

# **MAAA FREQUENTLY ASKED QUESTIONS**

## **(28 November 2011)**

### **Section 1. General Questions**

#### **1. How do I join MAAA?**

**Answer.**

You join through a club of your choice within your State. Links to all MAAA State Associations are available on this web site. The State Association will be able to provide information regarding suitable clubs in your area.

#### **2. Who do I contact to change my MAAA membership details?**

**Answer.**

Contact your Club or State Association Registrars.

#### **3. Where is the '30 metre rule' measured from?**

**Answer.**

It is measured from the nearest edge of the flight strip to the Public barrier at your flying field.

#### **4. Can I fly alone at my Club?**

**Answer.**

You should consider club by-laws and the risks involved especially if operating large models or helicopters.

#### **5. Is there a distance I have to adhere to when flying a fixed wing model doing 3D manoeuvres?**

**Answer.**

The MAAA requires that all fixed wing model aircraft flying 3D manoeuvres outdoors, excluding electric models with a wing span of one (1) metre or less, are not to be flown any closer than 9 metres to all pilots operating at the time. MOP014 – 6.4

#### **6. What distance can I operate my helicopter outdoors, from other pilots?**

**Answer.**

The MAAA requires that helicopters flying outdoors are not to be flown any closer than 9 metres to all pilots operating at the time. MOP014 – 6.5

#### **7. Does my MAAA/FAI membership card entitle me to fly at any MAAA registered club throughout Australia?**

**Answer.**

No. Every MAAA Club is an autonomous body with their own rules which apply to their operations. Some clubs welcome visitors but of course require visitors to comply with their rules, some place restrictions on visitors beyond those applying to their own members and others do not allow visitors at all. Before flying at any club site where you are not a member you should confirm if you are allowed to fly and what you need to do to comply with the club requirements. It is advisable to do this prior to arriving at the field if this is possible.

If the club does allow you to fly, your current MAAA/FAI card will confirm that you are automatically covered by the MAAA Insurance policy under its normal conditions when you do.

#### **8. Can my club make rules that are different to those of the MAAA?**

**Answer.**

All MAAA clubs are totally autonomous bodies and they can make whatever rules they like as long as they comply with the law of the land, which includes CASA Part 101, and also comply with the MAAA Manual of Procedures. However they can decide to have additional rules that go beyond those requirements. As an example there are clubs that specify electric model aircraft only because that is the only way that they can obtain a flying field.

**9. I have read in the MAAA Manual of Procedures that there are both requirements and recommendations. What is the difference?**

**Answer.**

Requirements have to be complied with, although clubs may decide to go beyond what the MAAA states. Recommendations are not mandatory but may cover good practice including safety issues. Clubs and members should always carefully consider all recommendations and if they decide to do something different be prepared to justify their decision. For example in some safety cases, an implementation cannot be specified by the MAAA, as the layout and constraints on individual clubs vary. A mandated requirement might not be practical but a totally satisfactory alternative could achieve the same outcome.

**10. I have not been an MAAA Member for several years and am about to rejoin. I can't remember what my old membership number was, but is it possible to get the same number back?**

**Answer.**

In most cases the answer is yes. When you rejoin please tell your club that you were in the MAAA before, and would like your previous number again. If you are certain you know this number and your previous club, then tell them what it was. If not, give them as much information as possible, including: date of birth, previous club, your address, the year when you last registered, together with anything else that you think could help to identify you. The Registrar in your State may have the information but may need to contact the MAAA Registrar. If your details are traced on the MAAA database then you should be able to get the same number back.

## **Section 2. Questions Relating to 2.4GHz Operations**

**1. I am thinking of purchasing a 2.4 GHz radio system that is not on the MAAA 'Accepted List'. Can you tell me if this product has been tested by the MAAA and rejected, if it is currently being tested, or if there are any plans to test it in the near future?**

**Answer.**

There are four basic reasons for equipment not being on the acceptance list:

- We have not been offered a sample for testing.
- We are currently testing it.
- We have tested it but the manufacturer is undertaking some changes before further testing
- We have finally decided not to accept the version that we have seen.

