



Australian Government

Civil Aviation Safety Authority

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998* and subregulations 5 (1) and (1A) of the *Civil Aviation Regulations 1988*.

[Signed P. Spence]

Pip Spence
Director of Aviation Safety

29 June 2022

Civil Aviation Order 95.55 Amendment Instrument 2022

1 Name of instrument

This instrument is the *Civil Aviation Order 95.55 Amendment Instrument 2022*.

2 Commencement

This instrument commences on the day after it is registered.

3 Amendment of Civil Aviation Order 95.55

Schedule 1 amends *Civil Aviation Order 95.55 (Exemptions from CAR and CASR — Certain Light Sport Aircraft, Lightweight Aeroplanes and Ultralight Aeroplanes) Instrument 2021*.

Schedule 1 Amendments

[1] Paragraph 5.1, definition of *lightweight aeroplane*, paragraph (c)

omit

[2] Sub-subparagraph 8.1 (c) (iii)

omit

an ultralight

insert

a two-place ultralight

[3] Sub-subparagraph 8.1 (c) (iv)

omit

an aeroplane

insert

a two-place aeroplane

[4] Sub-subparagraphs 8.1 (c) (v) and (vi)

substitute

- (v) in the case of a two-place aeroplane that is an amateur-built aeroplane, a kit-built aeroplane or an aeroplane for which an experimental certificate is in force under regulation 21.195A of CASR — flying training to enable:
 - (A) any owner or part-owner who contributed to its fabrication and assembly to obtain a pilot certificate, rating or endorsement; or
 - (B) any owner or part-owner who did not contribute to its fabrication and assembly to obtain a rating or endorsement;

[5] Sub-subparagraph 8.1 (d) (ii)

after

certificate

insert

(including, in the case of a lightweight aeroplane, the limitations mentioned in subsection 8A)

[6] After subsection 8

insert

8A Limitations on exercise of privileges of pilot authorisation — lightweight aeroplanes

8A.1 The holder of a pilot authorisation issued in relation to a lightweight aeroplane by the relevant ASAO may exercise the privileges of the authorisation only if the holder is competent in operating the aeroplane to the standards developed for the class or type of aeroplane by the ASAO, including in all of the following areas:

- (a) operating the aeroplane's navigation and operating systems;
- (b) conducting all normal, abnormal and emergency flight procedures for the aeroplane;
- (c) applying operating limitations;
- (d) weight and balance requirements;
- (e) applying aeroplane performance data, including take-off and landing performance data, for the aeroplane.

8A.2 For the purposes of paragraph 8A.1:

pilot authorisation means a pilot certificate, or a rating or endorsement on a pilot certificate, and includes, without limitation, a flying instructor authorisation.

relevant ASAO, for an aeroplane, means the ASAO that performs aviation administration functions in relation to the aeroplane.

[7] Subparagraph 9.1 (e) (second occurring)

renumber as 9.1 (fa)

[8] Subparagraph 9.1 (f) (second occurring)

renumber as 9.1 (fb)

[9] Sub-subparagraph 9.1 (g) (ii)

before

all persons

insert

if

[10] Paragraph 9.2, the chapeau

omit

subsubparagraph 9.1 (j) (ii)

insert

sub-subparagraph 9.1 (j) (ii)

[11] Paragraph 9.7, the chapeau

omit

subsubparagraph 9.1 (j) (ii)

insert

sub-subparagraph 9.1 (j) (ii)

[12] Sub-subparagraph 9.7 (a) (iii)

substitute

- (iii) if none of the circumstances mentioned in subregulation 91.265 (4) of CASR applies, the aeroplane must be flown at a height from which it can glide clear of a populous area or public gathering to a suitable landing area;

[13] After subsection 9

insert

Note The requirement in sub-subparagraph 9.7 (a) (iii) is in addition to the requirement, in regulation 91.265 of CASR, to not fly below 1 000 feet over a populous area or a public gathering.