



**Australian Government**  
**Civil Aviation Safety Authority**

Instrument number CASA EX101/22

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

13 December 2022

**CASA EX101/22 – Amendment of CASA EX86/21 (Miscellaneous Revisions) – Instrument 2022**

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**1 Name**

This instrument is *CASA EX101/22 – Amendment of CASA EX86/21 (Miscellaneous Revisions) – Instrument 2022*.

**2 Commencement**

This instrument commences on the day after it is registered.

**3 Amendment of CASA EX86/21**

Schedule 1 amends *CASA EX86/21 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2021*.

**Schedule 1 Amendments**

**[1] Subsection 3 (1), Definitions**

*insert*

*recognised foreign State* has the meaning given by regulation 61.010 of CASR.

**[2] After section 9 (in Part 2)**

*insert*

**9A Flight crew training or checking – foreign conductors of – exemption**

- (1) This section applies to an aerial work certificate holder (the *operator*) to whom regulation 138.125 applies.

*Note* *Aerial work certificate holder* is defined in section 3.

- (2) The operator is exempted from compliance with regulation 138.505, in relation to training and checking, but only to the extent of who may conduct the training or checking required by Subpart 138.N of CASR.

- (3) The exemption in subsection (2) is subject to the condition that the training or checking for which the operator takes the benefit of the exemption must be conducted by a person who is:
- (a) employed by a training provider authorised by the national aviation authority of a recognised foreign State to conduct training or a check equivalent to the training or check required by Subpart 138.N of CASR that the operator has contracted the training provider to conduct for a flight crew member of the operator (the *equivalent training or checking*); and
  - (b) authorised by the national aviation authority of the recognised foreign State to conduct the equivalent training or checking.
- (4) It is also a condition of the exemption under subsection (2) that for training or checking for which the operator takes the benefit of the exemption, the operator must ensure that the head of training and checking ensures that:
- (a) each person who conducts the training or checking for the foreign training provider mentioned in subsection (3) is appropriately authorised to conduct the training or checking; and
  - (b) the foreign training provider is notified, in writing, of any change in the operator's training and checking manual relating to the training or checking that the foreign training provider conducts under the contract.

**[3] Section 14A**

*repeal*

**[4] Subsection 24 (2)**

*omit*

paragraphs 2.3, 2.4 and 2.5 of CAO 82.1

*insert*

paragraphs 2.3 and 2.4 of CAO 82.1

**[5] Subsection 24 (3)**

*omit*

under Subpart 119.J

*insert*

under Division 138.B.9

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