



# Australian Government

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## Civil Aviation Safety Authority

### **CASA EX32/24 — Flight Crew Licensing and Other Matters (Miscellaneous Exemptions) Instrument 2024**

#### **as amended**

made under regulations 11.160, 11.205, 11.245 and 11.250 of the *Civil Aviation Safety Regulations 1998*.

This compilation takes into account amendments up to instrument *CASA EX72/24 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024*. It is a compilation of *CASA EX32/24 — Flight Crew Licensing and Other Matters (Miscellaneous Exemptions) Instrument 2024*, as amended and in force on 2 December 2024.

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## Part 1 — Preliminary

### 1 Name

This instrument is *CASA EX32/24 — Flight Crew Licensing and Other Matters (Miscellaneous Exemptions) Instrument 2024*.

### 2 Duration

This instrument:

(b) is repealed at the end of 31 May 2027.

*Note* For regulation 11.250 of CASR, the direction issued in section 49 of this instrument ceases to be in force at the end of 31 May 2027.

### 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:

- (a) *AOC* and *civil aviation legislation*, which are defined in section 3 of the Act; and
- (b) *co-pilot*, *flight crew member*, *instrument flight rules*, *integrated training*, *national aviation authority*, *Part 61 Manual of Standards*, *Part 121 proficiency check*, *pilot in command* and *student pilot*, which are defined in the Dictionary to CASR.

In this instrument:

***aerial application operation*** has the meaning given by regulation 61.010 of CASR.

***aerial application proficiency check*** has the meaning given by regulation 61.010 of CASR.

***ATPL*** means an air transport pilot licence issued by CASA under Part 61 of CASR.

***authorised Part 141 flight training***, for a Part 141 operator, has the same meaning as in subregulation 141.015(2) of CASR.

***CASR*** means the *Civil Aviation Safety Regulations 1998*.

***category*** of aircraft has the same meaning as in regulation 61.015 of CASR.

***class*** of aircraft has the same meaning as in regulation 61.020 of CASR.

***conduct*** has the meaning given by regulation 61.010 of CASR.

***CPL*** means a commercial pilot licence issued by CASA under Part 61 of CASR.

***differences training*** has the meaning given by regulation 61.010 of CASR.

***endorsement*** has the meaning given by regulation 61.010 of CASR.

***exposition***, for a Part 142 operator, has the meaning given by regulation 142.035 of CASR.

***flight control seat*** means each seat from which a flight operation may be conducted by a pilot.

***flight examiner rating*** has the same meaning as in Subpart 61.U of CASR.

***flight instructor*** has the meaning given by regulation 61.010 of CASR.

***flight simulation training device*** has the meaning given by regulation 61.010 of CASR.

***flight test*** has the meaning given by regulation 61.010 of CASR.

***HF&NTS*** means human factors and non-technical skills.

***multi-crew operation*** has the meaning given by regulation 61.010 of CASR.

***operator proficiency check*** has the meaning given by regulation 61.010 of CASR.

***operations manual***, for a Part 141 operator, has the meaning given by regulation 141.030 of CASR.

***Part 141 operator*** has the same meaning as in subregulation 141.015(3) of CASR.

***Part 142 activity*** has the same meaning as in subregulation 142.015(5) of CASR.

***Part 142 operator*** has the same meaning as in subregulation 142.015(5) of CASR.

***pilot*** has the meaning given by regulation 61.010 of CASR.

***pilot licence*** has the meaning given by regulation 61.010 of CASR.

***PPL*** means a private pilot licence issued by CASA under Part 61 of CASR.

***solo***, in relation to a flight of an aircraft, has the meaning given by regulation 61.010 of CASR.

***training endorsement*** has the meaning given by regulation 61.010 of CASR.

#### **4 Amendment of other instruments**

- (1) Schedule 1 amends *CASA EX92/22 – Part 137 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2022*.
- (2) Schedule 2 amends *CASA EX86/21 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2021*.

## Part 2 — Logging of flight time as a pilot (co-pilots on single-pilot certificated aircraft)

### 5 Definitions for Part

In this Part:

**multi-pilot capable aircraft** means an aircraft being operated as a multi-pilot aircraft that:

- (a) is certificated under Part 21 of CASR for single-pilot operations; and
- (b) is not an aircraft that, under CASR or the *Civil Aviation Regulations 1988*, must be flown with a crew of at least 2 pilots; and
- (c) is fitted with:
  - (i) 2 flight control seats — from each of which a flight operation may be conducted by a pilot; and
  - (ii) flight instruments suitable for operation of the aircraft from either flight control seat.

*Note* Some examples of multi-pilot capable aircraft are Metro series aeroplanes, BE1900 aeroplanes, DO228 aeroplanes, AW139 helicopters and S-76 helicopters.

**permissible co-pilot time**, in relation to a person who was a permitted co-pilot, means time during which the pilot performed co-pilot duties in a multi-pilot capable aircraft in accordance with multi-crew procedures specified in the operations manual or exposition (whichever is applicable) of the holder of an AOC operating the aircraft.

**permitted co-pilot** means a co-pilot of a multi-crew operation conducted in a multi-pilot capable aircraft that is operated by an AOC holder.

### 6 Exemption — logbook recording

- (1) A person who has been a permitted co-pilot is exempt from compliance with subregulation 61.345(1) of CASR to the extent that the person must not record in the person's logbook the person's permissible co-pilot time.
- (2) The exemption is subject to the condition in section 10.

### 7 Exemption — flight time for ATPL

- (1) A person who is an applicant for an ATPL and who has been a permitted co-pilot is exempt from compliance with paragraph 61.700(3)(d) of CASR.
- (2) The exemption is subject to the following conditions:
  - (a) the person would meet the aeronautical experience requirements mentioned in Subpart 61.K of CASR for the grant of the ATPL if the applicant's permissible co-pilot time in a category of aircraft was flight time as a co-pilot in the category of aircraft;
  - (b) the condition in section 10.

*Note* The condition has effect so that a permitted co-pilot may submit permissible co-pilot time in support of an application for an ATPL with aeroplane category, an ATPL with helicopter category or an ATPL with powered-lift aircraft category provided the permissible co-pilot time is in the category of aircraft relevant to the ATPL.

### 8 Exemption — flight time for pilot type rating for a type-rated aircraft

- (1) A person who holds a pilot type rating for a type-rated aircraft that is a multi-engine turbine-powered aircraft and who has been a permitted co-pilot for

an aircraft covered by the rating is exempt from compliance with the condition mentioned in subregulation 61.775(2) of CASR.

- (2) The exemption is subject to the following conditions:
  - (a) the person would comply with the condition in the subregulation if the applicant's permissible co-pilot flight time in an aircraft covered by the rating was flight time;
  - (b) the condition in section 10.

## **9 Exemption — flight time for night vision imaging system endorsement (helicopter)**

- (1) A person who is an applicant for a night vision imaging system endorsement mentioned in regulation 61.1025 of CASR and who has been a permitted co-pilot for a helicopter is exempt from compliance with paragraph 61.1035(2)(d) of CASR to the extent that the paragraph requires the person to comply with subparagraph 61.1035(4)(b)(i) of CASR.
- (2) The exemption is subject to the following conditions:
  - (a) the person would meet the flight time requirements of subparagraph 61.1035(4)(b)(i) of CASR if the person's permissible co-pilot flight time was flight time;
  - (b) the condition in section 10.

## **10 Condition on exemptions under this Part — recording of permissible co-pilot time**

As soon as practicable after completing each flight as a permitted co-pilot, the person must record the permissible co-pilot time in the person's logbook as if the time was flight time for regulation 61.345 of CASR.



## Part 3 — Occupation of flight control seat (certain flight instruction and examination activities)

### 11 Definitions for Part

In this Part:

**CASR special approval** means an approval granted under regulation 61.040, 141.035 or 142.040 of CASR.

**flight instructor rating** has the same meaning as in Division 61.T.1 of CASR.

**old authorisation** has the meaning given by regulation 202.261 of CASR.

**relevant flight examiner activity** means an activity mentioned in paragraph 61.1255(a) or (c) of CASR.

**relevant simulator instructor activity** means an activity mentioned in any of the following provisions of CASR that is conducted in a flight simulation training device:

(a) paragraph 61.1165(a), (c), (d), (e) or (f);

(b) paragraph 61.1190(a), (c), (d), (e) or (f).

**simulator instructor rating** has the same meaning as in Division 61.T.2 of CASR.

**single-place aircraft** means an aircraft that has only one flight control seat.

### 12 Exemption — occupation of flight control seat

- (1) The holder of an authorisation mentioned in an item in column 1 of Table 1 is exempt from compliance with subregulation 61.065(1) of CASR to the extent that the subregulation requires the holder to occupy a flight control seat to be authorised under the provision mentioned in column 2 of the table for the item to conduct an activity mentioned in column 3 of the table for the item.