As a matter of policy we never divulge what we have tested, or are testing, other than identifying those we have accepted. This information would be commercially sensitive for several reasons. If we identified equipment which we believe has weaknesses, this could be damaging to the manufacturer in other markets. We also see equipment prior to it being launched either globally or before the Australian product launch. We may also be dealing with a new importer whose identity is not in the public domain. This has all to be kept confidential for obvious commercial reasons.

**2. I have seen a 2.4 GHz radio system that has both FCC and ETSI standard certification. It is not on the MAAA 'Accepted List'. Can I use it in Australia?**

**Answer.**

The Australian Communications and Media Authority (ACMA) accept certification to certain FCC and ETSI standards as being equivalent to certification to specific Australian Standards. The equipment may therefore be legal to use in Australia from a regulatory view point. If it were to be purchased in Australia the ACMA would also require that it had a 'C' Tick applied by the importer.

But, in accordance with MOP058, the MAAA requires that only 2.4 GHz equipment that is on the MAAA 'Accepted List' can be used at MAAA flying fields. The Technical Radio Sub Committee carefully review the performance of equipment offered for acceptance, both theoretically and practically, before adding them to the list. They do this using samples provided by either the importer or the manufacturer. This is to check that the equipment not only performs well on a radio link but as far as the tests show will operate without problems in a typical flying field environment. Products have been evaluated that are in use overseas but in the MAAA opinion had weakness that could have caused serious problems at a flying field. In many cases where this has been found the product has been modified as a result. Sufficient examples exist to show that the MAAA process adds to the safety of the public, MAAA members and their models.

**2a. I have seen a 2.4 GHz radio system that is supplied in Australia with a 'C' Tick applied. It is not on the MAAA 'Accepted List'. Can I use it in Australia?**

**Answer**

The 'C' Tick is a requirement of the ACMA for products sold in Australia to provide evidence that the supplier accepts the responsibility of ensuring that the product meets the Australian Standards. It is therefore legal to use those products in Australia in a general sense. However these Standards are concerned with technical performance parameters such as power output, power bandwidth, and electro magnetic compatibility. The Standards are not concerned with how any product actually performs for its intended role, and this includes model radio transmitters.

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**3. How do I get a 2.4 GHz radio system added to the 'Accepted List' in MOP058?**

**Answer**

The Technical Radio Sub Committee needs to evaluate the product. This is a service to members for safety reasons but of course the effort has to be justified. The test and acceptance process usually takes around 40 hours of work but considerably longer if issues are found that need further investigation. There are dollar costs as well. The evaluation process requires information that is not normally available in manufacturers' published documentation, and may include clarifications from the testing that has been carried out previously to international standards. This all has to be obtained in confidence from the manufacturer. Additional questions usually arise during the process and these have to be referred to the manufacturer as well.

For these reasons the MAAA generally works through the wholesale importers but have dealt directly with a manufacturer. The process is that the MAAA receives two complete units for testing, although it can be done with one unit but this then takes longer. One of these units is sent for testing in a laboratory to check that it operates the way the manufacturer says, and that there does not appear to be any characteristics that could cause problems when operated at busy model flying fields. The second unit is set up for a standard field test and tests are carried out on the same basis for all the different brand sets. These include range testing and other ground tests as well as flight tests. Once both sets of tests are complete and found to meet the general requirements, a report is produced and circulated to the members of the Technical Radio Sub Committee for a recommendation. If positive, this is forwarded to the MAAA Executive to consider acceptance of the unit, after which it is added to the other accepted technologies in Annex A of the MOP. It should be noted that the MAAA do not actually approve any 2.4 GHz radio systems they only accept the technology based on this level of testing.

