



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX76/24

I, STEVEN JAMES CAMPBELL, 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 S. Campbell]

Steven Campbell
Executive Manager, National Operations & Standards

11 November 2024

CASA EX76/24 – CAR Part 5 – Exemption Instrument 2024

1 Name

This instrument is *CASA EX76/24 – CAR Part 5 – Exemption Instrument 2024*.

2 Duration

This instrument:

- (a) commences on 12 November 2024; and
- (b) is repealed at the end of 11 November 2027.

3 Definitions

- (1) In this instrument:

CAR means the *Civil Aviation Regulations 1988*.

CASR means the *Civil Aviation Safety Regulations 1998*.

CP(B)L means commercial pilot (balloon) licence.

Part 131 ASAO has the meaning given by the CASR Dictionary.

relevant authorisation means an authorisation from a relevant Part 131 ASAO that authorises the holder to operate a Part 131 aircraft.

relevant Part 131 ASAO means a Part 131 ASAO that was issued with an ASAO certificate on or after 12 November 2024.

Note For ASAO certificates see Part 149 of CASR.

relevant permit has the same meaning as in *Civil Aviation Order 95.54 (Part 131 Recreational Activity and Specialised Balloon Operations) Instrument 2024*.

- (2) In this instrument, a certificate or licence issued by the competent authority of a foreign country is at least equivalent to a relevant permit or a relevant authorisation if it authorises the holder of the certificate or licence to fly balloons as pilot in command in private operations.

- (3) Unless the contrary intention appears, words and phrases in this instrument have the same meaning as in or under Part 5 of CAR.

4 Table of Contents

A Table of Contents may be added to the front of the compilation of this instrument but it is for reader guidance only and is not a formal part of this instrument.

5 Application

Each section of this instrument applies, according to its terms, to each person who is mentioned in the section.

6 Exemptions — CP(B)L qualifications

- (1) This section applies to an applicant to hold a CP(B)L (the *applicant*).
- (2) The applicant is exempted from compliance with the following provisions of CAR in relation to the requirements to be qualified to hold a CP(B)L:
- (a) paragraph 5.138(1)(b);
 - (b) paragraph 5.138(1)(c);
 - (c) subparagraph 5.138(2)(a)(ii);
 - (d) subparagraph 5.138(2)(b)(ii).

7 Exemptions – CP(B)L qualifications – conditions

The exemptions under section 6 are subject to the following conditions:

- (a) for paragraph 5.138(1)(b) — the applicant must hold a relevant permit or a relevant authorisation;
 - (b) for paragraph 5.138(1)(c) — the applicant must have held one of the following for at least one year:
 - (i) a relevant permit;
 - (ii) a relevant authorisation;
 - (ii) a certificate or licence issued by the competent authority of a foreign country that is at least equivalent to such a relevant permit or relevant authorisation;

Note For the meaning of this equivalence, see subsection 3(2).
 - (c) for subparagraph 5.138(2)(a)(ii) — the applicant must satisfy the following:
 - (i) the requirements of subregulation 5.138(1), other than paragraphs 5.138(1)(b), (c) and (f);
 - (ii) the conditions mentioned in paragraphs (a) and (b) of this section as if they applied for this paragraph (c);
 - (d) for subparagraph 5.138(2)(b)(ii) — the applicant must satisfy the following:
 - (i) the requirements of subregulation 5.138(1), other than paragraphs 5.138(1)(b), (c), (e) and (f);
 - (ii) the conditions mentioned in paragraphs (a) and (b) of this section as if they applied for this paragraph (d).
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