAS capability. This includes amendment to rule *101.13 Hazardous operations* to provide greater clarity.
- All other operators who fly outside Part 101 rules will fall under the requirements of Part 19, with RPAS in this category requiring an authorisation from the Director of Civil Aviation.

There will be no weight break between Part 101 and Part 19. The difference between a Part 101 operator and a Part 19 operator is entirely based on the nature of the activity.

Some non-recreational operators may wish to obtain an authorisation under Part 19, even if they can technically operate under Part 101, to provide assurance to third parties that they are compliant and safe. An 'opt-in' provision will be recommended as part of the proposed changes, in which Part 101 operators can choose to be authorised under Part 19.

## Next steps

The proposed interim RPAS regulatory changes will be presented to Cabinet within the next two months. If Cabinet approves detailed rule amendments, these will be consulted through a Notice of Proposed Rule-Making (NPRM).

This proposed rule-change is the first step of a longer programme for integration of RPAS into the New Zealand aviation system. This first step will help accommodate RPAS in the New Zealand aviation system. A more comprehensive framework will be developed in the longer-term.

## Feedback, Questions, or Requests for an Authorisation or Appraisal

In the meantime, RPAS operators are encouraged to continue to engage with the CAA about their operation and receive guidance about the relevant Civil Aviation Rules currently in place.

If you have any questions about this process, or would like to apply for an authorisation for your proposed operation, please contact either:

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Kind regards,

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