Table 1

	Authorisations (Column 1)	Provision (Column 2)	Activity (Column 3)
1	Pilot licence with a flight instructor rating	Subregulation 61.375(7) of CASR, by reference to item 7 of Table 61.375	Relevant simulator instructor activity
2	Pilot licence with a flight instructor rating or a simulator instructor rating	Subregulation 61.375(7) of CASR, by reference to item 8 of Table 61.375	Relevant simulator instructor activity
3	Pilot licence with a flight examiner rating	Subregulation 61.375(7) of CASR, by reference to item 9 of Table 61.375	Relevant flight examiner activity
4	Flight instructor rating; old authorisation; CASR special approval	Regulation 61.1165 of CASR	Relevant simulator instructor activity

	<b>Authorisations (Column 1)</b>	<b>Provision (Column 2)</b>	<b>Activity (Column 3)</b>
5	Simulator instructor rating; old authorisation; CASR special approval	Regulation 61.1190 of CASR	Relevant simulator instructor activity
6	Flight examiner rating; old authorisation; CASR special approval	Regulation 61.1255 of CASR	Relevant flight examiner activity

- (2) The exemption in subsection (1) is subject to the conditions in section 13.

### **13 Conditions on exemptions under this Part**

- (1) An authorisation holder must occupy a flight control seat for any of the following activities in an aircraft:
  - (a) a proficiency check, in an aircraft that is not a single-place aircraft, unless each flight crew member occupying a flight control seat is authorised under Part 61 of CASR to pilot the aircraft;
  - (b) any activity for which the authorisation holder is the pilot in command, or is required to be the pilot in command in order for the flight to be authorised under the civil aviation legislation;
  - (c) any activity for which a flight control seat is available on the aircraft to be occupied by the authorisation holder.
- (2) In relation to a flight in an aircraft that is not a single-place aircraft, an authorisation holder conducting a relevant flight examiner activity, when occupying a seat that is not a flight control seat:
  - (a) must be located at a place on the aircraft that enables the authorisation holder to observe all the matters to be demonstrated by each flight crew member occupying a flight control seat; and
  - (b) must not manipulate any aircraft control or system accessible from a flight control seat.
- (3) An authorisation holder must not conduct a relevant flight examiner activity, in relation to a flight in a single-place aircraft, unless:
  - (a) the activity is an aerial application proficiency check; and
  - (b) the authorisation holder is located at a place that enables them to observe all the matters to be demonstrated by the pilot of the aircraft for the activity.
- (4) In relation to an activity in a flight simulation training device, an authorisation holder must, when not occupying a flight control seat, be located at a place that enables the authorisation holder to observe all the matters to be demonstrated by each flight crew member occupying a flight control seat.
- (5) An authorisation holder conducting a relevant simulator instructor activity or a relevant flight examiner activity, when not occupying a flight control seat, must ensure that at all times during the activity they can:
  - (a) monitor flight crew member use of radiocommunication systems; and
  - (b) maintain 2-way communications with the flight crew members.

(6) In this section:

***proficiency check*** means any of the following (each of which has the meaning given by regulation 61.010 of CASR):

- (a) aerial application proficiency check;
- (b) instructor proficiency check;
- (c) instrument proficiency check;
- (d) night vision imaging system proficiency check;
- (e) operator proficiency check.

## Part 4 — Instrument proficiency checks for aircraft type ratings

### 14 Meaning of *IPC*

In this Part:

*IPC* means an *instrument proficiency check* within the meaning of regulation 61.010 of CASR.

### 15 Exemptions — single-pilot turbojet aeroplane type ratings

- (1) The holder of a single-pilot turbojet aeroplane type rating (the *SP type rating holder*), for the exercise of the privileges of the rating under the instrument flight rules (*IFR*), is exempt from compliance with subregulation 61.805(3) of CASR.
- (2) The SP type rating holder is exempt from compliance with subregulations 61.805(5) and (6) of CASR.
- (3) The exemptions in this section are subject to the conditions in section 16.

### 16 Conditions on exemptions under section 15 – single-pilot turbojet aeroplane type ratings

- (1) The SP type rating holder must have a valid IPC as if the requirements under subregulation 61.805(3) of CASR, to have a valid IPC for the aeroplane type covered by the rating during the relevant 12-month period, applied as a requirement to have a valid IPC for any single-pilot turbojet aeroplane type during the relevant 24-month period.

*Note* Thus, for an SP type rating holder, the 12-monthly IPC requirement under subregulations 61.805(1) and (3) of CASR may be satisfied by a 24-monthly IPC in any single-pilot turbojet aeroplane type.

- (2) The SP type rating holder's pilot licence must record that the SP type rating holder has a valid IPC in accordance with the condition in subsection (1).
- (3) Subregulations 61.805(5) and (6) of CASR must be complied with as if they applied despite the exemption in subsection 15(2) of this instrument, except that references to "relevant aircraft" for paragraphs 61.805(3)(e) and (f) must be taken to be references to any single-pilot turbojet aeroplane type (rather than the particular single-pilot turbojet aeroplane type covered by the SP type rating holder's rating).

*Note* Thus, it is a condition of the exemption from the requirements in subregulations 61.805(5) and (6) of CASR that subregulations 61.805(5) and (6) be complied with, but in the particular context of the operation of the exemption.

- (4) In this section:
  - (a) a reference to *the relevant 12-month period* is a reference to the period of 12 months calculated in the same way as the period would be calculated under subregulation 61.805(3) if this instrument had not been made; and
  - (b) a reference to *the relevant 24-month period* is a reference to the period of 24 months calculated in the same way as the 12-month period is calculated.

### 17 Exemptions — multi-crew type ratings

- (1) The holder of a multi-crew type rating (the *multi-crew type rating holder*) for a particular aircraft category, for the exercise of the privileges of the rating under the IFR, is exempted from subregulation 61.805(2) of CASR.

- (2) The multi-crew type rating holder is exempt from compliance with subregulations 61.805(5) and (6) of CASR.
- (3) The exemptions in this section are subject to the conditions in section 18.

## **18 Conditions on exemptions in section 17 — multi-crew type ratings**

- (1) The multi-crew type rating holder for a particular aircraft category must have a valid IPC as if the requirements under subregulation 61.805(2) of CASR, to have a valid IPC for the aircraft type covered by the rating during the relevant 24-month period, applied as a requirement to have a valid IPC for any multi-crew type-rated aircraft in the same category during the relevant 24-month period.
- (2) The multi-crew type rating holder's pilot licence must record that the multi-crew type rating holder has a valid IPC in accordance with the condition in subsection (1).
- (3) Subregulations 61.805(5) and (6) of CASR must be complied with as if they applied despite the exemption in subsection 17(2) of this instrument, except that references to "relevant aircraft" for paragraphs 61.805(2)(e) and (f) must be taken to be references to any multi-crew aircraft type in the same category as that of the multi-crew type rating holder's rating (rather than the particular aircraft type covered by the holder's rating).

*Note* Thus, it is a condition of the exemption from the requirements in subregulations 61.805(5) and (6) of CASR that subregulations 61.805(5) and (6) be complied with, but in the particular context of the operation of the exemption.

- (4) In this section, a reference to *the relevant 24-month period* is a reference to the period of 24 months calculated in the same way as the period would be calculated under subregulation 61.805(2) of CASR if this instrument had not been made.

## **19 Exemptions — other aircraft type ratings**

- (1) This section does not apply to an SP type rating holder (within the meaning of section 15) or a multi-crew type rating holder (within the meaning of section 17).
- (2) The holder of a pilot type rating (the *holder*), for the exercise of the privileges of the rating under the IFR, is exempt from compliance with subregulation 61.805(2) of CASR.
- (3) The holder is exempted from subregulations 61.805(5) and (6) of CASR.
- (4) The exemptions in this section are subject to the conditions in section 20.

## **20 Conditions on exemptions in section 19 — other aircraft type ratings**

- (1) The holder must have a valid IPC as if the requirements under subregulation 61.805(2) of CASR, to have a valid IPC for the aircraft type covered by the rating during the relevant 24-month period, applied as a requirement to have a valid IPC for any type-rated aircraft in the same category during the 24-month period.
- (2) The holder's pilot licence must record that the holder has a valid IPC in accordance with the condition in subsection (1).
- (3) Subregulations 61.805(5) and (6) of CASR must be complied with as if they applied despite the exemption in subsection 19(3) of this instrument, except that

references to “relevant aircraft” for paragraphs 61.805(2)(e) and (f) must be taken to be references to any aircraft type in the same category as that of the holder’s pilot type rating (rather than the particular aircraft type covered by the holder’s rating).

