



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX106/21

I, CHRISTOPHER PAUL MONAHAN, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed Chris Monahan]

Christopher P. Monahan

Executive Manager, National Operations & Standards

31 August 2021

CASA EX106/21 — Flight Crew Licensing (Miscellaneous Exemptions) Amendment Instrument 2021

1 Name

This instrument is *CASA EX106/21 — Flight Crew Licensing (Miscellaneous Exemptions) Amendment Instrument 2021*.

2 Commencement

This instrument commences on 1 September 2021.

3 Amendment of instrument CASA EX66/21

Schedule 1 amends instrument *CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021*.

Schedule 1 Amendments

[1] Section 2

add at the end

Note For regulation 11.250 of CASR, the directions issued in this instrument cease to be in force at the end of 31 May 2024.

[2] Subsection 3 (1)

insert

ADF means the Australian Defence Force.

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

BIF training means basic instrument flight training.

CAAP means Civil Aviation Advisory Publication.

CAO means Civil Aviation Order.

CASA certificate of equivalence means a certificate issued by CASA stating that, for paragraph 41 (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 41 (a) to (d).

check pilot has the meaning given by paragraph 2.1 of CAO 82.0.

check pilot approval, in relation to a person, means the document granting CASA's approval of the person as an exempt check pilot.

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

exempt check pilot means:

- (a) a check pilot; and
- (b) an individual holding an approval under regulation 121.010 of CASR to conduct a Part 121 proficiency check for an aeroplane of a particular kind for the purposes of subparagraph 121.580 (3) (a) (ii) of CASR; and
- (c) an individual who meets the requirements of paragraph 133.377 (2) (a) of CASR; and
- (d) an individual who meets the requirements of paragraph 135.387 (2) (a) of CASR; and
- (e) an individual who meets the requirements of paragraph 138.505 (2) (a) of CASR.

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

IPC means instrument proficiency check.

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 for non-compliance with a requirement in Part 61 of CASR to have completed an approved course of training in MCC.

MCC means multi-crew cooperation.

medical assessment means the evidence issued by a national aviation authority (NAA) that the licence holder meets specific requirements of medical fitness.

MPL means multi-crew pilot licence.

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

RPT means regular public transport.

SMS means safety management system.

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.

this exemption instrument includes instruments CASA EX192/15, CASA EX225/15 and CASA EX102/18.

[3] Subsection 3 (2)

substitute

- (2) In this instrument, the following terms have the meaning given by regulation 61.010 of CASR: **approved course of training**, **basic instrument**

flight training, conduct, flight simulation training device, flight time as a pilot, multi-crew operation, operator proficiency check, pilot and pilot licence.

[4] After subsection 3 (2)

insert

- (3) A reference in this instrument to a provision that includes the numerals “61” is a reference to the provision of the same number in Part 61 of CASR.

[5] After Part 3

insert

**Part 4 — Instrument Proficiency Checks for Aircraft Type Ratings
Exemption and Conditions**

11 Definitions

- (1) In this Part, a reference to *the 12-month period* in subsection 13 (1) 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.
- (2) In this Part, a reference to *the 24-month period*:
- (a) in subsection 13 (1) — is a reference to the period of 24 months calculated in the same way as the 12-month period is calculated; or
 - (b) in subsections 15 (1) and 17 (1) — 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) if this instrument had not been made.

12 Exemption No. 1 — 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 IFR, is exempt from compliance with subregulation 61.805 (3).
- (2) The SP type rating holder is exempt from compliance with subregulations 61.805 (5) and (6).
- (3) The exemptions in this section are subject to the conditions in sections 13 and 18.

13 Conditions – Exemption No. 1 – 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), to have a valid IPC for the aeroplane type covered by the rating during the 12-month period, applied as a requirement to have a valid IPC for any single-pilot turbojet aeroplane type during the 24-month period.
- Note* Thus, for an SP type rating holder, the 12-monthly IPC requirement under subregulations 61.805 (1) and (3) may be satisfied by a 24-monthly IPC in **any** single-pilot turbojet aeroplane type.
- (2) Subregulations 61.805 (5) and (6) must be complied with as if they applied despite the exemption in subsection 12 (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) that subregulations 61.805 (5) and (6) be complied with, but in the particular context of the operation of the exemption.

