Instrument number CASA EX77/24

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

19 November 2024

CASA EX77/24 –Transitional Training and Checking Requirements for Crew Members in Part 133 Operations – Exemption Instrument 2024

1 Name of instrument

 This instrument is *CASA EX77/24 – Transitional Training and Checking Requirements for Crew Members in Part 133 Operations – Exemption Instrument 2024.*

2 Duration

 This instrument:

(a) commences on 2 December 2024; and

(b) is repealed at the end of 1 December 2027.

3 Definitions

 In this instrument:

***CAO 20.11*** means *Civil Aviation Order 20.11*, as in force immediately before 2 December 2021.

***emergency procedures proficiency test*** means the crew member emergency procedures proficiency test specified in Appendix IV of CAO 20.11.

***flight review*** has the meaning given by the CASR Dictionary.

***non-scheduled air transport operation*** has the meaning given by the CASR Dictionary.

***Part 133 MOS*** means the Part 133 Manual of Standards.

*Note*The CASR Dictionary defines ***Part 133 Manual of Standards***as meaning the Manual of Standards issued by CASA under regulation 133.020.

***relevant flight*** means a flight, for an operator, of a rotorcraft to which Part 133 of CASR applies.

*Note*   Regulation 133.005 of CASR provides that Part 133 applies to the operation of a rotorcraft for an Australian air transport operation.

***relevant operator*** means the operator of a relevant flight.

4 Application

 This instrument applies to:

(a) each crew member of a relevant flight:

 (i) who has a designation mentioned in column 3 of Table 1; and

 (ii) to whom a provision mentioned in column 5 of Table 1 applies; and

(b) each operator of a relevant flight.

5 Exemptions

 (1) In this section:

***critical date*** means the date that is notified to the relevant operator by CASA for the purposes of section 39 of *CASA EX73/24 – Flight Operations Regulations – SMS, HFP&NTS and T&C Systems – Supplementary Exemptions and Directions Instrument 2024* (***CASA EX73/24***).

*Note 1*  This is the specified date notified to one or more relevant operators by CASA. After this date, relevant operators no longer have the benefit of Part 8 of CASA EX73/24 but may have the benefit of this latest exemption instrument if they satisfy its requirements and conditions.

*Note* *2*   As of 2 December 2024, the critical date is 28 February 2025, unless varied by CASA.

*Note* *3*   This exemption instrument has no application to a relevant operator who has voluntarily opted not to take the benefit of *CASA EX87/21 – Flight Operations Regulations – SMS, HFP&NTS and T&C Systems – Supplementary Exemptions and Directions Instrument 2021* or its successor *CASA EX73/24 – Flight Operations Regulations – SMS, HFP&NTS and T&C Systems – Supplementary Exemptions and Directions Instrument 2024*.

 (2) If:

(a) on or after the critical date, a requirement, in relation to a training or checking event mentioned in an item of column 1 of Table 1, applies in relation to a relevant flight by a person with a designation mentioned in column 2 of the same item (the ***crew member***); and

(b) before the critical date, a training or checking event mentioned in column 4 of the item (the ***previous event***) happened in relation to the crew member (including if under a previous designation mentioned in column 3); and

(c) the relevant flight occurs:

 (i) on or after the critical date; and

 (ii) before the end of the day specified in column 6 of the item (the ***expiry date***);

 then:

(d) the crew member is exempted from compliance with each provision mentioned in column 5 of the item; and

(e) the operator of the relevant flight is exempted from compliance with the same provision to the extent that the provision:

 (i) applies to the operator; or

 (ii) imposes on the operator an obligation to ensure that:

(A) the crew member complies with the provision; or

(B) the relevant flight may not commence unless the provision has been complied with.