*Note* Thus, it is a condition of the exemption from the requirements in subregulations 61.805(5) and (6) of CASR that subregulations 61.805(5) and (6) be complied with, but in the particular context of the operation of the exemption.

- (4) In this section, a reference to ***the relevant 24-month period*** is a reference to the period of 24 months calculated in the same way as the period would be calculated under subregulation 61.805(2) of CASR if this instrument had not been made.

## Part 5 — Flight reviews

### 21 Application of Part

This Part applies to a person (a **relevant person**) who holds one of the following aircraft class or pilot type ratings under Part 61 of CASR:

- (a) a single-engine aeroplane class rating;
- (b) a multi-engine aeroplane class rating;
- (c) a single-engine aeroplane pilot type rating;
- (d) a multi-engine aeroplane pilot type rating;
- (e) a single-engine helicopter class rating;
- (f) a single-engine helicopter pilot type rating;
- (g) a multi-engine helicopter pilot type rating.

### 22 Exemption from certain flight review requirements

- (1) Subsection (2) applies to a relevant person who:
  - (a) is the holder of a rating mentioned in column 1 of an item in Table 2; and
  - (b) has a valid flight review mentioned in column 2 of the item.
- (2) The relevant person is exempt from the provision of CASR mentioned in column 3 of the item to the extent that the provision requires the relevant person to have a valid flight review for the rating mentioned in column 1 of the item.
- (3) The exemption in subsection (2) does not affect the flight review requirements for the holder of the MU-2 single-pilot multi-engine aeroplane type rating, as set out in paragraph 6(b) of instrument *CASA 62/20 — Conditions on Flight Crew Authorisations (Edition 3) Instrument 2020 (CASA 62/20)* (as in force on 1 September 2021).

*Note* Under CASA 62/20, the holder of the MU-2 single-pilot multi-engine aeroplane type rating must not exercise the privileges of the rating as a pilot in command unless (among other things) the holder has, within the previous 12 months, satisfactorily completed a flight review or a proficiency check conducted in an MU-2 aircraft.

- (4) The exemption in subsection (2) does not affect the flight review requirements for the holder of a single-engine helicopter class rating for use in the conduct of operations in an R22 or R44 helicopter, as set out in section 8 of CASA 62/20 (as in force on 1 September 2021).

*Note* Under CASA 62/20, the holder of a single-engine helicopter class rating must not conduct operations in an R22 or R44 helicopter unless (among other things) the holder has completed a flight review, in accordance with regulation 61.745 of CASR, and the flight review was conducted in an R22 or R44 helicopter.

- (5) The exemption in subsection (2) is subject to the condition in section 23.

**Table 2**

<b>Item</b>	<b>Rating (Column 1)</b>	<b>Valid flight review under (regulation) (Column 2)</b>	<b>Provision (regulation) (Column 3)</b>
1	Single-engine aeroplane class rating <i>Note</i> See Note below	61.800 — for any aeroplane pilot type rating	61.745
2	Multi-engine aeroplane class rating	61.800 — for any multi-engine aeroplane pilot type rating	61.745
3	Single-engine aeroplane pilot type rating	61.800 — for any aeroplane pilot type rating; or 61.745 — for any aeroplane class rating	61.800
4	Multi-engine aeroplane pilot type rating	61.800 — for any multi-engine aeroplane pilot type rating; or 61.745 — for the multi-engine aeroplane class rating	61.800
5	Single-engine helicopter class rating	61.800 — for any helicopter type rating	61.745
6	Single-engine helicopter pilot type rating	61.800 — for any helicopter pilot type rating; or 61.745 — for the single-engine helicopter class rating	61.800
7	Multi-engine helicopter pilot type rating	61.800 — for any multi-engine helicopter pilot type rating	61.800

*Note* Under subregulations 61.375(3) and (4) of CASR, a licence holder is authorised to exercise the privileges of the licence in an aeroplane in the single-engine aeroplane class if the holder is authorised to exercise the privileges of the multi-engine aeroplane class rating. Thus, if the licence holder has a valid flight review for multi-engine aeroplanes, the holder is authorised to operate aeroplanes in the single-engine aeroplane class without requiring a valid single-engine aeroplane class rating flight review.

## **23 Condition — evidence of completion of applicable flight review**

The holder of a rating mentioned in column 1 of an item in Table 2 must ensure that their pilot licence includes a record that the holder has completed the applicable flight review referred to in column 2 of the item.



## **Part 6 — Operator proficiency checks by check pilots**

### **24 Meaning of *check pilot***

In this Part, *check pilot* means the holder of a pilot licence who:

- (a) holds an approval under regulation 121.010 of CASR to conduct a Part 121 proficiency check for an aeroplane of a particular kind; or
- (b) is engaged by the operator of an aircraft to conduct training or a check under:
  - (i) paragraph 133.377(2)(a) of CASR; or
  - (ii) paragraph 135.387(2)(a) of CASR; or
  - (iii) paragraph 138.505(2)(a) of CASR.

### **25 Exemption**

- (1) Subject to subsection (2), a check pilot is exempt from compliance with subregulation 61.065(1) of CASR (when taken together with subregulation 61.375(7) (as it relates to item 9 of table 61.375) and subparagraph 61.1255(c)(v)) to the extent that the pilot may conduct an operator proficiency check for the holder of a pilot licence (mentioned in subparagraph 61.1255(c)(v)) without holding a flight examiner rating.
- (2) The exemption in subsection (1) does not authorise the check pilot to conduct an operator proficiency check for the purposes of regulation 61.650, 61.695 or 61.880 of CASR.
- (3) The exemption in subsection (1) is subject to the conditions in section 26.

### **26 Conditions on exemption under this Part**

- (1) A check pilot who holds an approval under regulation 121.010 of CASR to conduct a Part 121 proficiency check for an aeroplane of a particular kind:
  - (a) may only conduct an operator proficiency check for an aeroplane of a kind to which the approval applies; and
  - (b) must conduct the operator proficiency check in accordance with the operator's training and checking responsibilities under the regulations.
- (2) A check pilot who is engaged by an operator to conduct training or a check under paragraph 133.377(2)(a), paragraph 135.387(2)(a) or paragraph 138.505(2)(a) of CASR:
  - (a) may only conduct an operator proficiency check for the aircraft in respect of which the check pilot has been so engaged; and
  - (b) must conduct the operator proficiency check in accordance with the operator's training and checking responsibilities under the regulations.

## **Part 7 — Foreign cadet pilots (medical certificate for CPL flight test)**

### **27 Meaning of *foreign cadet pilot***

In this Part, *foreign cadet pilot* means a person who:

- (a) is not a citizen of Australia; and
- (b) is not a permanent resident of Australia; and
- (c) is a student registered to undergo flight training with one of the following persons (the *operator*):
  - (i) a Part 141 operator;
  - (ii) a Part 142 operator; and
- (d) is undertaking training for a CPL under the sponsorship of a foreign aircraft operator; and
- (e) takes a flight test for a CPL.

### **28 Exemption — requirement to hold class 1 medical certificate**

- (1) The foreign cadet pilot is exempt from the requirement in paragraph 61.235(2)(c) of CASR to the extent that it requires the pilot to hold a current class 1 medical certificate to be eligible to take a flight test for a CPL.
- (2) The exemption is subject to the conditions in section 29.

### **29 Conditions on exemption under this Part**

- (1) The foreign cadet pilot must:
  - (a) hold a current class 2 medical certificate; and
  - (b) hold, or have held, a class 1 medical assessment (however described or administered) issued by the national aviation authority of the pilot's country of residence as evidence that the pilot meets specific requirements of medical fitness.

*Note* For paragraph (1)(b), national aviation authorities may administer the requirement to hold a class 1 medical assessment by issuing a class 1 medical certificate or, if a certificate is not issued, by requiring that the pilot pass a class 1 medical examination to show that the pilot meets the class 1 medical standard.

- (2) The foreign cadet pilot must not undertake a flight test for a CPL unless the flight test is organised by the operator as part of the foreign cadet pilot's registration with the operator.

## Part 8 — Approved course of training (multi-crew cooperation)

### 30 Definitions for Part

In this Part:

*ADF* means the Australian Defence Force.

*approved course of training in MCC* means an approved course of training (within the meaning of regulation 61.010 of CASR) in multi-crew cooperation.