14 Exemption No. 2 — 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).
- (2) The multi-crew type rating holder is exempt from compliance with subregulations 61.805 (5) and (6).
- (3) The exemptions in this section are subject to the conditions in sections 15 and 18.

15 Conditions – Exemption No. 2 – 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), to have a valid IPC for the aircraft type covered by the rating during the 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 24-month period.
- (2) Subregulations 61.805 (5) and (6) must be complied with as if they applied despite the exemption in subsection 14 (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) that subregulations 61.805 (5) and (6) be complied with, but in the particular context of the operation of the exemption.

16 Exemption No. 3 — other aircraft type ratings

- (1) This section does not apply to an SP type rating holder or a multi-crew type rating holder.
- (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).
- (3) The holder is exempted from subregulations 61.805 (5) and (6).
- (4) The exemptions in this section are subject to the conditions in sections 17 and 18.

17 Conditions – Exemption No. 3 – other aircraft type ratings

- (1) The holder must have a valid IPC as if the requirements under subregulation 61.805 (2), to have a valid IPC for the aircraft type covered by the rating during the 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) Subregulations 61.805 (5) and (6) must be complied with as if they applied despite the exemption in subsection 16 (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) that subregulations 61.805 (5) and (6) be complied with, but in the particular context of the operation of the exemption.

18 General condition — Exemption Nos. 1, 2 and 3

An exemption mentioned in section 12, 14 or 16 does not apply to the type rating holder mentioned in the section unless the type rating holder's pilot licence records that the type rating holder has a valid IPC in accordance with the condition in subsection 13 (1), 15 (1) or 17 (1) (as the case requires).

Part 5 — Flight Reviews Exemption and Conditions

19 Application of Part

This Part applies to a person who holds 1 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.

20 Exemption from certain flight review requirements

- (1) Subsection (2) applies to a 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 person is exempt from the provision of CASR mentioned in column 3 of the item to the extent that the provision requires the person to have a valid flight review for the rating mentioned in column 1 of the item.
- (3) The exemption in subsection (2) is subject to the additional conditions and exclusions mentioned in section 21.

Table 2

Item	Column 1 Rating	Column 2 Valid flight review under (regulation)	Column 3 Provision (regulation)
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

Item	Column 1 Rating	Column 2 Valid flight review under (regulation)	Column 3 Provision (regulation)
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), 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.

21 Additional conditions and exclusions

Evidence of completion of applicable flight review

- (1) 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.

MU-2 aircraft type rating

- (2) The exemptions under this Part do 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.

Single-engine helicopter class rating

- (3) The exemptions under this Part do 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, and the flight review was conducted in an R22 or R44 helicopter.

Part 6 — Flight Examiner Rating for Check Pilots Exemption and Conditions

Division 1 — Exemption under CAO 82.0

22 Application of Division

This Division applies to a check pilot when conducting an operator proficiency check within the scope of the check pilot approval, other than an operator proficiency check for the purposes of regulation 61.650, 61.695 or 61.880.

23 Exemption

- (1) The check pilot is exempt from the requirement in subregulation 61.375 (7) to hold a flight examiner rating.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in section 24.

24 Conditions

- (1) While conducting an operator proficiency check, the check pilot must be employed or contracted by the operator for which the check is conducted.
- (2) The check pilot must conduct the operator proficiency check in accordance with the operator's approved training and checking system, as existing from time to time.
- (3) The check pilot must conduct the operator proficiency check in accordance with all the conditions mentioned in the check pilot approval.

25 Repeal of Division

This Division is repealed at the end of 1 December 2021.

Division 2 — Exemption under new Flight Operations Regulations

26 Commencement of Division

This Division commences on 2 December 2021.

27 Application of Division

This Division applies to an exempt check pilot when conducting an operator proficiency check within the scope of the check pilot approval, other than an operator proficiency check for the purposes of regulation 61.650, 61.695 or 61.880.

28 Exemption

- (1) The exempt check pilot is exempt from the requirement in subregulation 61.375 (7) to hold a flight examiner rating.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in section 29.

