

Subpart 61.E—Pilot licensing—general limitations and authorisations

Note: Subpart 61.E does not apply to glider pilot licences: see the definition of *pilot licence* in regulation 61.010. Subpart 61.Z deals with glider pilot licences.

Division 61.E.1—General limitations on exercise of pilot licence privileges

61.375 Limitations on exercise of privileges of pilot licences—ratings

- (1) This regulation applies to the holder of a pilot licence.
- (2) The holder is authorised to exercise the privileges of the licence in an aircraft of a particular category only if the holder also holds, as the associated aircraft category rating for the licence, the **aircraft category rating** for that category of aircraft.

Note: An aircraft category rating has effect only in conjunction with the licence for which it is granted. It does not authorise the exercise, in the aircraft category covered by the rating, of the privileges of any other licence held by the holder of the rating: see the definition of *associated* in regulation 61.010.

- (3) The holder is authorised to exercise the privileges of the licence in an aircraft, other than an aircraft mentioned in subregulation (5), only if the holder also holds an appropriate aircraft class rating for the aircraft.
- (4) For subregulation (3), either of the following is an appropriate aircraft class rating for an aeroplane in the single-engine aeroplane class:
 - (a) the single-engine aeroplane class rating;
 - (b) the multi-engine aeroplane class rating.
- (5) The holder is authorised to exercise the privileges of the licence in:
 - (a) a multi-crew aircraft; or
 - (b) an aircraft:
 - (i) that is certificated for single-pilot operation; and

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- (ii) for which a single-pilot type rating is required by a legislative instrument under regulation 61.060;
only if the holder also holds the appropriate pilot type rating for the aircraft type.
- (6) However, the holder is not required to hold the pilot type rating for the aircraft if:
 - (a) the person is acting as a cruise relief co-pilot for the aircraft;
and
 - (b) the person holds a cruise relief co-pilot type rating for the aircraft type.
- (7) The holder is authorised to conduct an activity mentioned in column 1 of an item in table 61.375 in the exercise of the privileges of the licence only if the holder also holds the rating mentioned in column 2 of the item.
- (8) However:
 - (a) the holder of a multi-crew pilot licence with an aeroplane category rating is authorised, without holding an instrument rating, to pilot an aeroplane in a multi-crew operation:
 - (i) under the IFR; or
 - (ii) at night under the VFR; and
 - (b) the holder of an air transport pilot licence with an aeroplane category rating is authorised, without holding an instrument rating, to pilot an aeroplane:
 - (i) under the IFR; or
 - (ii) at night under the VFR; and
 - (c) the holder of an air transport pilot licence with a powered-lift category rating is authorised, without holding an instrument rating, to pilot a powered-lift aircraft:
 - (i) under the IFR; or
 - (ii) at night under the VFR.

Part 61 Flight crew licensing

Subpart 61.E Pilot licensing—general limitations and authorisations

Division 61.E.1 General limitations on exercise of pilot licence privileges

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Table 61.375 **Activities for which ratings are required**

Item	Column 1 Activity	Column 2 Rating
1	An operation under the IFR, other than an operation mentioned in item 2	Instrument rating
2	A private operation under the IFR	Either: (a) instrument rating; or (b) private instrument rating
3	An operation at night under the VFR, other than: (a) an operation using a night vision imaging system; or (b) a night aerial application operation below 500 ft AGL	Either: (a) night VFR rating; or (b) instrument rating
4	An operation at night under the VFR using a night vision imaging system	Night vision imaging system rating
5	A low-level operation	Either: (a) low-level rating; or (b) aerial application rating
6	An aerial application operation below 500 ft AGL	Aerial application rating
7	An activity mentioned in paragraph 61.1165(a), (c), (d), (e) or (f) in an aircraft An activity mentioned in paragraph 61.1165(g), (h) or (i)	Flight instructor rating
8	An activity mentioned in paragraph 61.1190(a), (c), (d), (e) or (f) in a flight simulation training device An activity mentioned in paragraph 61.1165(b), (j) or (k) or 61.1190(b), (g) or (h)	Either: (a) flight instructor rating; or (b) simulator instructor rating

Table 61.375 Activities for which ratings are required

Item	Column 1 Activity	Column 2 Rating
9	An activity mentioned in regulation 61.1255	Flight examiner rating

61.380 Limitations on exercise of privileges of pilot licences—flight activity and design feature endorsements

- (1) The holder of a pilot licence is authorised to conduct a flight activity mentioned in column 2 of an item in table 61.1145 only if the holder also holds the endorsement mentioned in column 1 of the item.
- (2) The holder of a pilot licence is authorised to exercise the privileges of the licence in an aircraft that has a design feature mentioned in regulation 61.755 for the aircraft **only if the holder also holds the design feature endorsement** for the design feature.