### 31 Exemption — ADF applicants for an ATPL

- (1) A member or former member of the ADF (the *applicant*) who applies for the grant of an ATPL is exempt from the requirement under subparagraph 61.285(f)(ii) of CASR to complete an approved course of training in MCC.
- (2) The exemption is subject to the conditions in section 32.

### 32 Conditions on exemption relating to ADF applicants for an ATPL

The applicant concerned:

- (a) must have successfully completed a course of training conducted by the ADF for a multi-crew pilot operational conversion qualification; and
- (b) must provide evidence of having done so by giving CASA a copy of the relevant ADF qualification showing that the applicant has completed an operational conversion training course for an aircraft that is normally operated by 2 pilots.

### 33 Exemption — applicants for an ATPL who hold an MPL

- (1) The holder of an MPL with an aircraft category rating (the *applicant*) who applies for the grant of an ATPL is exempt from the requirement under paragraph 61.700(3)(e) of CASR to complete an approved course of training in MCC.
- (2) In this section:  
*MPL* means a multi-crew pilot licence issued by CASA under Part 61 of CASR.

### 34 Exemption — applicants for an ATPL who hold a CPL

- (1) The holder of a CPL with an aircraft category rating (the *applicant*) who applies for the grant of an ATPL is exempt from the requirement under paragraph 61.700(3)(e) of CASR to complete an approved course of training in MCC.
- (2) The exemption is subject to the conditions in section 38.

### 35 Exemption — exercise of privileges of a PPL in multi-crew operation

- (1) The holder of a PPL (the *holder*) is exempt from the requirement under subregulation 61.510(1) of CASR that to exercise the privileges of the licence in a multi-crew operation, the holder must have completed an approved course of training in MCC.
- (2) The exemption is subject to the conditions in section 38.

**36 Exemption — exercise of privileges of a CPL in multi-crew operation**

- (1) The holder of a CPL (the *holder*) is exempt from the requirement under subregulation 61.575(1) of CASR that to exercise the privileges of the licence in a multi-crew operation, the holder must have completed an approved course of training in MCC.
- (2) The exemption is subject to the conditions in section 38.

**37 Exemption — single-pilot type rating without multi-crew type rating**

- (1) The holder of a single-pilot (*SP*) type rating (the *holder*) is exempt from the requirement under paragraph 61.785(1)(b) of CASR that to exercise the privileges of the SP type rating in a multi-crew operation, the holder must have completed an approved course of training in MCC if the holder does not hold a multi-crew type rating.
- (2) The exemption is subject to the conditions in section 38.

**38 Conditions on exemptions in sections 34, 35, 36 and 37**

The applicant or holder concerned must:

- (a) satisfy at least one of the alternative requirements set out in section 39; and
- (b) provide evidence of having done so in accordance with the evidence and other requirements set out in section 40; and
- (c) comply with any other requirement mentioned in section 40 for the requirements set out in section 39.

**39 Alternative requirements**

- (1) For section 38, the alternative requirements to be satisfied are:
  - (a) successful completion of a course of training in MCC approved by EASA; or
  - (b) successful completion of the training required to qualify for an EASA type rating for a multi-crew certificated aircraft; or
  - (c) both of the following:
    - (i) holding a type rating;
    - (ii) having at least 50 hours experience as a pilot in multi-crew operations conducted by an Australian AOC holder engaged in RPT operations in accordance with *Civil Aviation Order 82.3* (as in force when the multi-crew operations were conducted) or *Civil Aviation Order 82.5* (as in force when the multi-crew operations were conducted), being experience gained during the last 3 years; or
  - (d) all of the following:
    - (i) holding a type rating;
    - (ii) having at least 100 hours experience as a pilot in multi-crew operations conducted by an Australian AOC holder engaged in charter operations in accordance with *Civil Aviation Order 82.1 – Conditions on air operators’ certificates authorising charter operations & aerial work operations* (as in force when the multi-crew operations were conducted), being experience gained during the last 3 years;

- (iii) successful completion, within the last 3 years, of 2 operator proficiency checks in multi-crew operations, each of which included assessment of HF&NTS competencies; or
  - (e) successful completion of alternative training, or acquisition of qualifications, or possession of experience, or a combination of these, which CASA approves to be at least equivalent to any of the alternative requirements mentioned in paragraphs (a) to (d).
- (2) In this section:
- last 3 years*** means the 3 years immediately preceding:
- (a) in the case of an applicant for an ATPL — the date of the application; and
  - (b) in any other case — the first flight for which a pilot relies upon this exemption instrument, or a previous exemption instrument, for non-compliance with a requirement in Part 61 of CASR to have completed an approved course of training in MCC.

***previous exemption instrument*** means any of the following instruments:

- (a) CASA EX66/21;
- (b) CASA EX192/15;
- (c) CASA EX225/15;
- (d) CASA EX102/18.

*Note 1* The assessment of HF&NTS competencies under subparagraph (d)(iii) should be guided by reference to the Civil Aviation Advisory Publication SMS-3(1) entitled *Non-Technical Skills Training and Assessment for Regular Public Transport Operations*, as it exists from time to time. The latest version of the CAAP SMS-3(1) as at the time this instrument commenced is dated April 2011.

*Note 2* The holder of a PPL or CPL can only conduct a multi-crew operation without completing a course of training in multi-crew co-operation (***MCC***) after 1 September 2015, if they have conducted a multi-crew operation in accordance with paragraphs 39(1)(c) or (d) prior to 1 September 2015 or are exempted from the requirement to complete MCC training under paragraph 39(1)(a), (b) or (e).

#### **40 Evidence and other requirements**

- (1) For sections 38 and 39, the evidence and other requirements are:
  - (a) for paragraph 39(1)(a):
    - (i) a copy of a course completion certificate issued to the person by an EASA-approved training provider; and
    - (ii) a copy of the EASA approval held by the approved training provider that shows the approval is valid and current; and
  - (b) for paragraph 39(1)(b):
    - (i) a copy of the person's current EASA flight crew licence endorsed with the multi-crew type rating for a multi-crew certificated aircraft; and
    - (ii) logbook evidence of the person having exercised the privileges of the rating following the grant of the rating; and
  - (c) for paragraph 39(1)(c):
    - (i) a copy of the person's current CASA flight crew licence endorsed with a multi-crew type rating; and
    - (ii) logbook evidence of the person's experience as a pilot in multi-crew operations for an Australian AOC holder engaged in RPT operations in

accordance with *Civil Aviation Order 82.3* (as in force when the multi-crew operations were conducted) or *Civil Aviation Order 82.5* (as in force when the multi-crew operations were conducted); and

- (d) for paragraph 39(1)(d):
  - (i) a copy of the person's current CASA flight crew licence endorsed with a multi-crew type rating; and
  - (ii) logbook evidence of the person having at least 100 hours experience as a pilot in multi-crew operations for an Australian AOC holder engaged in charter operations in accordance with *Civil Aviation Order 82.1 – Conditions on air operators' certificates authorising charter operations & aerial work operation* (as in force when the multi-crew operations were conducted); and
  - (iii) evidence of the successful completion of 2 operator proficiency checks which included assessment of HF&NTS competencies; and
- (e) for paragraph 39(1)(e):
  - (i) evidence of successful completion of training, qualifications or experience, or a combination of these; and
  - (ii) a CASA certificate of equivalence; and
- (f) for paragraphs 39(1)(a) to (e), evidence in logbooks or other documents of any of the following:
  - (i) the exercise of relevant privileges;
  - (ii) the acquisition of experience as a pilot in multi-crew operations;
  - (iii) the successful completion of operator proficiency checks;
  - (iv) the successful completion of equivalent training, qualifications and experience;must be endorsed by:
  - (v) the head (however described) of the flying operations part of the relevant AOC holder or other operator to whom the logbook entries or other documents relate; or
  - (vi) the head (however described) of training and checking of the relevant AOC holder or other operator to whom the logbook entries or other documents relate; or
  - (vii) the holder of a flight examiner rating; and
- (g) for paragraphs 39(1)(a) to (e), the evidence must be supplied to:
  - (i) in the case of an applicant for an ATPL — CASA; and
  - (ii) in the case of the holder of a PPL, a CPL, or an SP type rating without a multi-crew type rating (as the case may be) conducting multi-crew operations — the head (however described) of the flying operations part of the AOC holder or other operator for whom the pilot operates a multi-crew aircraft; and
- (h) for paragraphs 39(1)(a) to (e), an applicant or a holder must, on written request, supply CASA with any information or documents CASA considers necessary to determine the appropriate application, or the continued application, of the exemption to the applicant or holder.

*Note* For example, in the interests of aviation safety, CASA may require proof of authenticity of copies of documents.

