



Summary of Public Submissions Received on

**NPRM 25-01 — Part 107 Research and Development
Organisation Certification
(Consequential Amendments: Part 102)**

**NPRM 25-02 — Advanced Aviation Reform:
Shifting low-risk operations
(Affected Rule Parts: Part 101 and Part 102)**

General

The Civil Aviation Authority consulted on two Notices of Proposed Rulemaking (NPRM) related to Advanced Aviation Reform (AAR) over five weeks from 23 June 2025 to 27 July 2025. During the AAR consultation we received a total of 75 submissions. Submissions came from individuals, organisations and interest groups.

A copy of the NPRMs was sent to:

- The Ministry of Transport
- The Aviation Community Advisory Group
- Internal CAA stakeholders

The NPRM was also published on the CAA website on 23 June 2025 and notified to industry by automatic email alerts.

Key Themes

Most submissions related to proposed changes in Part 101 and the Civil Aviation Transport Instrument (CATI 101-01). The proposed Part 107 received relatively few submissions, mostly focused on definitional issues and a suggested requirement for mandatory data reporting.

The most common concerns related to rules regarding recreational indoor operations; allowances for agricultural operations; privacy considerations when operating over people and private property; and specified conditions for higher risk operations. These and other common issues are set out below by theme.

Beyond Visual Line of Sight (BVLOS) Operations

While there were a small number of submitters who supported the proposed steps towards BVLOS allowance, most submitters raised concerns over the proposal to regulate indoor operations. These concerns fell broadly into two categories:

- Jurisdictional - submitters objected to the proposal based on the view that regulating recreational indoor flight is not appropriate. Submitters advanced the argument that indoor operations fall outside CAA's regulatory mandate and therefore the proposal exceeds CAA's regulatory power.
- Practical - submitters recommended the inclusion of shielded and low-level BVLOS operations within the transport instrument as an alternative to the proposed indoor BVLOS framework. This would allow operations to continue where the remote pilot retains line-of-sight awareness of the surrounding airspace, even if the aircraft itself is beyond direct visual line of sight.

A number of submitters also disagreed with the proposed training requirement for indoor FPV.

CAA Response:

The Authority's responsibility of regulating aviation safety and security is not limited by an activity being conducted in an enclosed space, and there is no explicit legislation which curtails this responsibility inside a private residence. However, the Authority can exercise its discretion in assessing whether operations inside certain closed spaces warrant active regulation.

Based on the submissions and a re-assessment of the inherent risks of operating in enclosed areas away from uninvolved people, the proposed rules have been amended to explicitly allow for Beyond Visual Line of Sight operations when:

- they are conducted in enclosed areas which do not allow for the UA to escape
- entrance to the enclosed area is restricted in a way which would stop uninvolved person entering the area of operation.

This allowance will be able to be exercised without the previously proposed requirement for successful training or the submission of a Declaration.

Consideration was given to alternative proposals raised by submitters. However, the scope of the work to be completed was set out by Cabinet agreement and limits the scope of what could be included.

Agricultural Operations

Submitters noted that the current drafting in proposed rule 101.15(c) would prohibit unmanned aircraft from carrying out all agricultural aircraft operations. Submitters supported the intent to prohibit specific types of operations (e.g. VTA, spraying, top dressing).

Submitters proposed the following alternative pathways to align the rule with the stated intent:

- Remove wording altogether and revert to status quo
- Keep wording but rely on ACs to clarify intent
- Amend wording in Part 1 to explicitly target the kind of operation(s) to be restricted

CAA Response:

The proposed rules which would have prohibited all agricultural operations were an error. The intent behind the change was initially set out in the body of the NPRM, and was limited to clarifying existing practice around dispersal of potential harmful agricultural chemicals.

The proposed rules have been updated to reflect the original intent of clarifying that aerial topdressing, aerial spraying, and dispersal of vertebrate toxic agents (as defined in Part 1) cannot be conducted under Part 101.

Flying over people and private property without consent

Many submitters noted the lack of privacy and security considerations regarding overflight of people and private property in clause 2.5 of CATI 101-01. Submitters had several proposals for remedying the issue. These included:

- Establishing a managed weight limit, pilot certification requirement and mandatory insurance as conditions for the overflight of people;
- allowing brief transit over areas provided they do not create a nuisance or hazard;
- adding a fit and proper person test for users and only allowing third party property flights to be operated by a Part 61 licence holder.

Several submitters recommended including a definition for the following terms:

- ‘private property’, noting that in agricultural settings, private property can encompass a significant area; and
- ‘an operation conducted over persons’, noting that the current wording is not explicit enough and could be remedied by adding an appropriate lateral distance limit.

Submitters also suggested exploring the creation of a parallel pathway for domestic aircraft that do not have a C-class mark.

CAA Response:

Following further consultation, it was determined that without wider safety mitigation measures, the proposal to allow flights over private property without prior consent carries additional safety and security concerns.

While it may be possible to allow for these operations in the future using amendments to the Transport Instrument 101-1, more work is needed to ensure that the changes do not inadvertently create unintended safety and security concerns. Measures would also be needed to ensure that some controls are still available to owners of sensitive locations, such as schools, infrastructure, etc.

The suggestions around parallel certification pathways was noted, and agreed in principle. Changes made as a result of the submissions mean that there are no proposed rules which call for C-class marks on UA. However, the submissions will be noted if future amendments to CATI 101-1 call for similar classifications.