**4. I have heard that there is no technical limit to the numbers of 2.4 GHz systems that can operate at the same time. Is this correct?**

**Answer**

No. The MAAA originally specified that the maximum number of transmitters to be available for use at the same time should not exceed 10. This requirement has been removed but it should not be taken to mean that the MAAA consider that under all circumstances unlimited numbers of 2.4 GHz sets can be used. Different systems operate with differing technologies and each has their own strengths and weaknesses. Some are less prone to system degradation in the presence of multiple collocated transmitters, or other signals which may be generated externally to the flying site.

At a typical flying field, 2.4 GHz transmitters from different manufacturers will operate and it is very unlikely that a worse case scenario will be present. The normal initial impact will be that the servo responses will start to slow. Several major manufacturers have advised that this has started to be observed at major events overseas when several tens of transmitters have been actually operating at the same time. Whilst the MAAA does not specify a maximum it allows individual clubs, event organisers, or anyone controlling a venue to limit the maximum number of 2.4 GHz transmitters for safety reasons.

More information and guidance on this can be found in MOP058.

**5. If a club member personally imports a transmitter that is on the MAAA list of accepted technologies, and that transmitter has FCC or CE (or both) certification by the manufacturer, can that transmitter be used in Australia without a C Tick?**

**Answer**

The C Tick is a requirement of the ACMA for product that is sold in Australia as providing evidence that the supplier accepts the responsibility that the product meets the Australian Standards. The suppliers are subject to audit by the ACMA to prove they have the supporting documentation.

Certain specific FCC and ETSI Standards, which are listed in MOP058, are accepted by the ACMA as being the equivalent to the standards specified for operation under the 2.4 GHz Class License.

If a C tick has not been applied by either the manufacturer or the importer then the user is the one who accepts responsibility for the product meeting the Australian Standards. This is the legal situation not an MAAA position.

Unfortunately it is not possible to give a standard MAAA answer as to what evidence the individual user should have for any specific product, and which would be accepted as proof, if it ever became subject of a legal case. Products can come via many sources and some less reputable ones might apply a compliance mark without the necessary supporting documentation.

Some clubs might not challenge a member who had an imported radio that was on the MAAA Accepted List provided it seemed to be the genuine article and was marked as complying with the specific FCC or ETSI standards but whether that is sufficient duty of care for the club is of course a matter of judgment. That does not remove the liability from the individual user of course.

The MAAA cannot make a definite statement on this legal question as in a final analysis it would be determined in a court of law if it became a serious issue. The MAAA is not a legal practice and so cannot give specific legal advice, particularly involving individual circumstances.

### **Section 3. Questions Relating to MAAA Insurance**

**1. Do I have to fly at my club field to be covered by MAAA Insurance?**

**Answer.**

MAAA Insurance covers members flying legally anywhere in Australia providing that they meet the following requirements:

- Have the permission (preferably in writing) of the owner of the property to be used for flying.
- Operate within the CASA Regulations Part 101
- Operate in accordance with the MAAA Manual of Procedures (available on this website)

**2. Does my MAAA Insurance cover me for Radio Control, Free Flight and Control Line flying?**

**Answer.**

Yes, it covers all three disciplines equally no matter what club or State Association you join through.

**3. Can the MAAA provide a categorically answer as to whether the MAAA insurance would totally cover me if I caused a model aircraft accident under the following circumstances .....**

**Answer.** The short reply is no, we can't answer the question.

The reason for the seemingly unhelpful answer is that you have asked for a categorical position and unfortunately that is not possible. The liabilities under an insurance contract are legal matters and in the event of any dispute on either coverage, or an attempted recovery of any payout by an insurance company, this would ultimately be determined by a Court of Law. The MAAA is not a qualified legal firm and therefore it cannot provide legal advice. Even if it were, in any court case the final decision depends on the details of the case and any generalised theoretical situation is not likely to totally apply to a specific set of circumstances. That is why Judges are employed and lawyers make a lot of money giving differing advice to their clients depending on which side of the case they represent. In the end, the Judge decides, based on the evidence presented to him.

