



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX74/22

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed P. Spence]

Pip Spence
Director of Aviation Safety

21 September 2022

CASA EX74/22 – Amendment of CASA EX84/21 and CASA EX86/21 – Air Crew Members in Control Seats and Other Matters – Instrument 2022 (No. 1)

1 Name

This instrument is *CASA EX74/22 – Amendment of CASA EX84/21 and CASA EX86/21 – Air Crew Members in Control Seats and Other Matters – Instrument 2022 (No. 1)*.

2 Commencement

This instrument commences on the day after it is registered.

3 Repeal of CASA EX131/19

CASA EX131/19 – Helicopter Aircrew Members Instrument 2019 is repealed.

4 Amendment of CASA EX84/21

Schedule 1 amends *CASA EX84/21 – Part 133 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2021 (CASA EX84/21)*.

5 Amendment of CASA EX86/21

Schedule 2 amends *CASA EX86/21 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2021 (CASA EX86/21)*.

Schedule 1 Amendments — CASA EX84/21

[1] After section 3

insert

3A Table of Contents

The Table of Contents for this instrument is not part of this instrument. It is for guidance only and may be edited or updated by CASA in any published version of this instrument.

[2] **After section 20**

insert

20A Requirements for air crew members, including the Certificate IV in Aviation (Air Crew Officer) — direction

(1) In this section:

air crew member has the meaning given by the CASR Dictionary.

Note 1 For reference, an air crew member is a crew member for a flight of an aircraft (other than a flight crew member) who carries out a function during the flight relating to the safety of the operation of the aircraft, or the safety of the use of the aircraft.

Note 2 The term air crew member includes, in effect, a trainee air crew member: see subparagraph (b) (i) of the definition of ***crew member*** in the CASR Dictionary.

AIS means Australian Industry Standards Limited, ACN 071 267 359.

assignment means an operator assigning an air crew member to occupy a relevant control seat in the operator's rotorcraft during flight time in a private operation or an Australian air transport operation.

Certificate IV in Aviation (Air Crew Officer) means:

(a) either of the following training courses administered by AIS, and as in force or in existence from time to time:

(i) AVI40116 – Certificate IV in Aviation (Aircrewman);

(ii) AVI40119 – Certificate IV in Aviation (Air Crew Officer);

provided that, for such a training course begun after the commencement of this instrument, Unit AVIW0034 (perform non-pilot cockpit duties) was also successfully completed for the course; or

(b) a training course, administered by AIS, that supersedes, and is equivalent to, a course mentioned in paragraph (a).

equivalent qualification means a military, or overseas, qualification that has been approved in writing by CASA as being equivalent to the qualification attained by a person upon the satisfactory completion of a Certificate IV in Aviation (Air Crew Officer).

operator, for this section, means an Australian air transport operator.

relevant control seat means a rotorcraft control seat that is equipped with fully, or partially, functioning dual controls.

trainee means an operator's air crew member who is undergoing formal training, approved by the operator, for a Certificate IV in Aviation (Air Crew Officer).

(2) The operator must ensure that, before making an assignment, the air crew member:

(a) either:

(i) holds a certificate, or a statement of attainment, evidencing satisfactory completion of a Certificate IV in Aviation (Air Crew Officer); or

Note In accordance with the definition of ***Certificate IV in Aviation (Air Crew Officer)*** in subsection (1), an air crew member who commences that Certificate after the commencement of this instrument must successfully complete Unit AVIW0034 (perform non-pilot cockpit duties). An air crew member who had previously completed that Certificate, or who, as of the commencement of this instrument, was already undertaking the Certificate, is not required to have completed Unit AVIW0034.

(ii) is a trainee; or

(iii) holds an equivalent qualification; and

Note See the definition of *equivalent qualification* in subsection (1).

- (b) meets the operator's training and checking requirements for air crew members or trainees (as applicable) under the operator's training and checking system.
- (3) Subject to subsection (4), the operator may only make an assignment for the purpose of the air crew member performing one or more of the following duties on or for a rotorcraft:
- (a) assisting the pilot in command in monitoring its flight path to avoid a collision;
 - (b) assisting the pilot in command in selecting a landing site;
 - (c) detecting obstacles during take-off and landing;
 - (d) assisting the pilot in command in relation to tasks associated with any of the following:
 - (i) navigation;
 - (ii) radiocommunications;
Note Under regulation 91.625 of CASR, it is an offence for a person to transmit on particular radio frequencies published in the AIP or NOTAM unless the person is authorised or qualified to do so.
 - (iii) turning on and off, or tuning and identifying, radionavigation systems;
 - (e) assisting the pilot in command with checklist requirements;
 - (f) assisting the pilot in command in monitoring systems and instrumentation;
 - (g) undergoing training for a Certificate IV in Aviation (Air Crew Officer).
Note See the definition of *Certificate IV in Aviation (Air Crew Officer)* in subsection (1).
- (4) A trainee may only be given an assignment involving a duty mentioned in subsection (3) for the purpose of training the trainee for that duty.
- (5) The operator's exposition or operations manual (as applicable) must include such policies, risk assessments, management instructions, standard operating procedures, and training and checking procedures, as are needed to ensure that:
- (a) the requirements of this section are complied with; and
 - (b) the duties mentioned in subsection (3), including when performed by a trainee, are carried out safely.

