



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX28/23

I, DANIEL BERNARD O'HAGAN, Manager, Legislative Drafting, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed D. O'Hagan]

Danny O'Hagan
Manager, Legislative Drafting

27 February 2023

CASA EX28/23 — Class 1 Medical Certificate (Certain Flights by Holders of a Commercial Pilot Licence or Air Transport Pilot Licence) Exemption 2023

1 Name

This instrument is *CASA EX28/23 — Class 1 Medical Certificate (Certain Flights by Holders of a Commercial Pilot Licence or Air Transport Pilot Licence) Exemption 2023*.

2 Duration

This instrument:

- (a) commences on 1 March 2023; and
- (b) is repealed at the end of 28 February 2026.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: **class**, **current**, **flight**, **maximum take-off weight**, **medical certificate** and **passenger**.

In this instrument:

air transport pilot licence has the same meaning as in Subpart 61.K of CASR.

commercial pilot licence has the same meaning as in Subpart 61.I of CASR.

exempted activity means a flight that:

- (a) is not conducted, wholly or in part, in a foreign country; and
- (b) is in an aircraft with a maximum take-off weight of less than 8 618 kg; and
- (c) does not carry a passenger.

4 Exemption

- (1) A person who holds a commercial pilot licence or an air transport pilot licence is exempt from compliance with subregulation 61.065(1) of CASR to the extent that the subregulation requires that the person also hold a class 1 medical

certificate to be authorised under Part 61 of CASR to conduct an exempted activity.

Note Subregulation 61.415(1) of CASR imposes a limitation on the exercise of the privileges of a commercial pilot licence or an air transport pilot licence that a person must hold a class 1 medical certificate, or a ***medical exemption***. The privileges of the licences relevantly include the conduct of an exempted activity.

- (2) The exemption is subject to the condition that the person must hold a current class 2 medical certificate.
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