

Article 16 Proof of Competency

As of 31/12/2020 the law in relation to flying of model aircraft has changed significantly.

The best advice I can offer members is to read the legislation and understand it. If you read it, break it down and understand it, in the main we can continue as we did before with a few subtle changes.

If you do not know what the law is or understand it, you are going to struggle to comply with it and risk causing harm to others and possibly invalidating your 3rd party insurance cover, by flying unlawfully.

Most model flying clubs will fly under a document called Article 16 (links below). This is a legal document containing the rules and regulations that govern what we can and can not do. In essence it means people who are current members of certain model aircraft associations, like the BMFA, can fly under terms and conditions that better suit their purposes.

[BMFA Article 16 Detailed Guide](#)

[CAA Article 16 Full Document](#)

One area that seems to cause confusion is what the CAA refer to as competency. Competency is the term the CAA use for people to show that they understand the basics of the legislation that they fly under. It is often referred to as the 'Flying Test'. It is not a practical test of your flying ability. It is a series of multi choice questions, to test your knowledge of the rules and legislation or an acknowledgement that you hold some other qualification to prove your competence.

From 1st January 2021 any remote pilot of a free flight or radio-controlled model aircraft or drone of mass greater than 250gm that is operating in accordance with our Article 16 authorisation must demonstrate a suitable level of pilot competence by one of the below methods:

1) Any remote pilot operating in accordance with this authorisation must demonstrate a suitable level of pilot competence, by either (a) or (b) below:

a) Passing one of the following online tests:

(i) CAA online DMARES test;

(ii) BMFA online test;

(iii) LMA Theoretical Proficiency online test

(iv) FPV UK certificate of competency: Drone Law ('A' Certificate) online test;

b) Having passed the test (prior to 31/12/2020) for:

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- (i) BMFA Achievement Certificate;
- (ii) SAA Bronze Certificate;
- (iii) LMA Basic Proficiency or Full Proficiency test
- (iv) FPV UK Certificate of Competency: Drone Law Test;

(2) Remote pilots demonstrating competence through methods 1b(i), (ii), (iii) or (iv) must also confirm to their respective association(s) that they have read and understood the conditions and restrictions that apply to them when flying unmanned aircraft in accordance with this authorisation.

(3) The associations must keep a record of such confirmations that can be made available for audit on request.

As a BMFA affiliated club most of our members are going to utilise either a BMFA RCC or their achievement scheme qualification obtained prior to 31/12/2020, as proof of competence.

In relation to the achievement scheme qualification (obtained prior to 31/12/2020) under this section, it is conditional that you acknowledge via the BMFA membership portal that you have read and understood Article 16. **This is not just a tick box exercise, it is imperative that you do read Article 16 and understand it, to comply with this method of competence. In the unfortunate event that an incident did occur, if it were obvious you had not read and understood Article 16, there is every likelihood that your 3rd party insurance would be invalid, as you would be flying unlawfully.**

In my view, having taken and passed both the BMFA RCC and CAA online DMARES tests (the new 40 question ones which came in on 1/1/2021) the best way to prove your competence, is to complete the BMFA RCC test, even if you qualify under one of the other methods. The new 40 question test lasts for 5 years, whereas the old 10 question one only lasted for 3 years.

The BMFA RCC test is more relevant to what we do with the below benefits. We are looking that any new club members will have to pass it before they can join the club.

1. It can be added to your profile on the BMFA membership portal and then appears as an achievement (like the A & B tests) on your BMFA membership certificate if you print it off.
2. The new 40 question test lasts for 5 years rather than 3.

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3. If you hold the new 40 question RCC test and decide to take a new achievement scheme qualification, you do not have to do the mandatory questions as part of the test.
4. If you hold the old 10 question test, it is still valid until it expires. However, if you take a new achievement scheme test with the old 10 question RCC, you will have to do the mandatory questions during the test.
5. It brings you up to speed with the current rules and regulations.

It would be useful in my view, if every club member took the new 40 question BMFA RCC, including the committee and club examiners. That just might be a bridge too far for some.

It does make you aware of the current laws and brings you up to speed with the current CAA regulations that apply to model flyers under the Article 16 legislation. Give it a try (link below) it is free, and you can keep doing it until you pass.

<https://rcc.bmfa.uk/rcc>

Martin Lynn,

PANDAS Chairman.

Email: martinlynn59@gmail.com

Mobile: 07802 725 231