(2) In this section:

***CASA certificate of equivalence*** means a certificate issued by CASA stating that, for paragraph 39(1)(e) of this instrument, a person's successful completion of alternative training, or acquisition of qualifications, or possession of experience, or a combination of these, is approved to be at least equivalent to an alternative means of compliance mentioned in paragraphs 39(1)(a) to (d).

## Part 9 — Basic instrument flight training

### 41 Definitions for Part

In this Part:

**BIF training** has the same meaning as **basic instrument flight training** in regulation 61.010 of CASR.

**specified category** means a category of aircraft for which a flight instructor holds a grade 1 training endorsement, grade 2 training endorsement or grade 3 training endorsement.

### 42 Exemption — flight instructor conducting BIF training

- (1) This section applies to a flight instructor who:
  - (a) holds a grade 1 training endorsement, grade 2 training endorsement or grade 3 training endorsement for a specified category; and
  - (b) does not hold an instrument rating training endorsement or a night VFR rating training endorsement; and
  - (c) has successfully completed a training course in the conduct of BIF training that meets the requirements mentioned in section 45; and
  - (d) has been assessed as competent to conduct BIF training by a flight instructor who:
    - (i) holds a grade 1 training endorsement for the specified category; and
    - (ii) is authorised to conduct BIF training in the specified category.
- (2) The flight instructor is exempt from compliance with subregulation 61.065(1) of CASR to the extent that the subregulation prohibits the flight instructor from conducting BIF training in the specified category.

### 43 Exemption — flight instructor conducting training course

- (1) This section applies to a flight instructor who conducts a training course in the conduct of BIF training that meets the requirements mentioned in section 45.
- (2) The flight instructor is exempt from compliance with subregulation 61.065(1) of CASR to the extent that the subregulation prohibits the flight instructor from conducting the training course in the specified category.

### 44 Exemption — applicant for flight crew licence, rating or endorsement

- (1) This section applies to an applicant for a flight crew licence, rating or endorsement who receives BIF training from a flight instructor mentioned in subsection 42(1).
- (2) The applicant is exempt from compliance with paragraph 61.195(2)(b) of CASR, but only in relation to receiving BIF training.

### 45 Requirements of training course

For sections 42, 43 and 44, the requirements are as follows:

- (a) the training course must be conducted by a flight instructor for a Part 141 or 142 operator that is authorised to conduct training for the grant of a PPL or a CPL;



- (b) the operator must ensure that the training course is conducted as if the training course is:
  - (i) for a Part 141 operator — Part 141 flight training; and
  - (ii) for a Part 142 operator — Part 142 flight training;
- (c) the training course must be conducted by the holder of a grade 1 training endorsement for the specified category:
  - (i) who is authorised to conduct the training by the head of operations of the Part 141 or 142 operator; and
  - (ii) who:
    - (A) holds an instrument rating training endorsement or a night VFR rating training endorsement in the specified category; or
    - (B) for aeroplanes — immediately before 1 September 2014 held a grade 3 flight instructor (aeroplane) rating; or
    - (C) for helicopters — immediately before 1 September 2014 was authorised under *Civil Aviation Order 40.3.7 – Flight instructor (helicopter) rating* to give flying training at night or flying training in basic instrument flight;
- (d) the training course must include at least 2 hours of flight time in an aircraft;
- (e) the training course must address the elements, performance criteria and underpinning knowledge mentioned in Schedule 2 of the Part 61 Manual of Standards, as in force from time to time, for the following units of competency:
  - (i) IFF — full instrument panel manoeuvres;
  - (ii) IFL — limited instrument panel manoeuvres.

*Note 1* A flight test is not required on completion of the training.

*Note 2* The operator may use the course published by CASA from time to time on the CASA website or an equivalent course prepared by the operator. Approval of the course by CASA is not required.

## Part 10 — Aerial application proficiency check

### 46 Definitions for Part

In this Part:

***aerial application endorsement*** has the meaning given by regulation 61.010 of CASR.

***aerial application operator*** means an operator that holds an AOC that authorises the use of an aeroplane in aerial application operations.

### 47 Exemption — head of flight operations

- (1) This section applies if the head of flight operations of an aerial application operator (the ***first aerial application operator***) has satisfactorily completed an operator proficiency check conducted by the head of flight operations of another aerial application operator.

*Note* To avoid doubt, the head of flight operations is also known as the chief pilot.

- (2) The first aerial application operator and that operator's head of flight operations are exempt from compliance with subregulations 137.240(3) and (4) of CASR.

*Note* Subregulations 137.240(3) and (4) of CASR provide that an operator proficiency check for the operator's head of flight operations must be conducted by a flight examiner, or flight instructor, authorised under Part 61 of CASR to conduct aerial application operations.

### 48 Exemption — aerial application rating holder

- (1) This section applies to the holder of an aerial application rating who:
  - (a) holds an aeroplane aerial application endorsement or an aeroplane firefighting endorsement; and
  - (b) has successfully completed an operator proficiency check that was conducted by the head of flight operations of an aerial application operator.
- (2) The holder is exempt from compliance with the requirement in paragraph 61.1110(2)(c) of CASR that the check is conducted by a flight examiner who holds an aerial application rating flight test endorsement.

*Note* Paragraph 61.1110(2)(c) of CASR provides that the holder of an aerial application rating is taken to have a valid aerial application proficiency check if the holder successfully completes an operator proficiency check that covers operations under the rating conducted by a flight examiner who holds an aerial application rating flight test endorsement.

### 49 Direction

If a head of flight operations (the ***first head of flight operations***) of an aerial application operator conducts an operator proficiency check of the head of flight operations of another aerial application operator in accordance with this Part, the first head of flight operations must notify CASA, in writing, of the check.

## Part 11 — English language proficiency assessments

### 50 Definitions for Part

- (1) In this Part:

**AELP** means aviation English language proficiency.

**alternative AELP assessment holder** means an individual who:

- (a) has applied, in writing, to an approved person for an assessment of the individual's AELP; and
- (b) has been assessed by the approved person as meeting the ICAO level 6 AELP standards mentioned in subclause 3.1 of section 2 of Schedule 8 of the Part 61 Manual of Standards.

**approved person** means a person approved by CASA under section 51 to conduct assessments of the AELP or GELP of individuals.

**aviation English language proficiency assessment** has the meaning given by regulation 61.010 of CASR.

**aviation English language proficiency assessor** has the meaning given by regulation 61.010 of CASR.

**current**, for an aviation English language proficiency assessment has the meaning given by regulation 61.260 of CASR.

**ELP assessment holder** means an individual who:

- (a) has a current aviation English language proficiency assessment; or
- (b) is an alternative AELP assessment holder; or
- (c) is a GELP holder.

**GELP** means general English language proficiency.

**GELP holder**: see subsections (2), (3) and (4).

**GELP unit** means the unit entitled "GEL General English language proficiency" in Section 1 of Schedule 2 of the Part 61 Manual of Standards.

- (2) A person is a **GELP holder** if the person provides an assessment report, completed by CASA, an examiner or an approved person, that states that the person is able to perform each of the elements mentioned in clause 2 of the GELP unit:
  - (a) according to the performance criteria mentioned for the element; and
  - (b) within the range of variables mentioned in clause 3 for the unit.
- (3) A person is also a **GELP holder** if the person provides evidence that one of the assessors mentioned in subsection (4) is satisfied that the person:
  - (a) meets the requirement mentioned in subclause 5.1.2 of the GELP unit; and
  - (b) has sufficient GELP to:
    - (i) for a student pilot — safely conduct a solo flight; and
    - (ii) for an applicant for a recreational pilot licence — safely exercise the privileges of the licence; and
    - (iii) for a person proposing to transmit on a radio frequency of a kind used for the purpose of ensuring the safety of air navigation — safely transmit on that kind of radio frequency.
- (4) For subsection (3), the assessors are:
  - (a) CASA; and

- (b) an examiner; and
- (c) the head of operations of a Part 141 operator or a Part 142 operator; and
- (d) the holder of a pilot instructor rating and a grade 1 training endorsement who has been nominated by the head of operations of a Part 141 operator or a Part 142 operator; and
- (e) an approved person.

## **51 Approved persons**

CASA may, in writing, approve a person to conduct assessments of the AELP or GELP of individuals for this instrument.

## **52 Exemption — application directly to aviation English language proficiency assessor**

A person who applies, in writing, to an aviation English language proficiency assessor for an assessment of the person's AELP is exempt from compliance with the following provisions of CASR:

- (a) subparagraph 61.160(b)(ii), to the extent that it requires compliance with subregulations 61.255(1), (2) and (3);
- (b) subregulations 61.255(1), (2) and (3).