Table 1

| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** | **Column 6** |
| --- | --- | --- | --- | --- | --- |
| **Training or checking event** | **Current designation** | **Previous designation** | **Previous event** | **Provisions exempted from** | **Expiry date — the end of:** |
| 1. Flight crew member annual general emergency training and check of competency | Flight crew member | Flight crew member who was required under subsection 12 of CAO 20.11 to undertake and pass, for the rotorcraft, the emergency procedures proficiency test | Successful completion, for the operator and the rotorcraft, of the following that was valid immediately before the critical date:(a) the emergency procedures proficiency test. | (a) paragraph 133.370(2)(g) for the purposes of paragraphs 12.03(a) and (e), and section 12.08, of the Part 133 MOS;(b) subregulation 133.375(1), to the extent of the exemptions under paragraph (a). | For the general emergency training — no expiry date.For the general emergency check of competency, other than for the use of life rafts or underwater escape, the earlier of the following: (a) the expiry date of the emergency procedures proficiency test mentioned in column 4; (b) 28 February 2026.For the general emergency check of competency for the use of life rafts or underwater escape, the earlier of the following: (a) 3 years after the date of the emergency procedures proficiency test mentioned in column 4; (b) 3 years after the date of completion of a competency assessment (however described) in the use of life rafts or underwater escape, where the date of completion is after 28 February 2023; (c) 1 December 2027. |
| 2. Flight crew member annual general emergency training and check of competency | Flight crew member | Flight crew member who was ***not*** required under subsection 12 of CAO 20.11 to undertake and pass, for the rotorcraft, the emergency procedures proficiency test | Conduct of at least 1 unsupervised flight that is a non‑scheduled air transport operation or medical transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.370(2)(g) for the purposes of paragraphs 12.03(a) and (e), and section 12.08, of the Part 133 MOS;(b) subregulation 133.375(1), to the extent of the exemptions under paragraph (a). | 28 February 2026 |
| 3. Flight crew member conversion training and flight crew member proficiency check | Flight crew member | Flight crew member | For VFR flights — successful completion of a flight review that was valid for the rotorcraft under Part 61 of CASR immediately before the critical date.For IFR flights — successful completion of an instrument proficiency check that was valid for the rotorcraft under Part 61 of CASR immediately before the critical date. | (a) paragraph 133.370(2)(g) for the purposes of paragraph 12.03(b) of the Part 133 MOS;(b) subregulation 133.375(1), to the extent of the exemptions under paragraph (a);(c) subregulations 133.395(1) and (2). | For the operator’s conversion training — no expiry date.For the operator’s FCM proficiency check — for day VFR flights – the earlier of the following:(1) if the successful completion of a flight review occurred before 28 May 2024: (a) the expiry date of the flight review; (b) 28 May 2025;(2) if the successful completion of a flight review occurred between 29 May 2024 and 28 August 2024: (a) the expiry date of the flight review; (b) 28 August 2025;(3) if the successful completion of a flight review occurred between 29 August 2024 and 28 November 2024: (a) the expiry date of the flight review; (b) 28 November 2025;(4) if the successful completion of a flight review occurred between 29 November 2024 and 28 February 2025: (a) the expiry date of the flight review; (b) 28 February 2026.For the operator’s FCM proficiency check — for IFR or night VFR flights – the earlier of the following: (a) the expiry date of the check mentioned in column 4; (b) 28 February 2026. |
| 4. Flight crew member line training and line check | Flight crew member | Flight crew member | Conduct of at least 1 unsupervised flight that is an air transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.370(2)(g) for the purposes of paragraph 12.03(c) of the Part 133 MOS;(b) subregulation 133.375(1), to the extent of the exemptions under paragraph (a). | No expiry date. |
| 5. Air crew member recurrent training and checking (general emergency check of competency) | Air crew member | A crew member, with duties analogous to those of an air crew member or, who was required under subsection 12 of CAO 20.11 to undertake and pass, for the rotorcraft, a recurrent emergency procedures proficiency test | Successful completion, for the operator and the rotorcraft, of the following that was valid immediately before the cessation of the critical date:(a) the emergency procedures proficiency test. | (a) paragraph 133.455(1)(b) for the purposes of paragraphs 14.03(a) and (e), and section 14.08, of the Part 133 MOS;(b) subregulation 133.460(1), to the extent of the exemptions under paragraph (a). | For the general emergency training — no expiry date.For the general emergency check of competency, other than for the use of life rafts or underwater escape, the earlier of the following: (a) the expiry date of the emergency procedures proficiency test mentioned in column 4; (b) 28 February 2026.For the general emergency check of competency for the use of life rafts or underwater escape, the earlier of the following: (a) 3 years after the date of the emergency procedures proficiency test mentioned in column 4; (b) 3 years after the date of completion of a competency assessment (however described) in the use of life rafts or underwater escape, where the date of completion is after 28 February 2023; (c) 1 December 2027. |