As an example, under 'Just Culture' which MAAA is committed to, and also to illustrate the problem of stating a categorical position, consider the case of someone flying at a club without being an MAAA Member or properly signing the visitor book. This seemingly obvious situation might have factors that affect how it would be viewed. Assuming that this circumstance was relevant to a particular case, there could be a range of overall reasons leading to it which are not limited to those listed below:

*The person presented the club with a forged MAAA Card.*

*The person was well known at the club as an MAAA Member but his MAAA Membership had lapsed.*

*The club had a clearly displayed notice on visitor policy and the person ignored it.*

*The person was signed in as a visitor but it was not noticed that it was the fifth time over a number of months.*

*The person was signed in as a visitor but it was not noticed that it was the fifth time in five days.*

*The person was not signed in but it was intended to do it when the club member finished another task.*

*The person was not signed in but the club has a visitor's policy which is normally followed.*

*The person was not signed in but the club has a visitor's policy which is followed only if a committee member is present.*

*The person was not signed in but the club has a visitor's policy which is followed occasionally.*

*The person was not signed in and the club does not have a visitor's policy.*

*The person was not signed in and the club policy is knowingly to let anyone fly.*

*The person was not signed in and it is generally known locally, and promoted at Hobby Shops, that anyone can just turn up and fly.*

The MAAA would take different stances at points in the above list, ranging from tolerance of human error to full liability and disciplinary action, which is why a definitive single position statement is not possible. Insurance companies might show similar tolerance against their own standards, or they might not. A similar set of arguments could be applied to the parameters in the circumstances of any case that may be asked. In the end, as previously stated, it could end up in court if there was an incident and a Judge would decide on liability and the insurance company would then pick up any insured liability.

#### **4. I am an MAAA Member and if I am hit by a model aircraft does the MAAA Insurance Policy cover me?**

**Answer.** The MAAA has two Insurance Policies that might apply in this case, Public Liability and Personal Accident Cover. The first point is that the MAAA provides Public Liability Cover to cover affiliated members **for claims made against them** as a result of the operation of model aircraft. This is unlike Personal Accident Cover where you claim for death and personal injury, against a scale of benefits, and medical expenses for your own injuries. This Cover applies almost whatever the cause is as long as you, as an MAAA Affiliate Member, are taking part in sanctioned activities. Any claim as a result of an incident under Public Liability has to be made against another person or entity claiming them as having caused of the loss on a legally justified basis. The basic premise of Public Liability Insurance is that it is **not** for claims directly to the Insurance Company. If the person claimed against is insured for that type of accident, whether the MAAA Policy or any other, then the Insurance Policy will respond if requested. If the person does not have insurance, or the claim is not forwarded to the Insurance Company, then he has to personally pay any damages that are assessed, even if that makes him bankrupt. The amount of the settlement should be independent of any insurance cover that he has. The summary of the MAAA Insurance Policy conditions on the MAAA Web Page should be looked at for further information.

#### **5. If I am hit by a model aircraft at my club that is being flown by a visitor who is not an MAAA member, is he covered by the MAAA Public Liability Insurance. Is there any difference if I did not personally know he was a visitor?**

**Answer.** If a non MAAA member does not sign in as a visitor in accordance with MOP057 then they are not covered by the MAAA Public Liability Insurance. Many clubs require that members wear badges at all times they are present at the field to confirm their membership status for this reason.

#### **6 If my model aircraft hits someone who I did not know was on the runway, is there an MAAA requirement that he had to make sure that I heard any call that he might have made.**

**Answer.** The MAAA makes no specific rules for the circumstances that you outline as appropriate procedures will vary from club to club. All members are expected to operate using due care and a Court might take that into consideration when assessing liability for accident