## **53 Exemption — current aviation English language proficiency assessment**

A person who has a current aviation English language proficiency assessment is exempt from compliance with the following provisions of CASR:

- (a) subparagraph 61.160(b)(iii);
- (b) subparagraph 61.235(2)(a)(vi);
- (c) regulation 61.265.

## **54 Exemption — alternative AELP assessment holders**

- (1) An alternative AELP assessment holder is exempt from compliance with the following provisions of CASR:
  - (a) subparagraphs 61.160(b)(ii) and (iii);
  - (b) subparagraphs 61.235(2)(a)(v) and (vi);
  - (c) regulation 61.265;
  - (d) paragraph 61.275(1)(d);
  - (e) subparagraph 61.285(b)(ii);
  - (f) subregulation 61.422(1);
  - (g) paragraph 61.495(2)(d);
  - (h) paragraph 61.500(4)(c);
  - (i) paragraph 64.015(1)(d);
  - (j) paragraph 64.015(5)(c);
  - (k) subregulation 64.025(2);
  - (l) paragraph 64.025(3)(b);
  - (m) subregulation 64.035(2).
- (2) The exemptions in paragraphs (1)(k) and (l) are subject to the condition in subsection 57(1).

## **55 Exemption — GELP holders**

- (1) A GELP holder is exempt from compliance with the following provisions of CASR:
  - (a) subparagraph 61.160(b)(iii);
  - (b) subparagraph 61.235(2)(a)(vi);
  - (c) regulation 61.265;
  - (d) paragraph 64.015(1)(d);
  - (e) paragraph 64.015(5)(c);
  - (f) subregulation 64.025(2);
  - (g) paragraph 64.025(3)(b);
  - (h) subregulation 64.035(2).
- (2) The exemption in paragraphs (1)(f) and (g) is subject to the condition in section 57.

## **56 Exemption — instructors and training operators**

- (1) A flight instructor is exempt from compliance with subparagraph 61.1225(2)(b)(iii) of CASR in relation to an ELP assessment holder.
- (2) A pilot instructor is exempt from compliance with regulation 61.1227 of CASR in relation to an ELP assessment holder.
- (3) A Part 141 operator is exempt from compliance with paragraph 141.306(2)(c) of CASR in relation to an ELP assessment holder.
- (4) A Part 142 operator is exempt from compliance with paragraph 142.386(2)(c) of CASR in relation to an ELP assessment holder.

## **57 Condition relating to exemptions in paragraphs 54(1)(k) and (l) and paragraphs 55(1)(f) and (g)**

- (1) The alternative AELP assessment holder must ensure that the application for the grant of an aeronautical radio operator certificate is accompanied by evidence of the holder's AELP.
- (2) The GELP holder must ensure that the application for the grant of an aeronautical radio operator's certificate is accompanied by evidence of the holder's GELP.

*Note* This condition applies only to:

- (a) the exemptions in paragraph 54(1)(k) or 55(1)(f) from compliance with subregulation 64.025(2); and
- (b) the exemptions in paragraph 54(1)(l) or 55(1)(g) from compliance with paragraph 64.025(3)(b) of CASR.

## Part 12 — Instrument rating aeronautical knowledge examination (IREX) (certain applicants for an air transport pilot licence)

### 58 Definitions for Part

In this Part:

**aeronautical knowledge examination** has the meaning given by regulation 61.010 of CASR.

**ATPL(A)** means air transport pilot licence issued by CASA under Part 61 of CASR with the aeroplane category rating.

**IREX** means the aeronautical knowledge examination for an instrument rating described in Unit 2.1.1 of Section 2.1 of Appendix 2 of Schedule 3 of the Part 61 Manual of Standards.

**relevant applicant**: see subsection 59(1).

### 59 Exemptions — certain applicants for an ATPL(A)

- (1) This section applies to a person (a **relevant applicant**) who:
  - (a) is an applicant for the grant of an ATPL(A); and
  - (b) has been granted a CPL, with the aeroplane category rating and an instrument rating, in accordance with the *Trans-Tasman Mutual Recognition Act 1997*.
- (2) A relevant applicant who is taking the flight test for the grant of an ATPL(A) is exempt from compliance with subparagraph 61.235(2)(a)(ii) of CASR, to the extent that the subparagraph requires the relevant applicant to have passed the IREX in order to be eligible to take the flight test.

*Note* The exemption makes a relevant applicant eligible to take the flight test for the ATPL(A) without having passed the IREX, despite regulations 61.235 and 61.240 of CASR.
- (3) A relevant applicant is exempt from compliance with the following provisions of CASR, to the extent that the provisions require the exempted applicant to have passed the IREX in order to be eligible to be granted the ATPL(A):
  - (a) subparagraph 61.160(b)(i);
  - (b) paragraphs 61.700(3)(a) and (c).

*Note* The exemption makes a relevant applicant eligible to be granted the ATPL(A) if the applicant has not passed the IREX, or was ineligible to take the ATPL(A) flight test due to not having passed the IREX.

### 60 Exemption — examiners

A flight examiner is exempt from compliance with subregulation 61.1300(1) of CASR, in relation to the conduct of the flight test for an ATPL(A) taken by a relevant applicant, to the extent that subparagraph 61.1300(1)(b)(ii) requires the flight examiner to be satisfied that the relevant applicant has passed the IREX.

## Part 13 — Differences training, class rating flight training and flight review (equivalent overseas training)

### 61 Definitions for Part

In this Part:

**aircraft class rating** means an aircraft class rating granted under Part 61 of CASR.

**aircraft of the prescribed type** means an aircraft of a type prescribed for regulation 61.062 of CASR in the instrument mentioned in subregulation 61.747(2) as in force from time to time.

*Note* At the commencement of this Part, the latest edition of this instrument is *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 9) Instrument 2023*.

**approved flight simulator** has the meaning given by regulation 61.010 of CASR.

**authorised overseas training provider** means:

- (a) for an equivalent training course — a training provider authorised by the national aviation authority of a recognised foreign State to conduct the equivalent training course; and
- (b) for equivalent flight training — a training provider authorised by the national aviation authority of a recognised foreign State to conduct the equivalent flight training.

**equivalent**, for an overseas rating, has the meaning given by regulation 61.010 of CASR.

**equivalent flight training**, for the holder of an aircraft class rating, means training, related to flying an aircraft of the prescribed type, that is conducted by an authorised overseas training provider.

**equivalent training course** means a training course, related to an aircraft model, that is:

- (a) for the holder of a pilot type rating — conducted by an authorised overseas training provider, for an overseas rating that is at least equivalent to the pilot type rating; and
- (b) for the holder of a flight engineer type rating — conducted by an authorised overseas training provider, for an overseas rating that is at least equivalent to the flight engineer type rating.

*Note* An equivalent training course may be a full course of training or a differences course for a variant.

**flight engineer type rating** has the same meaning as in Part 61 of CASR.

**overseas rating** has the meaning given by regulation 61.010 of CASR.

**pilot type rating** has the same meaning as in Part 61 of CASR.

**recognised foreign State** has the meaning given by regulation 61.010 of CASR.

**type rating** has the meaning given by regulation 61.010 of CASR.

### 62 Exemption — flight training for holder of aircraft class rating

- (1) This section applies to the holder of an aircraft class rating who has:
  - (a) completed equivalent flight training for an aircraft of the prescribed type covered by the rating; and

- (b) provided CASA with documentation showing that the person:
  - (i) has completed the equivalent flight training for the aircraft; and
  - (ii) has been assessed, by a person authorised by the national aviation authority of the recognised foreign State to conduct the assessment, as competent to fly the aircraft.

*Note* The documentation may include the aeronautical experience accumulated by the holder of the class rating in the aircraft or flight simulation training device.

- (2) The holder of the aircraft class rating is exempt from compliance with regulation 61.747 of CASR to the extent that the regulation requires the holder to have completed the following to exercise the privileges of the rating in an aircraft of the prescribed type:
  - (a) the flight training mentioned in subregulation 61.747(3) of CASR for the aircraft type;
  - (b) a flight review in an aircraft of the type or an approved flight simulator for the flight review.

### **63 Exemption — differences training for holder of pilot type rating**

- (1) This section applies to the holder of a pilot type rating who has:
  - (a) either:
    - (i) passed the flight test for the rating in an aircraft model covered by the rating (the *first variant*) or in an approved flight simulator for the first variant; or
    - (ii) completed a course of training for the first variant; and
  - (b) completed an equivalent training course for another aircraft model covered by the rating (the *second variant*); and
  - (c) provided CASA with documentation, from the authorised overseas training provider that conducted the equivalent training course for the second variant, that shows that the person has:
    - (i) completed the equivalent training course for the second variant; and
    - (ii) been assessed, by the authorised overseas training provider, as competent to pilot an aircraft of the second variant.