61.385 Limitations on exercise of privileges of pilot licences—general competency requirement

- (1) The holder of a pilot licence is authorised to exercise the privileges of the licence in an aircraft only if the holder is competent in operating the aircraft to the standards mentioned in the Part 61 Manual of Standards for the class or type to which the aircraft belongs, including in all of the following areas:
 - (a) operating the aircraft's navigation and operating systems;
 - (b) conducting all normal, abnormal and emergency flight procedures for the aircraft;
 - (c) applying operating limitations;
 - (d) weight and balance requirements;
 - (e) applying aircraft performance data, including take-off and landing performance data, for the aircraft.
- (1A) Subregulation (1B) applies if the holder of a pilot licence also holds an operational rating or endorsement.

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- (1B) The holder is authorised to exercise the privileges of his or her pilot licence in an activity in an aircraft under the rating or endorsement only if the holder is competent in operating the aircraft in the activity to the standards mentioned in the Part 61 Manual of Standards (if any) for:
- (a) the class or type to which the aircraft belongs; and
 - (b) the activity.
- (2) The holder of a pilot licence is authorised to exercise the privileges of the licence in an aircraft that has an operative airborne collision avoidance system only if the holder is competent in the use of an airborne collision avoidance system to the standards mentioned in the Part 61 Manual of Standards.

61.390 Limitations on exercise of privileges of pilot licences—operating requirements and limitations

- (1) The holder of a pilot licence is not authorised to conduct an activity in the exercise of the privileges of the licence in an aircraft if:
- (a) engaging in the activity is a prescribed purpose for subsection 27(9) of the Act; and
 - (b) the operator of the aircraft does not hold an AOC that authorises the conduct of the activity.
- (2) The holder of a pilot licence is not authorised to conduct an activity in the exercise of the privileges of the licence if the conduct of the activity would be an offence against the Act or another provision of these Regulations.

61.395 Limitations on exercise of privileges of pilot licences—recent experience for certain passenger flight activities

- (1) The holder of a pilot licence is authorised to pilot, during take-off or landing, an aircraft of a particular category carrying a passenger by day only if the holder has, within the previous 90 days, in an aircraft of that category or an approved flight simulator for the purpose, conducted, by day or night:
- (a) at least 3 take-offs; and
 - (b) at least 3 landings;

while controlling the aircraft or flight simulator.

- (2) The holder of a pilot licence is authorised to pilot, during take-off or landing, an aircraft of a particular category carrying a passenger at night only if the holder has, within the previous 90 days, in an aircraft of that category or an approved flight simulator for the purpose, conducted, at night:
 - (a) at least 3 take-offs; and
 - (b) at least 3 landings;while controlling the aircraft or flight simulator.
- (3) For paragraphs (1)(a) and (2)(a), each take-off must be followed by a climb to at least 500 ft AGL.
- (4) The holder is taken to meet the requirements of subregulation (1) if:
 - (a) within the previous 90 days, in an aircraft of that category or an approved flight simulator for the purpose, the holder has:
 - (i) successfully completed a relevant check or review; or
 - (ii) passed a flight test for a pilot licence or a rating on a pilot licence;that includes at least one take-off and at least one landing; or
 - (b) both:
 - (i) the holder is successfully participating in an operator's training and checking system for an operation in an aircraft of that category; and
 - (ii) the operator holds an approval under regulation 61.040 for the system for this subregulation and operations in aircraft of that category.
- (5) Also, the holder is taken to meet the requirements of subregulation (2) if:
 - (a) within the previous 90 days, in an aircraft of that category or an approved flight simulator for the purpose, the holder has:
 - (i) successfully completed a relevant check or review; or
 - (ii) passed a flight test for a pilot licence or a rating on a pilot licence;that includes at least one take-off, and at least one landing, at night; or

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- (b) both:
 - (i) the holder is successfully participating in an operator's training and checking system for an operation at night in an aircraft of that category; and
 - (ii) the operator holds an approval under regulation 61.040 for the system for this subregulation and operations in aircraft of that category.
- (6) In this regulation:

relevant check or review means any of the following:

 - (a) an instrument proficiency check;
 - (b) a night vision imaging system proficiency check;
 - (c) an instructor proficiency check;
 - (d) an operator proficiency check;
 - (e) a flight review.