Aerodromes

There were numerous submissions related to aerodromes.

The reduction of prescribed distances to heliports were one of the more supported proposals. However, several submitters also suggested that the reduced distance represents an increased risk. Suggestions were made to include additional wording to the rule to put a greater onus on operators to avoid helicopters approaching the heliport. A smaller number of submitters suggested further that the proposed rule was too dangerous to implement.

Alternative proposals were made which submitters claimed would be a safer alternative to the current system of allowing operations based on distance.

Submissions in relation to the Definition section of the Transport Instrument had nearly unanimous support to retaining the definition of ‘aerodrome’ as set out in the existing Part 101. Submitters noted this may have unintended consequences, as the Part 1 definition is wider than that in Part 101. Submitters proposed some alternative definitions of aerodromes, which expand to provide additional clarity on how water-based aerodromes could be defined.

A small number of submitters also noted that shifting away from requiring flight logging via Airshare towards other platforms may provide some additional opportunity to increase safety around aerodromes, if those alternative platforms are able to share the location of UA operations.

CAA Response:

We noted that discrepancies between the CATI 101-1 and the original Part 101 on the terminology for distances to aerodromes. The proposed new rules have been amended to reflect “distance to an aerodrome boundary” as is currently in Part 101. We agree that this term has some residual ambiguity, especially in relation to harbours and lakes.

Any further amendments to the definitions of aerodrome boundaries would require additional policy work, and fall outside the scope and capacity in the AAR workstreams. However, the introduction of CATI 101-1 means that changes to areas like this will be easier to make in the future.

Consideration as given to the various alternative proposals submitted following the NPRM. Unfortunately, scope limitations mean that we are not currently able to introduce such deep reforms.

We concede that in combination, the various aerodrome issues warrant additional policy investigation, taking into account the information and new ideas provided by the sector. To maintain current safety standards, and to ensure that policy changes do not lead to unintentional oversight, the proposal to reduce distances around heliports will

not proceed at this stage. When all the aerodrome issues and additional information can be evaluated holistically, changes could be implemented via amendments to CATI 101-01, rather than a traditional rule change.

UA licensing system

Some submissions supported the creation of a wider licensing system for UA, overseen by the CAA, including rules relating to how many aircraft someone can pilot simultaneously. Such a system could be used to confer minimum training standards, ratings and operational privileges. It could also help improve safety outcomes and provide sector-wide consistency.

CAA Response:

The scope of the AAR work, as set out by Cabinet, did not include a wholesale revaluation of the UA regulation system and the introduction of significant new measures such as licensing. It is likely that a comprehensive reform would need to be a standalone piece of work requiring input from across government and the sector, and it should not be retrofitted into ongoing work to update a contained set of rules and regulations.

General and specified conditions for higher risk operations in CATI 101-01

Submitters supported the proposed introduction of mandatory flight logging but believed the requirement for logging via *Airshare* was overly prescriptive. Submitters recommended that the transport instrument be platform neutral, listing only a list of minimum requirements that those digital flight logs should record.

Submitters also recommended that a ‘training provider’ (clause 2.5) be defined as a Part 141 provider or a Part 102 certificate holder with a Director-approved training exposition. Further, a training syllabus should be created for such training providers and CAA should work with the sector to develop training requirements.

CAA Response:

In the case of digital flight logs, the reference to *Airshare* will be removed, with the addition of a requirement for logs to be clarified via AC when needed.

Definition of active runway in Part 101

Submitters recommended adding an explicit definition for ‘active runway’ to remove any confusion among users as to what this term means. Submitters believed that making this definition explicit would improve safety and reduce disputes between UA operators and aerodrome personnel.

CAA Response:

The proposed change of removing the prohibition of flying over an active runway or movement area will be kept. It is unnecessary to define these terms, as they will not be used in CATI 101-1 or Part 101. Safety standards around runways will be maintained as existing rules related to flights within prescribed distance limits and the requirement for permissions and approvals provided suitable controls to prevent flights above runways.

Definitions in proposed Part 107

Submitters noted the lack of a definition for the terms ‘hire and reward’ and ‘research and development’ in the rule set. To avoid ambiguity, submitters suggested adding the appropriate definitions in proposed rule 107.3.

CAA Response:

We have updated the definition of ‘research and development’ to clarify that an unmanned aircraft or manned aircraft operated under rule 107.57 is for the sole purpose of achieving the goals specified in the exposition.

Data reporting under Part 107

Submitters suggested that a research and development organisation under Part 107 should be required to maintain flight records and provide operational summaries either periodically or upon request. Submitters found the lack of data reporting requirements to be inconsistent with CAA’s role as an evidence-based regulator.

CAA Response:

This recommendation was taken up, and data reporting has been added as a component of the exposition. We have not set out explicit requirements around the type of data or the frequency of reporting, as this is likely to vary between different operations.

Submitters also made the following recommendations:

- The wording in proposed rule 102.17(c) should be revised to clarify that certificate holders operating UAs for personal, recreational, or non-commercial purposes remain under Part 101, not Part 102.
 - The wording of the newly proposed rule will seek to clarify that compliance with Part 102 certificate conditions is required for any operator conducting an operation in the name of the Part 102 certificate holder.
- CAA should have a clear internal process by which Transport Instruments can be issued, without needing to reprioritise a substantial level of CAA resource.
 - Internal operations, guidelines, and priorities are a component of this workstream, but are not typically set out in the Notice of Proposed Rulemaking.