*Note* The documentation for subparagraph (c)(i) may be a course completion certificate.

- (2) The holder of the pilot type rating is exempt from compliance with regulation 61.780 of CASR to the extent that the regulation requires the holder to have completed the differences training for the second variant to exercise the privileges of the rating in an aircraft of the second variant.

### **64 Exemption — differences training for holder of flight engineer type rating**

- (1) This section applies to the holder of a flight engineer type rating who has:
  - (a) passed the flight test for the flight engineer type rating in:
    - (i) an aircraft model covered by the rating (the *first variant*); or
    - (ii) a flight simulator that represents the first variant; and
  - (b) completed an equivalent training course for another aircraft model covered by the flight engineer type rating (the *second variant*); and



- (c) provided CASA with documentation, from the authorised overseas training provider that conducted the equivalent training course for the second variant, that shows that the person has:
    - (i) completed the equivalent training course for the second variant; and
    - (ii) been assessed, by the authorised overseas training provider, as competent to act as the flight engineer of an aircraft of the second variant.
- Note* The documentation for subparagraph (c)(i) may be a course completion certificate.
- (2) The holder of the flight engineer type rating is exempt from compliance with regulation 61.1370 of CASR to the extent that the regulation requires the holder to have completed the differences training for the second variant to exercise the privileges of the rating in an aircraft of the second variant.

## **Part 14 — Significant change approval requirements (Part 141 operators and certain Part 142 operators)**

### **65 Exemption — Part 141 operators**

- (1) A Part 141 operator is exempt from compliance with subregulations 141.085(1), 141.095(1) and 141.265(1) of CASR to the extent that the provisions (when taken together with subparagraph (a)(ix) of the definition of *significant change* in regulation 141.025) require the operator to have obtained CASA's approval of a significant change in relation to the kinds of aircraft used by the operator to conduct authorised Part 141 flight training.
- (2) However, the exemption in subsection (1) does not apply in relation to a significant change of a kind disallowed by section 67.

### **66 Exemption — certain Part 142 operators**

- (1) This section applies to the holder of an AOC that authorises the conduct of a Part 142 activity in an aircraft (a *relevant Part 142 operator*).
- (2) A relevant Part 142 operator is exempt from compliance with subregulations 142.140(1), 142.150(1) and 142.345(1) of CASR to the extent that the provisions (when taken together with subparagraph (a)(xi) of the definition of *significant change* in regulation 142.030) require the operator to have obtained CASA's approval of a significant change in relation to the kinds of aircraft used by the operator to conduct Part 142 activities.
- (3) However, the exemption in subsection (2) does not apply in relation to a significant change of a kind disallowed by section 67.

### **67 Exclusions — significant change for particular aircraft**

- (1) This Part does not apply in relation to a significant change relating to any of the following aircraft of a Part 141 operator or Part 142 operator:
  - (a) multi-crew aircraft with the type ratings that may be granted for multi-crew operation prescribed, for paragraph 61.055(1)(a) of CASR, in a legislative instrument made by CASA;
  - (b) a variant model of an aircraft of the kind mentioned in paragraph (a) that requires differences training;
  - (c) a type of aircraft that is certificated for single-pilot operation and for which single-pilot type ratings are required, with the type ratings that may be granted for single-pilot operation prescribed, for subparagraph 61.060(1)(b)(i) of CASR, in a legislative instrument made by CASA;
  - (d) a variant model of an aircraft of the type mentioned in paragraph (c) that requires differences training;
  - (e) an aircraft covered by a class rating, being the first aircraft of that class to be used by the operator in authorised Part 141 flight training or a Part 142 activity;
  - (f) a type of aircraft prescribed in an instrument made by CASA under regulation 61.062 of CASR;
  - (g) a pressurised aircraft, being the first pressurised aircraft to be used by the operator in authorised Part 141 flight training or a Part 142 activity;

- (h) a turbine-engined aircraft, being the first turbine-engined aircraft to be used by the operator in authorised Part 141 flight training or a Part 142 activity.

*Note* At the commencement of this Part, the latest edition of the legislative instrument mentioned in paragraphs 67(a), (c) and (f) is *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 9) Instrument 2023*. That instrument prescribes variant models (including variant models requiring differences training) for both multi-crew and single-pilot aircraft.

- (2) In this section:

***variant*** has the meaning given by regulation 61.010 of CASR.

## **Part 15 — Low-level rating exemption and conditions**

### **68 Meaning of *low-level rating***

In this Part:

*low-level rating* has the same meaning as in Part 61 of CASR.

### **69 Exemption from flight review requirement for all rating holders**

- (1) The holder of a pilot licence with a low-level rating is exempt from compliance with the requirements of the following provisions of CASR:
  - (a) regulation 61.1040, to the extent that it requires compliance with regulations 61.1055 and 61.1060;
  - (b) regulation 61.1055;
  - (c) regulation 61.1060.
- (2) The exemption is subject to the conditions mentioned in sections 70 and 71.

### **70 Conditions on exemption from flight review requirement for all rating holders**

The holder of a pilot licence with a low-level rating must not exercise the privileges of the low-level rating unless, within 24 months before exercising the privileges, the holder:

- (a) has successfully completed a flight review for the rating; or
- (b) has passed a flight test for the rating; or
- (c) has passed a flight test for the grant of a low-level endorsement (as long as it is more than 6 months after passing the flight test for the rating); or
- (d) has successfully completed an aerial application proficiency check under regulation 61.1110 of CASR; or
- (e) has successfully completed an operator proficiency check that covers:
  - (i) operations under the rating; or
  - (ii) operations under the aerial application rating; or
- (f) is successfully participating in an operator's training and checking system for an operation under the rating, being a system for which the operator holds an appropriate approval under regulation 61.040 of CASR.

### **71 Condition — Recency requirement for aerial mustering only**

- (1) If the low-level rating has an aerial mustering endorsement, the holder must not engage in an aerial mustering operation unless, within 12 months before the operation, the holder has:
  - (a) completed 20 hours of aerial mustering operations; or
  - (b) been assessed as competent to conduct aerial mustering operations by a flight instructor who holds a low-level training endorsement; or
  - (c) successfully completed an operator proficiency check in low-level operations covering aerial mustering operations; or
  - (d) successfully completed a low-level flight review covering aerial mustering operations.

(2) In this section:

***aerial mustering endorsement*** means:

- (a) an aerial mustering – aeroplane endorsement mentioned in item 5 of Table 61.1075 of CASR; and
- (b) an aerial mustering – helicopter endorsement mentioned in item 6 of Table 61.1075 of CASR; and
- (c) an aerial mustering – gyroplane endorsement mentioned in item 7 of Table 61.1075 of CASR.

## Part 16 — Miscellaneous dropping operations

### 72 Definitions

- (1) In this Part:

***miscellaneous dropping operation*** means an operation that involves, or involves training for, dropping relevant articles from an aircraft in flight below 500 ft, but does not include any operation that involves spraying or broadcasting any substance.

***relevant articles*** means any of the following:

- (a) incendiaries to initiate controlled burning;
- (b) baits for the capture or eradication of feral animals;
- (c) search and rescue equipment;
- (d) fodder for livestock;
- (e) items for disaster relief;
- (f) other articles of a nature, or articles dropped for a purpose, that is closely similar to the nature or purpose of the articles mentioned in paragraphs (a) to (e).

*Note* A ***relevant article*** does not include any substance that may be sprayed or broadcast: see the definition of ***miscellaneous dropping operation***.

- (2) Unless the contrary intention appears, in this Part, other words and phrases have the same meaning as they have under Part 137 or Part 138 of CASR, as applicable.

### 73 Exemptions

- (1) The pilot in command of an aircraft in a miscellaneous dropping operation is exempted from compliance with the following provisions of CASR:
- (a) subparagraph 61.065(1)(a)(i);
  - (b) subregulation 61.065(2) — in respect of subparagraph 61.065(1)(a)(i);
  - (c) subregulation 61.375(7);
- but only to the extent that:
- (d) the miscellaneous dropping operation is an aerial application operation below 500 ft for which item 6 in Table 61.375 requires the pilot in command to hold an aerial application rating; and
  - (e) if the pilot in command is not employed to conduct the miscellaneous dropping operation for an operator under Part 137 of CASR, or for an aerial work operator under Part 138 of CASR — the pilot conducts the miscellaneous dropping operation in accordance with the requirements and limitations that apply to a limited aerial work operation under Part 138 of CASR.
- (2) The pilot in command of an aircraft in a miscellaneous dropping operation is exempted from compliance with subregulation 138.500(2) of CASR but:
- (a) only with respect to subparagraph 138.500(1)(a)(i); and
  - (b) only to the extent that the miscellaneous dropping operation is an aerial work operation in the form of a dispensing operation below 500 ft, for which item 6 in Table 61.375 requires the pilot in command to hold an aerial application rating.

