



Australian Government
Civil Aviation Safety Authority

Instrument number CASA 19/22

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.068 of the *Civil Aviation Safety Regulations 1998*.

[Signed P. Spence]

Pip Spence
Director of Aviation Safety

16 March 2022

CASA 19/22 — Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Amendment Instrument 2022

1 Name

This instrument is *CASA 19/22 — Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Amendment Instrument 2022*.

2 Commencement

This instrument commences on the day after it is registered.

3 Amendments

CASA 09/19 — Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Instrument 2019 is amended as set out in the applicable items in Schedule 1.

Schedule 1 Amendments

[1] Paragraph 2 (b)

omit

2022

insert

2025

[2] Section 3, paragraphs (d) to (g) of the note

substitute

(d) crew member;

[3] Section 3, paragraph (j) of the note

substitute

(j) IFR;

[4] Section 3, paragraphs (l) and (m) of the note

omit

[5] Section 3, paragraph (q) of the note

substitute

(q) VFR.

[6] Section 3, definition of *periodic inspection*

omit

[7] Section 5

substitute

5 Conditions on flight crew licences for community service flights etc.

Conditions

- (1) For the purposes of regulation 11.068 of CASR, this instrument imposes conditions on flight crew licences.

Entity requirements and procedures — approval by CASA

- (2) However, a condition mentioned in section 7, 8 or 9, or paragraph 10 (a) or (b), does not apply to the holder of a flight crew licence who is operating an aircraft for a community service flight, if:
- (a) the entity that is coordinating, arranging or facilitating the flight has established requirements and procedures for the purpose of the safe conduct of community service flights that it coordinates, arranges or facilitates; and
 - (b) CASA has approved, under subsection (3), a document in which the entity has set out the requirements and procedures mentioned in paragraph (a); and
 - (c) the holder complies with each of the requirements and procedures that apply to the person in relation to the flight.
- (3) For the purposes of paragraph (2) (b), CASA may approve a document setting out the entity's requirements and procedures, if CASA is satisfied that:
- (a) the entity will make the document available to each person who operates an aircraft for a community service flight that the entity coordinates, arranges or facilitates; and
 - (b) compliance with the requirements and procedures by a person operating an aircraft for a community service flight would meet a safety outcome at least equivalent to that which would be met if the person were compliant with the conditions mentioned in sections 7, 8 and 9, and paragraphs 10 (a) and (b).

Note See Part 1 of the Dictionary to CASR for the definition of *flight crew licence*.

[8] Paragraph 6 (2) (c)

substitute

- (c) the transport of a patient from a treatment destination to any other place.

[9] Subparagraph 7 (1) (c) (ii)

substitute

- (ii) a crew member; and
- (iii) a person permitted to be carried under section 7A; and

[10] Paragraph 7 (1) (d)

after

medical certificate

insert

, or a medical exemption under paragraph 61.410 (1) (b) or 61.415 (1) (b) of CASR

[11] Subsection 7 (2)

omit

CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018

insert

CASA EX69/21 — Medical Certification (Private Pilot Licence Holders with Basic Class 2 Medical Certificate) Exemption 2021

[12] Subsection 7 (2), note

omit

CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018

insert

CASA EX69/21 — Medical Certification (Private Pilot Licence Holders with Basic Class 2 Medical Certificate) Exemption 2021

[13] After section 7

insert

7A Other persons who may be carried on board

For subparagraph 7 (1) (c) (iii), a person (other than a crew member) may be carried on board if the person has duties that are demonstrably and directly related to the safe conduct of the flight or of future community service flights, and the person has the ability and experience to perform those duties.

Note The person may include a person who:

- (a) communicates with the patient or other passengers on behalf of the pilot in command; or
- (b) provides guidance, mentoring and advice to the pilot in command about how to conduct a community service flight; or
- (c) is the holder of a pilot licence who proposes to conduct community service flights coordinated, arranged or facilitated by the same entity and is on board as an observer.

[14] Paragraph 9 (1) (a)

omit

within the previous 30 days

insert

within the 30 days ending on the day of the flight

[15] Paragraph 9 (1) (b)

omit

V.F.R

insert

VFR

[16] Paragraph 9 (1) (c)

omit

I.F.R.

insert

IFR

[17] Subsection 9 (1), note

omit

Note

insert

Note 1

[18] Subsection 9 (1), after the note

insert

Note 2 For paragraph 9 (1) (a), a period of time expressed to end on a day includes that day: see subsection 36 (1) of the *Acts Interpretation Act 1901*.

[19] After subsection 9 (3), before the notes

add

Additional requirements for commercial pilots

- (4) Subsection (5) applies if the holder of a commercial pilot licence does not also hold an air transport pilot licence.
- (5) It is a condition on the commercial pilot licence that its holder must not pilot an aircraft operated for a community service flight unless the holder has aeronautical experience that includes at least 150 hours of flight time conducted as pilot in command of an aeroplane or a helicopter.

[20] Section 10, heading

before

notification

insert

flight

[21] Paragraph 10 (a)

after

6 (2) (a)

insert

and persons carried on board under section 7A

[22] Paragraph 10 (b)

omit

V.F.R.

insert

VFR

[23] Paragraphs 10 (c) and (d), not including the note

substitute

- (c) the flight notification that the holder is required to submit to Airservices Australia under subsection 9.02 (3) of the Part 91 Manual of Standards:
- (i) is in writing unless the holder cannot submit the notification in writing because they do not have internet access in the place they are located; and
 - (ii) identifies the flight as a community service flight using the acronym “CSF”; and
 - (iii) is either “full flight details” or “SARTIME”; and
 - (iv) includes the number of persons on board.

[24] Section 10, note

omit

Note

insert

Note 1

[25] Section 10, after the note

insert

Note 2 Under the *Electronic Transactions Act 1999*, a requirement under the Commonwealth law to give information in writing can be met in electronic form.

[26] Section 11

substitute

11 Logbook requirements

- (1) Subsection (2) applies if the holder of a flight crew licence pilots an aircraft operated for a community service flight.
- (2) It is a condition on the licence that its holder must, as soon as practicable after the community service flight is completed, and in addition to the requirements in regulation 61.345 of CASR to record information about flights in a personal logbook, record that the flight is a community service flight in the logbook.