

Mr. Craig Raymond Robert Foss MP
Lower Hutt
New Zealand

~~26th August 2015~~
15th February 2016

Ref: Civil Aviation Rules Part 101, Amendment 6, Signed 8th April 2015.

Dear Sir,

I have been studying the Amendments to Part 101 Amendment 6 and the new Part 102, penned by your good self as Associate Minister of Transport.

I would like to introduce myself, as someone who has been flying model aircraft for over 50 years, 16 years in the Royal Air Force as radar fitter and then teaching digital computer fundamentals to adult students and apprentices; also Saudi Arabia for 10 years maintaining their automated reservation systems as manager network control centre. During this time I acquired a ham radio licence. The last 15 years I have been working in the Bay of Islands as a computer specialist, so we both have an interest in 'Backing the Bay'!

Returning to 'Amendment 6', I notice para 1; the only difference here is the removal of 'Model Aircraft' i.e. Part 101.1 no longer covers 'Model Aircraft'...but yes 2.2(1) adds

"Remotely piloted aircraft means an unmanned aircraft that is piloted from a remote station and-

(1) Includes a radio controlled model aircraft ..."

Mr. Foss I must say that the above can only be described as '*a schoolboy howler*' or, to be kind, ambiguous; let me explain...

'Oxford dictionary – **unmanned**

If a machine, a vehicle, a place or an activity is **unmanned** it does not have or need a person to control or operate it.'

'Macmillan Dictionary – **unmanned**

Used for describing a building or machine that does not have any staff there to manage or operate it. Some people avoid using this word because they consider it offensive to woman, and use unstaffed or uncrewed instead.'

'Cambridge dictionary – **unmanned**

American – not having or not needing people to operate or work correctly:

British - used to refer to a spacecraft, or a place where military guards work, that has no people present to operate or be in charge of it.'



Most dictionaries quote ‘unmanned level crossing’ as an example of unmanned. These level crossings are currently controlled remotely or automatically, usually by the trains and not by humans. In the old days the level crossing would be controlled by a man in a signal box. In this situation the crossing does not become ‘a manned unmanned level crossing!’

It is incorrect to say ‘an unmanned aircraft that is piloted’ (remotely or not), it is a contradiction within the English language! To put it another way this is an oxymoron, other examples being ‘open secret’, ‘act naturally’, ‘found missing’, ‘exact estimate’, ‘original copies’, etc. but whilst politicians use this device regularly it is not something which should be in a legal document or government regulation.

Any reference from rule 103.3 in Part 101 onwards to unmanned aircraft in my opinion is invalid.

Civil Aviation Rules Part 102, – “Unmanned Aircraft Operator Certification”

If we keep the above comments in mind, then the new Part 102 truly addresses the meaning of “**unmanned**”.

i.e. the aerial device has been programmed to obey a set of instructions in its computerised on-board equipment complete with GPS coordinates. Examples of this could be:

1. Automated search and rescue over set area returning with video scan of area selected.
2. Delivery of goods to addresses out of sight of operator, ‘Amazon’!

Basically Part 102 covers use of the aerial vehicles autonomously controlled out of sight of the operator and is irrelevant to Radio Controlled Model/manned Aircraft as they are required to ‘maintain visual line of site with the *device*’ 101.209 (c) (1)... (and therefore have to be manned!).

Finally:

Should we encourage ‘Aero Modeller’ magazines and the like to change their title to ‘unmanned aircraft magazine’?

Aero model clubs change to unmanned aircraft clubs? There are a lot of them...

New Zealand clubs:

Christchurch Model Aero Club

Website: <http://cmac.synthasite.com>

Location: "The Willows" on Old Westcoast Rd., Christchurch, Canterbury.

Christchurch Radio Fliers

Website: <http://russram.tripod.com/index.html>

Location: near the Motukarara racetrack some 30km southeast of Christchurch.

Hamilton Model Aero Club

Website: www.hamiltonmac.org.nz

Location: Collins Road, Melville, south of Hamilton.

Hawera MAC

Website: <http://haweramac.wordpress.com/>

Location: Hawera Airfield, SH3 between Hawera and Normanby, Taranaki.



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Kapiti Aeromodellers Club

Website: <http://www.kapitimodelflyers.org.nz/>

Location: Queen Elizabeth Park, Wellington.

North Shore Model Aero Club

Website: www.nsmac.org.nz

Location: Greens Road, Albany North, Auckland.

Northern Helicopter Modellers Club N.Z

Website: www.rheliclub.co.nz

Location: Sites around North Island, see website for locations.

Palmerston North Aeroners

Website: <http://members.tripod.com/aeroners/pna.htm>

Location: near Colyton, about 15 minutes drive from the Palmerston North city boundary.

Papakura Manukau Aeromodellers Club

Website: www.pmac-rc.org

Location: Papakura - Manukau district.

Tamaki Model Aircraft Club

Website: www.tmac.co.nz

Location: Port England Reserve, Auckland.

Wellington Model Aeroplane Club

Website: www.wmac.org.nz

Location: Trentham, Upper Hutt City, Wellington.

Yours Sincerely



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This letter is now available to download
as a PDF file to View and Print from...

http://www.opua.co.nz/drone_info.htm

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Various other Media...

p.s. "Rules and regulations are for the guidance of wise men and the obedience of fools"
(quote Sir Winston Churchill).



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ADDENDUM 1

It has come to my notice that there are new signs springing up here in the Bay of Islands which would appear relevant to the subject of this letter, the sign below was photographed at Haruru Falls and there is a similar one at the seafront in Paihia, although at Paihia they 'land and take off'.



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This has galvanised me into action and so, not wanting to be left out, I have produced and displayed my own sign relevant to operations in my aeronautical area.



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ADDENDUM 2

Ref: Civil Aviation Rules Part 101, Amendment 6, Signed 8th April 2015.

Specifically 101.207 Airspace

- (a) A person operating a remotely piloted aircraft must---
- (1) Unless operating in a danger area under Part 71, avoid operating –
- (i) in airspace above persons who have not given consent for the aircraft to operate in that airspace; and
 - (ii) above property unless prior consent has been obtained from any persons occupying that property or the property owner; and...

In light of the above and in order to explain to the general public the new requirements related to what used to be called radio-controlled model aircraft and which is now referred to as “remotely controlled unmanned (sic) aircraft” flying above them, I propose the following.:-

1. Compiling a database of all relevant New Zealand properties and ascertaining preferences of residents or owners of those properties with the information of consent or not, to fly above them at 50/100/150/200/300/400 feet. This can easily be achieved by circulars/flyers (town by town). I use this method to advertise my computer business using local people who specialise in doing this at reasonable rates (also works for Countdown!).
2. Along with the flyer a questionnaire for the database and, like the armed forces, we can accept ‘nil returns’ i.e. no answer means Yes! With this information, eventually Google maps could be used to show red/green addresses which could be used for all operators with manned/unmanned aircraft.

This idea I’m sure needs some more thoughts, perhaps the Councils could help with ratepayers’ addresses, perhaps they could send out the questionnaire with the rates; advice would be needed on how often the flyers/questionnaires should go out (rental properties, house sales).

Certainly some information gathering will be needed to satisfy the requirements of the new rules and regulations.

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