| 6. Air crew member recurrent training and checking (general emergency check of competency) | Air crew member  | A crew member, with duties analogous to those of an air crew member, who was ***not*** required under subsection 12 of CAO 20.11 to undertake and pass, for the rotorcraft, a recurrent emergency procedures proficiency test | Conduct of at least 1 unsupervised air transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.455(1)(b) for the purposes of paragraphs 14.03(a) and (e), and section 14.08, of the Part 133 MOS;(b) subregulation 133.460(1), to the extent of the exemptions under paragraph (a). | For the general emergency training — no expiry date.For the general emergency check of competency, other than for the use of life rafts or underwater escape — 28 February 2026.For the general emergency check of competency for the use of life rafts or underwater escape, the earlier of the following: (a) 3 years after the date of completion of a competency assessment (however described) in the use of life rafts or underwater escape, where the date of completion is after 28 February 2023; (b) 1 December 2027. |
| 7. Air crew member conversion and recurrent training and checking (proficiency check) | Air crew member | A crew member with duties analogous to those of an air crew member | Conduct of at least 1 unsupervised air transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.455(1)(b) for the purposes of paragraphs 14.03(b) and (e), and section 14.08, of the Part 133 MOS;(b) subregulation 133.460(1), to the extent of the exemptions under paragraph (a). | For the operator’s conversion training — no expiry date.For the operator’s proficiency check — 28 February 2026. |
| 8. Air crew member line training and line checking | Air crew member  | A crew member with duties analogous to those of an air crew member | Conduct of at least 1 unsupervised flight that is an air transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.455(1)(b) for the purposes of paragraph 14.03(c) of the Part 133 MOS;(b) subregulation 133.460(1), to the extent of the exemptions under paragraph (a). | No expiry date. |
| 9. Cabin crew member recurrent training and checking (general emergency check of competency) | Cabin crew member | A crew member, with duties analogous to those of a cabin crew member, who was required under subsection 12 of CAO 20.11 to undertake and pass, for the rotorcraft, a recurrent emergency procedures proficiency test | Successful completion, for the operator and the rotorcraft, of the following that was valid immediately before the critical date:(a) the emergency procedures proficiency test. | (a) paragraph 133.425(1)(b) for the purposes of section 13.02, paragraphs 14.03(a) and (e), and section 14.08, of the Part 133 MOS;(b) subregulation 133.430(1), to the extent of the exemptions under paragraph (a). | For the general emergency training — no expiry date.For the general emergency check of competency, other than for the use of life rafts or underwater escape, the earlier of the following: (a) the expiry date of the emergency procedures proficiency test mentioned in column 4; (b) 28 February 2026.For the general emergency check of competency for the use of life rafts or underwater escape, the earlier of the following: (a) 3 years after the date of the emergency procedures proficiency test mentioned in column 4; (b) 3 years after the date of completion of a competency assessment (however described) in the use of life rafts or underwater escape, where the date of completion is after 28 February 2023; (c) 1 December 2027. |
| 10. Cabin crew member recurrent training and checking (general emergency check of competency) | Cabin crew member | A crew member, with duties analogous to those of a cabin crew member, who was ***not*** required under subsection 12 of CAO 20.11 to undertake and pass, for the rotorcraft, a recurrent emergency procedures proficiency test | Conduct of at least 1 unsupervised air transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.425(1)(b) for the purposes of section 13.02, and paragraphs 14.03(a) and (e), and section 14.08, of the Part 133 MOS;(b) subregulation 133.430(1), to the extent of the exemptions under paragraph (a). | For the general emergency training — no expiry date.For the general emergency check of competency, other than for the use of life rafts or underwater escape — 28 February 2026.For the general emergency check of competency for the use of life rafts or underwater escape: (a) 3 years after the date of completion of a competency assessment (however described) in the use of life rafts or underwater escape, where the date of completion is after 28 February 2023; (b) 1 December 2027. |