Schedule 2 Amendments — CASA EX86/21

[1] After section 3

insert

3A Table of Contents

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[2] Section 19

repeal and substitute

19 RESERVED

[3] **After section 24**

insert

25 Requirements for air crew members, including the Certificate IV in Aviation (Air Crew Officer) — direction

(1) In this section:

air crew member has the meaning given by the CASR Dictionary.

Note 1 For reference, an air crew member is a crew member for a flight of an aircraft (other than a flight crew member) who carries out a function during the flight relating to the safety of the operation of the aircraft, or the safety of the use of the aircraft.

Note 2 The term air crew member includes, in effect, a trainee air crew member: see subparagraph (b) (i) of the definition of ***crew member*** in the CASR Dictionary.

AIS means Australian Industry Standards Limited, ACN 071 267 359.

assignment means an operator assigning an air crew member to occupy a relevant control seat in the operator's rotorcraft during flight time in a private operation or an aerial work operation.

Certificate IV in Aviation (Air Crew Officer) means:

(a) either of the following training courses administered by AIS, and as in force or in existence from time to time:

(i) AVI40116 – Certificate IV in Aviation (Aircrewman);

(ii) AVI40119 – Certificate IV in Aviation (Air Crew Officer);

provided that, for such a training course begun after the commencement of this instrument, Unit AVIW0034 (perform non-pilot cockpit duties) was also successfully completed for the course; or

(b) a training course, administered by AIS, that supersedes, and is equivalent to, a course mentioned in paragraph (a).

equivalent qualification means a military, or overseas, qualification that has been approved in writing by CASA as being equivalent to the qualification attained by a person upon the satisfactory completion of a Certificate IV in Aviation (Air Crew Officer).

operator means an aerial work certificate holder.

relevant control seat means a rotorcraft control seat that is equipped with fully, or partially, functioning dual controls.

trainee means an operator's air crew member who is undergoing formal training, approved by the operator, for a Certificate IV in Aviation (Air Crew Officer).

(2) The operator must ensure that, before making an assignment, the air crew member:

(a) either:

(i) holds a certificate, or a statement of attainment, evidencing satisfactory completion of a Certificate IV in Aviation (Air Crew Officer); or

Note In accordance with the definition of ***Certificate IV in Aviation (Air Crew Officer)*** in subsection (1), an air crew member who commences that Certificate after the commencement of this instrument must successfully complete Unit AVIW0034 (perform non-pilot cockpit duties). An air crew member who had previously completed that Certificate, or who, as of the commencement of this instrument, was already undertaking the Certificate, is not required to have completed Unit AVIW0034.

(ii) is a trainee; or

(iii) holds an equivalent qualification; and

Note See the definition of *equivalent qualification* in subsection (1).

- (b) meets the operator's training and checking requirements for air crew members or trainees (as applicable) under the operator's training and checking system.
- (3) Subject to subsection (4), the operator may only make an assignment for the purpose of the air crew member performing one or more of the following duties on or for a rotorcraft:
- (a) assisting the pilot in command in monitoring its flight path to avoid a collision;
 - (b) assisting the pilot in command in selecting a landing site;
 - (c) detecting obstacles during take-off and landing;
 - (d) assisting the pilot in command in relation to tasks associated with any of the following:
 - (i) navigation;
 - (ii) radiocommunications;
Note Under regulation 91.625 of CASR, it is an offence for a person to transmit on particular radio frequencies published in the AIP or NOTAM unless the person is authorised or qualified to do so.
 - (iii) turning on and off, or tuning and identifying, radionavigation systems;
 - (e) assisting the pilot in command with checklist requirements;
 - (f) assisting the pilot in command in monitoring systems and instrumentation;
 - (g) undergoing training for a Certificate IV in Aviation (Air Crew Officer).
Note See the definition of *Certificate IV in Aviation (Air Crew Officer)* in subsection (1).
- (4) A trainee may only be given an assignment involving a duty mentioned in subsection (3) for the purpose of training the trainee for that duty.
- (5) The operator's exposition or operations manual (as applicable) must include such policies, risk assessments, management instructions, standard operating procedures, and training and checking procedures, as are needed to ensure that:
- (a) the requirements of this section are complied with; and
 - (b) the duties mentioned in subsection (3), including when performed by a trainee, are carried out safely.
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