Instrument number CASA EX62/22

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

12 September 2022

CASA EX62/22 — Amendment of CASA EX66/21 (Operator Proficiency Checks by Check Pilots) Instrument 2022

1 Name

 This instrument is *CASA EX62/22 — Amendment of CASA EX66/21 (Operator Proficiency Checks by Check Pilots) Instrument 2022*.

2 Commencement

 This instrument commences on the day after it is registered.

3 Amendment of instrument CASA EX66/21

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

Schedule 1 Amendments

[1] Section 3, Note immediately following section heading

insert

***Part 121 proficiency check***,

[2] Subsection 3 (1), definitions of *check pilot*, *check pilot approval* and *exempt check pilot*

omit

[3] Subsection 3 (1)

insert

***check pilot***: see section 27.

[4] Part 6

repeal and substitute

Part 6 — Operator Proficiency Checks by Check Pilots Exemption and Conditions

27 Application of Part — check pilots

 This Part applies to the holder of a pilot licence who:

(a) holds an approval under regulation 121.010 of CASR to conduct a Part 121 proficiency check for an aeroplane of a particular kind; or

(b) is engaged by the operator of an aircraft to conduct training or a check under:

 (i) paragraph 133.377 (2) (a) of CASR; or

 (ii) paragraph 135.387 (2) (a) of CASR; or

 (iii) paragraph 138.505 (2) (a) of CASR;

 (a ***check pilot***).

28 Exemption

 (1) Subject to this section, a check pilot is exempt from compliance with subregulation 61.065 (1) (when taken together with subregulation 61.375 (7) (as it relates to item 9 of table 61.375) and subparagraph 61.1255 (c) (v)) to the extent that the pilot may conduct an operator proficiency check for the holder of a pilot licence (mentioned in subparagraph 61.1255 (c) (v)) without holding a flight examiner rating.

 (2) Subsection (1) does not authorise the check pilot to conduct an operator proficiency check for the purposes of regulation 61.650, 61.695 or 61.880.

 (3) The check pilot must comply with the conditions mentioned in section 29.

29 Conditions

 (1) An operator proficiency check may only be conducted:

(a) in the case of a check pilot who holds an approval mentioned in paragraph 27 (a) — for an aeroplane of a kind to which the approval applies; or

(b) in the case of a check pilot who is engaged by an operator to conduct training or a check mentioned in paragraph 27 (b) — for the aircraft in respect of which the check pilot has been so engaged.

 (2) An operator proficiency check must be conducted in accordance with the operator’s training and checking responsibilities under the regulations.