61.400 Limitations on exercise of privileges of pilot licences—flight review

- (1) For this Part, successful completion of a flight review for a rating on a pilot licence requires demonstration, to a person mentioned in subregulation (2), that the holder of the rating is competent in each unit of competency mentioned in the Part 61 Manual of Standards for the rating.
- (2) For subregulation (1), the persons are as follows:
 - (a) CASA;
 - (b) the holder of an approval under regulation 61.040 for this regulation;
 - (c) a pilot instructor who is authorised to conduct a flight review for the rating.
- (3) The flight review must be conducted in:
 - (a) an aircraft that can be flown under the rating; or
 - (b) an approved flight simulator for the flight review.

**61.405 Limitations on exercise of privileges of pilot licences—
medical requirements—recreational pilot licence holders**

- (1) The holder of a recreational pilot licence is authorised to exercise the privileges of the licence only if:
 - (a) the holder also holds a **current class 1 or 2 medical certificate**; or
 - (b) the holder:
 - (i) also holds a **current recreational aviation medical practitioner's certificate**; and
 - (ii) meets the requirements mentioned in subregulation (2); or
 - (c) the holder also holds a **medical exemption** for the exercise of the privileges of the licence.
- (2) For subparagraph (1)(b)(ii), the requirements are as follows:
 - (a) the holder must have:
 - (i) given CASA a copy of the holder's recreational aviation medical practitioner's certificate; and
 - (ii) received from CASA a written acknowledgement of the receipt of the copy;
 - (b) while exercising the privileges of the licence in an aircraft, the holder **must carry** both of the following on the aircraft:
 - (i) **the certificate**;
 - (ii) the acknowledgement mentioned in subparagraph (a)(ii);
 - (c) the holder **must comply with any limitations or conditions stated on the certificate**;
 - (d) the holder must meet the modified Austroads medical standards.

Note: For when a person meets the modified Austroads medical standards, see regulation 67.262.

- (3) In this regulation:

current: a **recreational aviation medical practitioner's certificate** for the holder of a recreational pilot licence is **current** for the shortest of the following periods:

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- (a) the period beginning on the day the certificate was signed by the medical practitioner and ending **24 months** after that day;
- (b) if, when the holder exercises the privileges of the licence, the holder is **at least 65**—the period beginning on the day the certificate was signed by the medical practitioner and ending **12 months** after that day;
- (c) if the certificate states the period for which it applies—the period beginning on the day the certificate was signed by the medical practitioner and ending at the end of the stated period.

Note: A licence holder must not exercise the privileges of his or her licence during any period of temporary medical unfitness that could render the holder unable to exercise those privileges safely: see regulation 67.270.

~~**61.410 Limitations on exercise of privileges of pilot licences—
medical certificates: private pilot licence holders**~~

- (1) The holder of a private pilot licence is authorised to exercise the privileges of the licence only if the holder also holds:
 - (a) a current class 1 or 2 medical certificate; or
 - (b) a medical exemption for the exercise of the privileges of the licence.
- (2) However, subject to subregulation (3), the holder of a private pilot licence is authorised to exercise the privileges of the licence in a recreational aircraft if:
 - (a) the holder:
 - (i) also holds a current recreational aviation medical practitioner's certificate; and
 - (ii) meets the requirements mentioned in subregulation 61.405(2); and
 - (b) the flight is conducted by day under the VFR.
- (3) Regulation 61.465 applies to the holder as if each reference in that regulation to a recreational pilot licence included a reference to a private pilot licence.

Note: A licence holder must not exercise the privileges of his or her licence during any period of temporary medical unfitness that could render the

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holder unable to exercise those privileges safely: see
regulation 67.270.

**~~61.415 Limitations on exercise of privileges of pilot licences—
medical certificates: commercial, multi-crew and air
transport pilot licence holders~~**

- (1) The holder of a commercial pilot licence, multi-crew pilot licence or air transport pilot licence is authorised to exercise the privileges of the licence only if the holder also holds:
 - (a) a current class 1 medical certificate; or
 - (b) a medical exemption for the exercise of the privileges of the licence.
- (2) However, the holder of a commercial pilot licence or air transport pilot licence is authorised to exercise the privileges of the licence in an activity that would be authorised by a private pilot licence if the holder also holds a current class 2 medical certificate.
- (3) Also, the holder of a commercial pilot licence or air transport pilot licence is authorised to exercise the privileges of the licence in an activity that would be authorised by a recreational pilot licence if the holder:
 - (a) also holds a current recreational aviation medical practitioner's certificate; and
 - (b) meets the requirements mentioned in subregulation 61.405(2).

