



# Australian Government

---

## Civil Aviation Safety Authority

Instrument number CASA EX66/21

I, CHRISTOPHER PAUL MONAHAN, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

**[Signed Christopher P. Monahan]**

Christopher P. Monahan

Executive Manager, National Operations & Standards

21 June 2021

### **CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021**

---

#### **Part 1 — Preliminary**

##### **1 Name**

This instrument is *CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021*.

##### **2 Duration**

This instrument:

- (a) commences on 1 July 2021; and
- (b) is repealed at the end of 31 May 2024.

##### **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: **air transport pilot licence**, **AOC**, **civil aviation legislation**, **co-pilot**, **flight crew member**, **pilot in command** and **radiocommunication system**.

- (1) In this instrument:

**ATPL** means an air transport pilot licence.

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

**flight control seat** has the same meaning as in the definition of **conduct** in regulation 61.010 of CASR.

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

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

**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 CAR, 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.

***old authorisation*** has the same meaning as in regulation 202.261 of CASR.

***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 AOC holder 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.

***proficiency check*** has the same meaning as in Part 61 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 paragraph 61.1165 (a), (c), (d), (e) or (f) of CASR, or paragraph 61.1190 (a), (c), (d), (e) or (f) of CASR, that is conducted in a flight simulation training device.

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

***single-place aircraft*** means an aircraft that has only 1 flight control seat.

- (2) In this instrument, the following terms have the meaning given by regulation 61.010 of CASR: ***conduct, flight simulation training device, flight time*** as a pilot, ***multi-crew operation, pilot*** and ***pilot licence***.

## **Part 2 — Logging of Flight Time as a Pilot (Co-pilots on Single-pilot Certificated Aircraft) Exemption and Conditions**

### **4 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 8.

### **5 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; and

- (b) the condition in section 8.

*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.

## **6 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; and
  - (b) the condition in section 8.

## **7 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; and
  - (b) the condition in section 8.

## **8 Condition — Exemptions under Part 2**

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) Exemption and Conditions**

### **9 Exemption**

- (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**

	<b>Authorisations (Column 1)</b>	<b>Provision (Column 2)</b>	<b>Activity (Column 3)</b>
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
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 10.

### **10 Conditions — Exemptions under Part 3**

- (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.
-