| 11. Cabin crew member conversion and recurrent training and checking (proficiency check) | Cabin crew member | A crew member with duties analogous to those of a cabin crew member | Conduct of at least 1 unsupervised air transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.425(1)(b) for the purposes of section 13.02 and paragraphs 14.03(b) and (e), and section 14.08, of the Part 133 MOS;(b) subregulation 133.430(1), to the extent of the exemptions under paragraph (a). | For the operator’s conversion training — no expiry date.For the operator’s proficiency check — 28 February 2026. |
| 12. Cabin crew member line training and line checking | Cabin crew member | A crew member with duties analogous to those of a cabin crew member | Conduct of at least 1 unsupervised flight that is an air transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.425(1)(b) for the purposes of section 13.02, and paragraph 14.03(c) of the Part 133 MOS;(b) subregulation 133.430(1), to the extent of the exemptions under paragraph (a). | No expiry date. |
| 13. Medical transport specialist recurrent training and checking (general emergency check of competency)  | Medical transport specialist | A crew member, with duties analogous to those of a medical transport specialist, who was required under subsection 12 of CAO 20.11 to undertake and pass for the rotorcraft, the emergency procedures proficiency test | Successful completion, for the operator and the rotorcraft, of the following that was valid immediately before the critical date:(a) the emergency procedures proficiency test. | (a) paragraph 133.470(1)(b) for the purposes of paragraphs 15.03(a) and (e), and section 15.08, of the Part 133 MOS;(b) subregulation 133.475(1), to the extent of the exemptions under paragraph (a). | For the general emergency training — no expiry date.For the general emergency check of competency, other than for the use of life rafts or underwater escape, the earlier of the following: (a) the expiry date of the emergency procedures proficiency test mentioned in column 4; (b) 28 February 2026.For the general emergency check of competency for the use of life rafts or underwater escape, the earlier of the following: (a) 3 years after the date of the emergency procedures proficiency test mentioned in column 4; (b) 3 years after the date of completion of a competency assessment (however described) in the use of life rafts or underwater escape, where the date of completion is after 28 February 2023; (c) 1 December 2027. |
| 14. Medical transport specialist recurrent training and checking (general emergency check of competency)  | Medical transport specialist | A crew member, with duties analogous to those of a medical transport specialist, who was ***not*** required under subsection 12 of CAO 20.11 to undertake and pass, for the rotorcraft, the emergency procedures proficiency test | Conduct of at least 1 unsupervised flight that is a medical transport operation for the operator and of rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.470(1)(b) for the purposes of paragraphs 15.03(a) and (e), and section 15.08, of the Part 133 MOS;(b) subregulation 133.475(1), to the extent of the exemptions under paragraph (a). | For the general emergency training — no expiry date.For the general emergency check of competency, other than for the use of life rafts or underwater escape — 28 February 2026.For the general emergency check of competency for the use of life rafts or underwater escape, the earlier of the following: (a) 3 years after the date of completion of a competency assessment (however described) in the use of life rafts or underwater escape, where the date of completion was after 28 February 2023; (b) 1 December 2027. |
| 15. Medical transport specialist conversion and recurrent training and checking (proficiency check) | Medical transport specialist | A crew member with duties analogous to those of a medical transport specialist | Conduct of at least 1 unsupervised medical transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.470(1)(b) for the purposes of paragraphs 15.03(b) and (e), and section 15.08, of the Part 133 MOS;(b) subregulation 133.475(1), to the extent of the exemptions under paragraph (a). | For the operator’s conversion training — no expiry date.For the operator’s proficiency check — 28 February 2026. |
| 16. Medical transport specialist line training and line checking  | Medical transport specialist | A crew member with duties analogous to those of a medical transport specialist | Conduct of at least 1 unsupervised medical transport operation for the operator and the rotorcraft after 28 February 2024 but before the critical date. | (a) paragraph 133.470(1)(b) for the purposes of paragraph 15.03(c) of the Part 133 MOS;(b) subregulation 133.475(1), to the extent of the exemptions under paragraph (a). | No expiry date |