

## Subpart 101.G Model aircraft

### 101.375 Applicability of this Subpart

This Subpart applies to the operation of model aircraft weighing 100 grams or more (except operation mentioned in paragraph [101.005](#) (3) (a) or (b)).

*Note 1* For *model aircraft*, see the Dictionary.

*Note 2* This Subpart does not apply to:

- (a) a control-line model aircraft (that is, a model aircraft that is constrained to fly in a circle, and is controlled in attitude and altitude, by means of inextensible wires attached to a handle held by the person operating the model); or
- (b) a model aircraft flown indoors.

See subregulation [101.005](#) (3).

### 101.380 Definitions for Subpart

In this Subpart:

***approved area*** means an area approved under regulation [101.030](#) as an area for the operation of model aircraft.

*Note* CASA must publish details of the approval of an area (including any conditions) in NOTAM or on an aeronautical chart — see subregulation [101.030](#) (5).

***giant model aircraft*** means a model aircraft that has a take-off mass (excluding fuel) of more than 25 kilograms, but not more than 150 kilograms.

*Note* For *model aircraft*, see the Dictionary.

### 101.385 Visibility for operation of model aircraft

- (1) A person may operate a model aircraft only if the visibility at the time is good enough for the person operating the model to be able to see it continuously.

Penalty: 25 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

### 101.390 Operating model aircraft at night

- (1) A person may operate a model aircraft at night only in accordance with the written procedures of an approved aviation administration organisation.

Penalty: 25 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

### 101.395 Keeping model aircraft away from people

- (1) A person must not operate a model aircraft over a populous area at a height less than the height from which, if any of its components fails, it would be able to clear the area.

Penalty: 50 penalty units.

*Note* For *populous area*, see regulation 101.025.

- (2) Subject to subregulations (3) and (4), somebody who is operating a powered model aircraft must ensure that, while the model aircraft is in flight, or is landing or taking off, it stays at least 30 metres away from anyone not directly associated with the operation of model aircraft.

Penalty: 50 penalty units.

- (3) Subregulation (2) is not contravened if somebody stands behind the model aircraft while it is taking off.
- (4) Subregulation (2) is also not contravened if, as part of a model flying competition, a model aircraft is flown within 30 metres of somebody who is judging the competition.
- (5) An offence against subregulation (1) or (2) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

### 101.400 Operation of model aircraft outside approved areas

- (1) A person may operate a model aircraft outside an approved area above 400 feet AGL only if he or she:
  - (a) keeps it in sight; and
  - (b) keeps it clear of populous areas.

Penalty: 10 penalty units.

*Note 1* *AGL* = above ground level (see the Dictionary). For *populous area*, see regulation 101.025.

*Note 2* CASA must publish details of the approval of an area (including any conditions) in NOTAM or on an aeronautical chart — see subregulation 101.030 (5).

- (2) An offence against subregulation (1) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

#### **101.405 Giant model aircraft**

- (1) A person may operate a giant model aircraft only in accordance with:
  - (a) the rules and procedures of an approved aviation administration organisation; or
  - (b) an approval given by CASA.

Penalty: 50 penalty units.

*Note* For *giant model aircraft*, see regulation [101.380](#).

- (2) CASA may impose a condition on the operation of a giant model aircraft if the condition is reasonably necessary in the circumstances in the interests of aviation safety.
- (3) The operator of a giant model aircraft must comply with any condition imposed under subregulation (2).

Penalty: 50 penalty units.

- (4) An offence against subregulation (1) or (3) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

#### **101.410 Model flying displays**

- (1) A person may conduct a model aircraft flying display only in compliance with subregulation (2) or (3).

Penalty: 50 penalty units.

- (1A) An offence against subregulation (1) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

- (2) A person complies with this subregulation if the display is conducted:
  - (a) in an approved area; and
  - (b) in accordance with the rules and procedures of an approved aviation administration organisation.

*Note* CASA must publish details of the approval of an area (including any conditions) in NOTAM or on an aeronautical chart — see subregulation [101.030](#) (5).

- (3) A person complies with this subregulation if the display is conducted in accordance with the following conditions and any other conditions imposed by CASA under subregulation (4):
  - (a) at least 21 days before the display, somebody is nominated as the organiser of the display;
  - (b) at least 21 days before the display, he or she gives to CASA the following information:
    - (i) his or her name, address and telephone number;
    - (ii) the proposed program of flying;
    - (iii) where the display will be held, and how big the intended flying field is;

- (iv) how many spectators are expected, and where they will be;
- (c) he or she ensures that:
  - (i) having regard to the events making up the display, proper precautions are taken for the safety of the participants and spectators; and
  - (ii) the operators participating in the display are competent to carry out each proposed manoeuvre safely.
- (4) CASA may impose a condition on the conduct of a model flying display if in the circumstances the condition is reasonably necessary in the interests of aviation safety.