

RA 1031 – Contractor Flying Approved Organization Scheme (Basic Remotely Piloted Air Systems)

Rationale

► *Civilian organizations are required to operate UK military registered Remotely Piloted Air Systems (RPAS) in the Open Category and Specific S1 RPAS sub-category. Without appropriate regulatory oversight of such organizations, persons could be exposed to unnecessary Risk. This Regulatory Article (RA) defines the regulatory framework required for the Contractor Flying Approved Organization Scheme (Basic RPAS) (CFAOS(BR))¹ which in turn ensures such organizations comply with the MAA Regulatory Publications (MRP) and are subjected to appropriate Regulatory oversight.*

► ◀ *It details the requirements for a supporting organization and the appointment of an accountable individual, the RPAS Accountable Manager (RPAS AM), to maintain Safety and standards, and the method / conditions to gain approval. The regulatory framework is structured to ► be proportionate to the Open Category and Specific S1 sub-category and their physical attributes, and ◀ to permit appropriate operating freedoms to 'non-traditional' civilian aviation organizations commensurate with the ► Risks ◀ presented.*

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1031(1)

Organization

1031(1) Civilian organizations operating UK military registered RPAS in the Open Category ► or ◀ Specific S1 sub-category **shall** be appropriately regulated, structured, and controlled.

Acceptable Means of Compliance 1031(1)

Organization

1. Civilian organizations that operate² UK military registered RPAS in the Open Category ► or ◀ Specific S1 sub-category **should** be an approved organization in accordance with (iaw) the CFAOS(BR)³.
2. CFAOS(BR) organizations **should**:
 - a. Comply with RA 1600⁴ and:
 - (1) RA 1601⁵ for RPAS operated in the Open A1 sub-category.
 - (2) RA 1602⁶ for RPAS operated in the Open A2 sub-category.
 - (3) RA 1603⁷ for RPAS operated in the Open A3 sub-category.
 - (4) RA 1604⁸ for RPAS operated in the Specific S1 sub-category.
 - b. Hold an appropriate MAA RPAS Letter of Endorsed Categorization⁹ (LEC) prior to operation of any UK military registered RPAS.
 - c. Operate iaw the scope of their CFAOS(BR) Approval Certificate.
 - d. Nominate an RPAS AM who is suitably experienced and empowered, with the appropriate freedom, authority and resource to undertake the role.

¹ ► Organizations operating under the CFAOS(BR) may be referred to as CFAOS(BR) organizations. ◀

² Civilian Operated (In-Service) and Civilian Operated (Development); refer to RA 1160 – The Defence Air Environment Operating Framework.

³ Refer to RA 1031(3): Approval.

⁴ Refer to RA 1600 – Remotely Piloted Air Systems.

⁵ Refer to RA 1601 – Remotely Piloted Air Systems Open A1 sub-category (Fly 'Over' People).

⁶ Refer to RA 1602 – Remotely Piloted Air Systems Open A2 sub-category (Fly 'Close To' People).

⁷ Refer to RA 1603 – Remotely Piloted Air Systems Open A3 sub-category (Fly 'Far From' People).

⁸ Refer to RA 1604 – Remotely Piloted Air Systems Specific S1 sub-category.

⁹ Refer to RA 1600(1): Remotely Piloted Air System Categorization.

Acceptable Means of Compliance 1031(1)

- e. Ensure that personnel assigned to, or directly involved in, RPAS flight and ground operations, are appropriately qualified and trained for their duties iaw paragraph 2a.
 - f. Ensure that the MAA is:
 - (1) Granted appropriate access to the organization for the purpose of determining initial and continued regulatory compliance.
 - (2) Notified of any change affecting or likely to affect the scope of the CFAOS(BR) Approval.
 - (3) Notified of any change regarding the RPAS AM.
3. In addition to the requirements above, CFAOS(BR) organizations conducting Test and Evaluation (T&E), ie Civilian Operated (Development)¹⁰ activity, **should** comply with the requirements of RA 2370¹¹.