Note: A licence holder must not exercise the privileges of his or her licence during any period of temporary medical unfitness that could render the holder unable to exercise those privileges safely: see regulation 67.270.

**61.420 Limitations on exercise of privileges of pilot licences—
carriage of documents**

The holder of a pilot licence is authorised to exercise the privileges of the licence on a flight only if the holder carries the following documents on the flight:

- (a) his or her licence document;

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- (b) if the holder holds a **current class 1 or 2 medical** certificate—the medical certificate;
- (c) if the holder holds a recreational aviation medical practitioner's certificate:
 - (i) the medical practitioner's certificate; and
 - (ii) the acknowledgement of receipt mentioned in paragraph 61.405(2)(a);
- (ca) if the holder holds a medical exemption for the flight—a copy of the medical exemption;
- (d) a **document that includes a photograph of the holder** showing the holder's full face and his or her head and shoulders:
 - (i) that was issued within the previous 10 years by the government, or a government authority, of:
 - (A) the Commonwealth or a State or Territory; or
 - (B) a foreign country, or a state or province (however described) of a foreign country; and
 - (ii) that has not expired or been cancelled.

61.422 Limitations on exercise of privileges of pilot licences—aviation English language proficiency

- (1) The holder of a pilot licence other than a recreational pilot licence is authorised to exercise the privileges of the licence only if the holder has a current aviation English language proficiency assessment.
- (2) Subregulation (3) applies to the holder of a pilot licence that was granted on the basis of regulation 202.272 if the licence was granted in recognition of a continued authorisation (within the meaning of regulation 202.261) that was granted on or before 4 March 2008.
- (3) Subregulation (1) does not apply to the holder in relation to the exercise of the privileges of his or her licence in Australian Territory.

**61.425 Limitations on exercise of privileges of pilot licences—
unregistered aircraft**

The holder of a pilot licence is authorised to pilot an aircraft **only if the aircraft is registered.**

61.427 Removal of certain pilot licence conditions about airspace

- (1) Subregulation (2) applies to a pilot licence granted on the basis of regulation 202.272 or 202.274 if the licence is subject to the condition that operations are limited to:
 - (a) flight within 25 nautical miles of the departure aerodrome; or
 - (b) flight within a flight training area; or
 - (c) flight direct between the departure aerodrome and a flight training area.
- (2) CASA must remove the condition if:
 - (a) the licence holder applies to CASA for the removal of the condition; and
 - (b) the licence holder meets the requirements under this Part for the grant of a private pilot licence or a commercial pilot licence.
- (3) Subregulation (4) applies to a pilot licence granted on the basis of regulation 202.272 or 202.274 if the licence is subject to the condition that operations as pilot in command are limited to uncontrolled airspace and any other class of airspace endorsed in the licence holder's personal log book by an instructor before 1 September 2014.
- (4) CASA must remove the condition if:
 - (a) the licence holder applies to CASA for the removal of the condition; and
 - (b) the licence holder meets the requirements under this Part for the grant of any of the following:
 - (i) a controlled airspace endorsement;
 - (ii) a private pilot licence;
 - (iii) a commercial pilot licence.

Division 61.E.2—General authorisations for pilot licences

61.430 Holders of pilot licences authorised to taxi aircraft

- (1) A person is authorised to taxi an aircraft of a particular class or type if the person holds:
 - (a) a pilot licence; and
 - (b) the category rating for the category to which aircraft of that class or type belong; and
 - (c) the class rating or type rating for aircraft of that class or type.

- (2) For regulations 61.405 to 61.415, taxiing an aircraft does not constitute the exercise of the privileges of a licence.

Note: See regulation 229 of CAR for an offence relating to taxiing aircraft without being authorised to do so.

61.435 When holders of pilot licences authorised to operate aircraft radio

- (1) A person is authorised to transmit on a radio frequency of a kind used for the purpose of ensuring the safety of air navigation if the person:
 - (a) holds a private pilot licence, commercial pilot licence, multi-crew pilot licence or air transport pilot licence; or
 - (b) holds a recreational pilot licence with a flight radio endorsement.
- (3) For regulations 61.405 to 61.415, transmitting on a radio frequency of a kind used for the purpose of ensuring the safety of air navigation does not constitute the exercise of the privileges of a licence.

Note: A person is prohibited from transmitting on a radio frequency of a kind used for the purpose of ensuring the safety of air navigation unless the person is qualified to do so: see regulation 83 of CAR.