29 Conditions

- (1) While conducting an operator proficiency check, the exempt check pilot must be employed or contracted by the operator for which the check is conducted.
- (2) The exempt check pilot must conduct the operator proficiency check in accordance with the operator's approved training and checking system, as existing from time to time.
- (3) The exempt check pilot must conduct the operator proficiency check in accordance with all the conditions mentioned in the check pilot approval.

Part 7 — Foreign Cadet Pilots (Medical Certificate for CPL Flight Test) Exemption and Conditions

30 Application of Part

This Part applies to each person (*foreign cadet pilot*) 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 1 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.

31 Exemption

- (1) The foreign cadet pilot is exempt from the requirement in paragraph 61.235 (2) (c) 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 32.

32 Conditions

- (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 NAA of the pilot's country of residence.

Note For paragraph (1) (b), NAAs 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) Exemption and Conditions

33 Exemption – ATPL – ADF applicants

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) to complete an approved course of training in MCC.

34 Conditions – ATPL – ADF applicants

The exemption in section 33 is subject to the following conditions:

- (a) the applicant must have successfully completed a course of training conducted by the ADF for a multi-crew pilot operational conversion qualification;
- (b) compliance with paragraph (a) must be evidenced 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.

35 Exemption – ATPL – other applicants – MPL

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) to complete an approved course of training in MCC.

36 Exemption – ATPL – other applicants – CPL

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) to complete an approved course of training in MCC.

37 Exemption – PPL – exercise of privileges in multi-crew operation

The holder of a PPL (the *holder*) is exempt from the requirement under subregulation 61.510 (1) 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.

38 Exemption – CPL – exercise of privileges in multi-crew operation

The holder of a CPL (the *holder*) is exempt from the requirement under subregulation 61.575 (1) 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.

39 Exemption — single-pilot type rating without multi-crew type rating

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.

40 Conditions on exemptions in sections 36, 37, 38 and 39

Each exemption under section 36, 37, 38 and 39 is subject to the condition that the applicant or the holder, as the case requires:

- (a) satisfies at least 1 of the alternative requirements set out in section 41; and
- (b) evidences compliance with the alternative requirement set out in section 41 in accordance with the evidence and other requirements set out in section 42; and
- (c) complies with any other requirement mentioned in section 42 for the requirement set out in section 41.

41 Alternative requirements

For section 40, 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 CAO 82.3 or 82.5, being experience gained during the last 3 years; or

Note **Last 3 years** is a defined expression — see section 3.

- (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 CAO 82.1, 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

Note The assessment of HF&NTS competencies should be guided by reference to CAAP SMS-3 (1), as existing from time to time.

- (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).

42 Evidence and other requirements

For sections 40 and 41, the evidence and other requirements are:

- (a) for paragraph 41 (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 41 (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 41 (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 CAO 82.3 or 82.5; and
- (d) for paragraph 41 (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 CAO 82.1; and
 - (iii) evidence of the successful completion of 2 operator proficiency checks which included assessment of HF&NTS competencies; and
- (e) for paragraph 41 (e):
 - (i) evidence of successful completion of training, qualifications or experience, or a combination of these; and
 - (ii) a CASA certificate of equivalence; and

Note CASA certificate of equivalence is a defined expression — see section 3.
- (f) for paragraphs 41 (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 41 (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 41 (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.

Part 9 — Basic Instrument Flight Training Exemption

43 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 46; 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) to the extent that the subregulation prohibits the flight instructor from conducting BIF training in the specified category.

44 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 46.
- (2) The flight instructor is exempt from compliance with subregulation 61.065 (1) to the extent that the subregulation prohibits the flight instructor from conducting the training course in the specified category.

45 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 43 (1).
- (2) The applicant is exempt from compliance with paragraph 61.195 (2) (b), but only in relation to receiving BIF training.

46 Requirements of training course

For sections 43, 44 and 45, 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 private pilot licence or a commercial pilot licence;

- (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 (airplane) rating; or
 - (C) for helicopters — immediately before 1 September 2014 was authorised under CAO 40.3.7 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 Exemption and Direction

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 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) that the check is conducted by a flight examiner who holds an aerial application rating flight test endorsement.

Note Paragraph 61.1110 (2) (c) 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.