Guidance Material 1031(1)

Organization

4. The issue and continuation of a CFAOS(BR) Approval is subject to compliance with the relevant Regulations.
5. CFAOS(BR) organizations will only be permitted to operate UK military registered RPAS in the Open Category and Specific S1 sub-category.
6. CFAOS(BR) organizations will not be permitted to operate UK military registered RPAS in the Specific S2 sub-category and Certified Category (these options are restricted to operation under the full Contractor Flying Approved Organization Scheme (CFAOS)¹², ►¹³◄ or to Military Operated RPAS).
7. CFAOS(BR) organizations will only be permitted to operate UK military registered RPAS in the MOD Interest (ie Civilian Operated (In-Service) and Civilian Operated (Development))¹⁰; therefore, Special Case Flying¹⁰ is not permitted under the CFAOS(BR).
8. CFAOS(BR) organizations conducting T&E may be required to comply with regulatory requirements beyond those of paragraphs 2 and 3. Discussion with the MAA CFAOS Branch will be required in order to determine any such applicable Regulations.
9. The regulatory requirements for an approval under the CFAOS(BR) is discrete and distinct from a full CFAOS approval under RA 1028¹² (the two schemes are exclusive). However, there may be benefits in facilitating organizations already holding a full CFAOS approval to address the requirements for CFAOS(BR) under their extant CFAOS approval. Therefore, an entity already approved ►to operate under the CFAOS◄ that subsequently requires to operate under the privileges of the CFAOS(BR) may not be required to possess a ►separate◄ CFAOS(BR) Approval ►◄, instead being required to progress an appropriate CFAOS scope uplift iaw ►RA 1028¹².◄ However, the regulatory requirement for the operation of RPAS in the Open Category and Specific S1 sub-category will always be that described by the CFAOS(BR). Discussion with the MAA CFAOS Branch will be required in order to determine the appropriate route to approval in such cases.

Regulation 1031(2)

Remotely Piloted Air Systems Accountable Manager

- 1031(2) RPAS operated under the CFAOS(BR) **shall** be under the authority of an RPAS AM and be supported by appropriate persons.

¹⁰ Refer to RA 1160 – The Defence Air Environment Operating Framework.

¹¹ Refer to RA 2370 – Test and Evaluation.

¹² Refer to RA 1028 – Contractor Flying Approved Organization Scheme - Responsibilities.

¹³ ►The CFAOS is the Assurance mechanism underpinning the competence of Defence Contractor Flying Organizations (DCFO) that operate crewed Aircraft and Specific S2 sub-category and Certified Category RPAS on the UK Military Aircraft Register.◄

**Acceptable
Means of
Compliance
1031(2)**

Remotely Piloted Air Systems Accountable Manager

10. RPAS AMs **should**:
- a. Be responsible and accountable for the operation of RPAS within their Area of Responsibility (AoR).
 - b. Establish and maintain:
 - (1) A system for the control and safe operation of all flights operated under the terms of the CFAOS(BR) Approval.
 - (2) Procedures and instructions describing personnel duties and responsibilities for all RPAS operation, in flight and on the ground.
 - c. Ensure that Risks to Life (RtL) to Remote Pilots (RP), RPAS launch crew, personnel working on supporting or supported systems, and the general public or other organizational / MOD personnel through operation of RPAS within their AoR are As Low As Reasonably Practicable (ALARP) and Tolerable, and cease operations if RtL are identified that are not demonstrably ALARP and Tolerable.
 - d. Ensure that RPAS are operated iaw:
 - (1) RA 1600⁴ and:
 - (a) RA 1601⁵ for RPAS operated in the Open A1 sub-category.
 - (b) RA 1602⁶ for RPAS operated in the Open A2 sub-category.
 - (c) RA 1603⁷ for RPAS operated in the Open A3 sub-category.
 - (d) RA 1604⁸ for RPAS operated in the Specific S1 sub-category.
 - (2) The LEC.
 - (3) The CFAOS(BR) Approval Certificate.
 - e. Where applicable, ensure compliance with RA 2370¹¹ for the conduct of T&E, ie Civilian Operated (Development), activity.
 - f. Ensure that any significant changes to their operating responsibilities or to the supporting systems that may affect the discharge of their RtL responsibilities are reported immediately to the MAA.
 - g. Hold appropriate Terms of Reference.
 - h. Be responsible and accountable for the Contractor Flying Organization Exposition (Basic RPAS)³ (CFOE(BR)).
 - i. Act as the ►◄ organization's senior point of contact with the MAA.
 - j. Nominate¹⁴ a ►◄ Flight Operations Post-Holder (FOPH) for RPAS operated in the Open A2, Open A3 and Specific S1 sub-categories^{15, 16}.
11. An RPAS AM **should** be:
- a. At least a Middle Manager within the organization;
 - b. Formally responsible for the delivery of safe RPAS operations;
 - c. Directly appointed by an appropriate management board.
12. RPAS AM nominees **should**:
- a. Apply to the MAA for endorsement to undertake the role of RPAS AM; and expect to attend an MAA endorsement interview at which they will be required to provide evidence of suitability to undertake the role.
 - b. Attend an MAA RPAS DH / AM briefing day prior to commencement of RPAS operations if required to do so by the MAA¹⁷.