- (2) The exemptions in this section are subject to the conditions in sections 74.

## **74 Conditions**

The pilot in command must:

- (a) hold a low-level rating and a low-level endorsement for the category of aircraft used in the miscellaneous dropping operation; and
- (b) comply with the requirements imposed on a pilot in command under:
  - (i) Part 137 of CASR — if the aeroplane operator is an operator under Part 137 of CASR; or
  - (ii) Part 138 of CASR — if the aircraft operator conducts aerial work operations (whether or not the operator holds an aerial work certificate authorising the operation).

*Note* For related Part 137 and Part 138 operator exemptions, see, respectively: Part 3 of *CASA EX92/22 – Part 137 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2022*; and Part 5 of *CASA EX72/24 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024*.

## **Part 17 — Flight training – certain solo cross-country flights**

### **75 Meaning of *cross-country flight***

In this Part:

*cross-country flight* has the meaning given by regulation 61.010 of CASR.

### **76 Exemptions — PPL, or CPL, with the helicopter category rating**

- (1) Subject to subsection (2):
  - (a) a flight instructor is exempt from compliance with subregulation 61.1225(4) of CASR to the extent that the provision requires a student to have completed the dual instrument time requirements stated in paragraph 61.1225(4)(c) before the instructor approves the student to conduct a solo cross-country flight in a helicopter as a student pilot for the first time; and
  - (b) a Part 141 operator is exempt from compliance with subregulation 141.305(1) of CASR to the extent that the provision requires a student pilot to have completed the dual instrument time requirements stated in paragraph 141.305(3)(c) before conducting a solo cross-country flight in a helicopter for the first time as part of authorised Part 141 flight training with the operator.
- (2) The exemptions in this section only apply if the student or student pilot (as the case may be):
  - (a) is receiving training, other than integrated training, for the grant of:
    - (i) a PPL with the helicopter category rating; or
    - (ii) a CPL with the helicopter category rating; and
  - (b) has completed the training in relation to the competency standards mentioned in element *H6.4 – Land, take off and manoeuvre in a confined area* in section 4 of Schedule 2 of the Part 61 Manual of Standards.

### **77 Exemptions — recreational navigation endorsement for a recreational pilot licence**

- (1) Subject to subsection (2):
  - (a) a flight instructor is exempt from compliance with subregulation 61.1225(4) of CASR to the extent that the provision requires a student to have completed the dual instrument time requirements stated in paragraph 61.1225(4)(c) before the instructor approves the student to conduct a solo cross-country flight as a student pilot for the first time; and
  - (b) a Part 141 operator is exempt from compliance with subregulation 141.305(1) of CASR to the extent that the provision requires a student pilot to have completed the dual instrument time requirements stated in paragraph 141.305(3)(c) before conducting a solo cross-country flight for the first time as part of authorised Part 141 flight training with the operator; and
  - (c) a Part 141 operator is exempt from compliance with subregulation 141.305(6) of CASR to the extent that the provision requires the holder of a pilot licence to have completed the dual instrument time requirements stated in paragraph 141.305(6)(b) before conducting a solo



cross-country flight for the first time as part of flight training received from the operator.

- (2) The exemptions in this section only apply if the student, student pilot or holder of a pilot licence (as the case may be):
  - (a) is receiving flight training for the grant of a recreational navigation endorsement for a recreational pilot licence with the helicopter category rating; and
  - (b) if the training is conducted in a helicopter — has completed the training in relation to the competency standards mentioned in element *H6.4 – Land, take off and manoeuvre in a confined area* in section 4 of Schedule 2 of the Part 61 Manual of Standards.

## **Part 18 — Naming of alternative key personnel by Parts 141 and 142 operators**

### **78 Exemptions**

- (1) The following persons are exempt from compliance with subparagraph 141.260(1)(e)(iv) of CASR:
  - (a) a person who applies for a Part 141 certificate, within the meaning of subregulation 141.015(4) of CASR;
  - (b) a person who is a Part 141 operator.
- (2) The following persons are exempt from compliance with subparagraph 142.340(1)(e)(iv) of CASR:
  - (a) a person who applies for an AOC that authorises the conduct of a Part 142 activity in an aircraft;
  - (b) a person who applies for a certificate under Division 142.B.2 of CASR that authorises the conduct of a Part 142 activity in a flight simulation training device;
  - (c) a person who is a Part 142 operator.

*Note 1* The operations manual of a Part 141 operator and the exposition of a Part 142 operator must include a description of how the operator will manage the responsibilities of the position of each of the key personnel of the operator (within the meaning of regulation 141.020 or 142.025, respectively) when the position holder is absent from the position or cannot carry out the responsibilities — see subparagraphs 141.260(1)(e)(v) and 142.340(1)(e)(v) of CASR. For example, an operator may state that the operator will not conduct operations in the circumstances mentioned.

*Note 2* It is an offence for a Part 141 operator to contravene a provision of its operations manual and for a Part 142 operator to contravene a provision of its exposition — see regulations 141.265 and 142.345 of CASR.

## Part 19 — Application for multi-crew pilot training endorsement

### 79 Definition

In this Part:

**multi-crew pilot training endorsement** means the kind of training endorsement mentioned in column 1 of item 4 in table 61.1235 of CASR.

### 80 Exemptions

- (1) This section applies to a person:
  - (a) who applies to CASA, under regulation 61.155 of CASR, for a multi-crew pilot training endorsement; and
  - (b) who:
    - (i) holds an approval under regulation 142.040 of CASR to conduct multi-crew cooperation training in a flight simulation training device for the purposes of subregulation 142.050(2) of CASR, which is not suspended; or
    - (ii) held an approval under regulation 142.040 of CASR to conduct multi-crew cooperation training in a flight simulation training device for the purposes of subregulation 142.050(2) of CASR, which was repealed other than in the circumstances mentioned in subsection (2).

- (2) For subparagraph (1)(b)(ii), the circumstances are that CASA repealed the approval, other than by cancellation under regulation 11.130 of CASR.

*Note* Under regulation 11.130 of CASR, CASA must cancel an authorisation on application by the authorisation's holder.

- (3) The person is exempt from compliance with paragraphs 61.1250(2)(b) to (d) of CASR in relation to the application.

*Note 1* The effect of the exemptions is that, in relation to the application, the person is taken to meet the requirements stated in paragraphs 61.1250(2)(b) to (d) of CASR for the purposes of paragraph 61.170(c) of CASR.

*Note 2* See section 11 of *CASA 62/20 — Conditions on Flight Crew Authorisations (Edition 3) Instrument 2020* in relation to conditions of a multi-crew pilot training endorsement imposed under regulation 11.068 of CASR.

## Note to CASA EX32/24 — Flight Crew Licensing and Other Matters (Miscellaneous Exemptions) Instrument 2024

CASA EX32/24 — *Flight Crew Licensing and Other Matters (Miscellaneous Exemptions) Instrument 2024* (in force under the *Civil Aviation Safety Regulations 1998*) as shown in this compilation comprises CASA EX32/24 — *Flight Crew Licensing and Other Matters (Miscellaneous Exemptions) Instrument 2024* amended as indicated in the Tables below.

**Table of instruments**

Year and number	Date of registration on FRL	Date of commencement	Application, saving or transitional provisions
CASA EX32/24 — Flight Crew Licensing and Other Matters (Miscellaneous Exemptions) Instrument 2024	31 May 2024 (see F2024L00614)	1 June 2024 (see s. 2)	—
CASA EX41/24 — Amendment of CASA EX32/24 (Application for Multi-crew Pilot Training Endorsement) Instrument 2024	22 October 2024 (see F2024L01347)	23 October 2024 (see s. 2)	—
CASA EX72/24 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024	29 November 2024 (see F2024L01553)	2 December 2024 (see s. 2)	

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
para. 2(a)	rep. <i>Legislation Act 2003</i> , s 48D
s. 50	am. F2024L01347
s. 74	am. F2024L01553
s. 79	ad. F2024L01347
s. 80	ad. F2024L01347
Schedule 1	rep. <i>Legislation Act 2003</i> , s. 48C
Schedule 2	rep. <i>Legislation Act 2003</i> , s. 48C