¹⁴ The RPAS AM may, where appropriate, also hold the role of FOPH provided it can be clearly demonstrated that such a dual appointment does not conflict with either their RPAS AM or FOPH responsibilities.

¹⁵ An FOPH is not required for RPAS operated in the Open A1 sub-category.

¹⁶ The responsibilities required of the CFAOS(BR) FOPH are covered in detail within RA 1602, RA 1603 or RA 1604.

¹⁷ The requirement will be determined via the MAA RPAS AM Endorsement process.

**Guidance
Material
1031(2)**

Remotely Piloted Air Systems Accountable Manager

13. **Middle Manager.** The term Middle Manager will be taken to mean a manager who possesses the authority to make independent decisions on RPAS operations without recourse to superiors or executives. If they do not sit at Board level (or equivalent divisional level) they will have appropriately delegated authority, and the organization will be required to demonstrate that the individual holds the authority and freedom to execute decisions with respect to RPAS operated under the CFAOS(BR).

14. **Suitability.** 'Suitability' for the RPAS AM role means being able to demonstrate appropriate knowledge and understanding of the relevant RPAS operating principles and of the relevant regulations and documents that prescribe RPAS operating processes and standards. This includes, but is not limited to, the following:

- a. RA 1031.
- b. RA 1600⁴.
- c. RA 1601⁵, RA 1602⁶, RA 1603⁷, and / or RA 1604⁸.
- d. RA 2370¹¹ (for RPAS AMs responsible for T&E activity).
- e. Role and responsibilities of the RPAS AM.
- f. Operating Risk.
- g. Role and responsibilities of the FOPH.

15. **RPAS AM Endorsement**

a. **Application.** RPAS AM nominees are to apply to the MAA for endorsement using an MAA Form 4¹⁸. Thereafter, and in consultation with the MAA, supporting evidence for endorsement interview is to be provided to the MAA CFAOS Branch¹⁹ at least 10 working days prior to interview. The organization's CFOE(BR) will provide the foundation of the supporting evidence. Further evidence required will include, but is not limited to:

- (1) Organization structure, to allow understanding of the RPAS AM's position within the organization, including appropriate explanation of the powers / authority held and relational links to relevant areas.
- (2) Explanation of the RPAS AM's independence, including access to adequate resource, to allow enactment of regulatory requirements without hindrance.
- (3) For RPAS AMs intending to manage or conduct T&E how they intend to comply with RA 2370¹¹.
- (4) A tailored CV detailing the RPAS AM's professional background highlighting any involvement with aviation and / or RPAS operations.

b. **Interview.** The RPAS AM endorsement interview will be led by an MAA CFAOS Branch OF4 representative and will cover 4 broad areas as a minimum: a description of the RPAS AM's roles and responsibilities; their knowledge, skills and experience; how the RPAS AM intends to comply with this RA, RA 1600 and other applicable Regulations²⁰; and any wider points from the supporting evidence submitted.

c. **Endorsement.** RPAS AM endorsement will be in writing and at a minimum level of MAA Divisional Head (OF5).

16. **MAA Engagement.** RPAS AMs will allow the MAA to examine and / or Audit the organization with respect to the operation of RPAS under the CFAOS(BR), and to review the RPAS AM endorsement following any significant change to an RPAS AM's responsibilities.

17. **Duty of Care.** RPAS AMs have a personal level Duty of Care for personnel under their control (those who, by virtue of their involvement, temporary or otherwise,

¹⁸ The MAA Form 4 can be found on the MAA website <https://www.gov.uk/government/collections/military-aviation-authority-approvals>.

¹⁹ DSA-MAA-OpAssure-CFAOS-Group@mod.gov.uk.

²⁰ Such as RA 2370 – Test and Evaluation, for those RPAS AMs who intend to manage or conduct T&E activity.

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in RPAS activities, come within an RPAS AM's AoR) and the wider public who may be affected. They are thus accountable for the safe operation of RPAS in their AoR and for ensuring that RtL is ALARP and Tolerable. However, the RPAS AM governance model does not absolve managers at any level of their broader, enduring Duty of Care responsibilities under Common Law and the Health and Safety at Work Act (1974).

**Regulation
1031(3)**

Approval

1031(3) CFAOS(BR) Organizations **shall** be approved by the MAA.

**Acceptable
Means of
Compliance
1031(3)**

Approval

18. To be considered for approval under the CFAOS(BR) an organization²¹ **should**:
- a. Have the endorsement of an appropriate ► Air System MOD ◀ Sponsor►²²◀ at 1* level►◀ or above.
 - b. Satisfy the MAA that it is in the MOD Interest¹⁰.
19. Applications for CFAOS(BR) Approval **should** be:
- a. Made using MAA ►CFAOS(BR)◀ Form 2²³ ►◀.
 - b. Supported by a CFOE(BR) and any other applicable documents.
20. Following award of CFAOS(BR) Approval the MAA **should** be notified of any factors likely to affect or influence the extant Approval. Furthermore:
- a. Any uplifts²⁴ or significant changes / variations to the Approval **should**:
 - (1) Be formally applied²⁵ for and;
 - (2) Only be implemented on receipt of an appropriately amended CFAOS(BR) Approval Certificate.
 - b. Any reductions²⁶ **should** be formally notified at the earliest opportunity.

CFOE(BR)

21. The CFOE(BR) **should** be:
- a. Current and up-to-date.
 - b. Under the accountability and signature of the RPAS AM.
 - c. Provided to the MAA in electronic copy.
22. The CFOE(BR)²⁷ **should** as a minimum contain the following:
- a. The official name and business name, address and mailing address of the ►◀ organization.
 - b. A statement signed by the RPAS AM confirming that the CFOE(BR) and any referenced documents:
 - (1) Are accurate and true.
 - (2) Define the ►◀ organization's compliance with the relevant Regulations, and will be complied with at all times.

²¹ See paragraph 9 for organizations already holding a CFAOS Approval iaw RA 1028 ►– Contractor Flying Approved Organization Scheme.

²² Refer to RA 1019 – Sponsor of Military Registered Civilian-Owned Air Systems or Civilian Operated Air Systems - Air Safety Responsibilities. ◀

²³ The MAA ►CFAOS(BR)◀ Form 2 can be found on the MAA Website <https://www.gov.uk/government/collections/military-aviation-authority-approvals>.

²⁴ Such as: change of RPAS Category, change or addition of an RPAS type / mark; the MAA CFAOS Branch may be consulted where doubt exists as to whether a change is an uplift or otherwise.

²⁵ For uplift the documentation required will be analogous to what was required to support the initial application and will, as a minimum, include a revised CFOE(BR).

²⁶ Such as removal of the requirement to operate under a ►particular◀ RPAS Category, removal of RPAS type; the MAA CFAOS Branch may be consulted where doubt exists as to whether a change is a reduction or otherwise.

²⁷ A template CFOE(BR) is at <https://www.gov.uk/government/collections/military-aviation-authority-approvals>.

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- c. The name of the RPAS AM.
- d. The name of the FOPH (for RPAS operated in the Open A2, Open A3 and Specific S1 sub-categories¹⁵).
- e. The position / role and name of the ►MOD◀ Sponsor(s).
- f. Detail of how the activity is in the MOD Interest.
- g. A description²⁸ of the CFAOS(BR) organization including:
 - (1) Organizational structure.
 - (2) Types / marks of RPAS operated.
 - (3) RPAS Categories and Physical Attributes⁴.
 - (4) Numbers of RPAS operated.
 - (5) Operating locations.
 - (6) Expected flying rate.
 - (7) Numbers of RPs and other ►workforce◀ resource associated with the task.
- h. A list of which RAs are deemed applicable.
- i. Copies²⁹ of:
 - (1) LEC(s) detailing confirmation of RPAS Category.
 - (2) Categorization Safety Checklist(s)³⁰.
- j. Details of any experience in flying operations or any wider aspects relevant to the activity such as training and T&E.
- k. Details of indemnity arrangements►◀.
- l. A list of contracted and subcontracted organizations if applicable.
- m. A CFOE(BR) amendment process (to include a procedure describing how minor changes³¹ not requiring prior MAA approval will be managed and notified to the MAA).

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Approval

23. An MAA CFAOS(BR) Approval (ie a civilian company operating ►UK military registered◀ RPAS in the MOD Interest) may be viewed as comparable to a Civil Aviation Authority (CAA) Permission for Commercial Operations or CAA Operational Authorization (ie a civilian company operating small RPAS for commercial use).

24. Organizations seeking new CFAOS(BR) approvals are to be aware that the timeline from application to approval could be significant depending on the complexity of approval sought. Early dialogue with the MAA CFAOS Branch is encouraged. Organizations may initiate informal engagement with a view to understanding the route to CFAOS(BR) approval, the regulatory requirement, and wider challenges related to both the CFAOS(BR) and regulatory compliance. However, organizations are to note that informal engagement will be limited and without commitment until formal engagement is authorized via endorsement by an appropriate ►Air System MOD◀ Sponsor.

25. When it is considered that there is a case for an organization to be included in the CFAOS(BR) a detailed appraisal will be carried out by the MAA. The appraisal will seek to establish long-term confidence in the organization, and the RPAS AM, relevant to the operations concerned. The organization will be Audited via documentary and on-site inspections.

²⁸ Where appropriate, referencing directly to the Categorization Safety Checklist for this information is acceptable (refer to Annex B, RA 1600 – Remotely Piloted Air Systems).

²⁹ Referencing out to these documents is acceptable.

³⁰ Refer to Annex B, RA 1600 – Remotely Piloted Air Systems.

³¹ Such as grammatical and typographical errors where the meaning of the wording remains unchanged (where doubt exists the MAA CFAOS Branch may be consulted as to whether a change requires prior MAA approval or otherwise).

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CFAOS(BR) Approval Certificate

26. When evidence presented by the organization demonstrates that it satisfies the MAA requirements, a CFAOS(BR) Approval Certificate will be issued listing:

- a. A unique identifying reference.
- b. The approved organization, including the operating and trading name if different.
- c. The organization's principal place-of-business address.
- d. Name and details of the RPAS AM.
- e. RPAS types / marks for which operation is approved.
- f. RPAS Categories and Physical Attributes⁴ for which operation is approved.
- g. Any applicable limitations.
- h. The issue date (and date of revision if required).
- i. The title, name and signature of the MAA approving officer.

27. A CFAOS(BR) Approval Certificate will normally be issued for an unlimited duration and will remain valid subject to:

- a. The ►◄ organization remaining in compliance with the applicable Regulations.
- b. The MAA being granted access to the ►◄ organization to determine continued compliance.
- c. The Approval Certificate not being surrendered, suspended or revoked.
- d. Continued endorsement by the ►MOD◄ Sponsor(s).

28. The MAA will withdraw from the CFAOS(BR) any organization that no longer meets the requirements.

29. A list of organizations who have been granted approval under the CFAOS(BR) may be published by the MAA.

Compliance

30. CFAOS(BR) organizations will be subject to compliance Assurance activities conducted by or on behalf of the MAA. Access may be required to personnel, facilities, RPAS, documents, records, data, procedures and any other materials relevant to compliance.

31. Costs for periodic compliance Assurance activities conducted by or on behalf of MAA will not be recoverable from the MAA.

Approval Changes

32. As a minimum, the MAA is to be notified of changes to:

- a. The RPAS AM.
- b. The FOPH.
- c. The ►MOD◄ Sponsor(s).
- d. Detail regarding how the activity is in the MOD Interest.
- e. Types / marks of RPAS operated.
- f. RPAS Categories and / or Physical Attributes⁴.
- g. The Categorization Safety Checklist(s).
- h. Ownership of the ►◄ organization.
- i. The ►◄ organization's official name, business name, address and / or mailing address.

**Guidance
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1031(3)**

33. Application to the MAA for a CFAOS(BR) Approval amendment will not constitute approval to operate to the proposed amendment.
34. Following receipt of an application for uplift or significant change the MAA will determine continuing regulatory compliance and will amend, if necessary, the CFAOS(BR) Approval Certificate.
35. The CFOE(BR) is the document that details the scope of activity deemed to constitute CFAOS(BR) Approval and demonstrates how the ►◄ organization intends to comply with the applicable Regulations.