

## Explanatory Statement

### Civil Aviation Safety Regulations 1998

#### Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025

##### Purpose

The main purpose of *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025* (the **instrument**) is to prescribe:

- (a) the variants, differences training requirements, flight review requirements and type ratings for specified aircraft types for the purposes of relevant provisions in Part 61 of the *Civil Aviation Safety Regulations 1998 (CASR)*; and
- (b) the flight training and flight review requirements for the exercise of the privileges of class ratings to pilot aircraft prescribed by the Civil Aviation Safety Authority (**CASA**).

The instrument repeals and remakes *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 9) Instrument 2023 (Edition 9)*, with the addition of the following aircraft types and models, in recognition of the aircraft types and models commencing operations in Australia, in anticipation of them commencing operations or to enable the issue of a type rating that is consistent with the type ratings issued by other foreign national aviation authorities:

- (a) the Aerospacial/Nord C-160 Transall, which is a new aircraft that has been added to the Australian Civil Aircraft Register (the **civil aircraft register**), is prescribed as an aeroplane type with an ND16 type rating and a flight engineer type rating of ND16 (FE);
- (b) the Gulfstream Aerospace GVIII-G700, which is a new aircraft that is expected to be added to the civil aircraft register in the near future, is prescribed as an aeroplane type with a GVIII pilot type rating;
- (c) the aircraft types Honda Aircraft HA-420 and HA-420 (elite models), are prescribed with the aircraft types with a type rating of HA-420, and differences training requirements are imposed for pilots seeking to be authorised to operate the model Honda Aircraft HA-420, in cases where the variant is different from the variant for which the person received the type rating;
- (d) the H160-B multi-engine helicopter manufactured by Airbus Helicopters is added to the existing Airbus aircraft types with an H-160 pilot type rating;
- (e) the new type rating for an upgraded model of the Kodiak series of aircraft Kodiak 200 (which is marketed as Kodiak 900), a new upgraded model of the Kodiak series that is new to the civil aircraft register and manufactured by the new owner Daher Aircraft Design LLC, is added to the existing Daher Kodiak 100 series aircraft and the name of the manufacturer is updated from Daher to Daher Aircraft Design LLC.

The instrument also makes the following minor changes of an administrative or clarifying nature to Edition 9:

- (a) the description of the Airbus Helicopters models is corrected to specifically include EC 175-B (H175) in the EC175 type rating so as to more accurately describe the helicopter;
- (b) the description of Textron Aviation Inc King Air 300 series is updated (by deleting the word “series”) to achieve consistency with the description of other aircraft models and variants in the instrument;

- (c) the description of types and models of PA-46 (all turbine powered models), for the manufacturer Piper Aircraft, which have been or are shortly anticipated to be added or deleted from, the civil aircraft register, has been updated.

### **Legislation**

Section 98 of the *Civil Aviation Act 1988* (the **Act**) empowers the Governor-General to make regulations for the Act and the safety of air navigation.

Under paragraph 98(5A)(a) of the Act, such regulations may empower CASA to issue instruments in relation to matters affecting the safe navigation and operation of aircraft.

Part 61 of CASR contains regulations for flight crew licensing, including the various requirements for flight crew licences, ratings and endorsements. These requirements, which include flight training in units of competency, aeronautical knowledge examinations, flight tests, flight reviews and proficiency checks, are predicated on types and classes of aircraft and operations, including whether aircraft are variants of other aircraft and whether, in such cases, differences training is required if privileges are to be exercised in a variant.

Under subsection 33(3) of the *Acts Interpretation Act 1901* (the **AI Act**), where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character (including rules, regulations or by-laws), the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.

### **Fundamental concepts in the operation of Part 61 of CASR**

The rationale behind Part 61 of CASR is that a pilot may be authorised to fly a particular type of aircraft only if the pilot has undertaken sufficient training and an assessment has been made to confirm that the pilot is competent in operating that type of aircraft. In addition, a pilot must periodically undergo a review (a flight review or proficiency check) of the pilot's continued competence operating the aircraft if the pilot wishes to continue flying that type of aircraft.

Within the range of available aircraft types, some can be grouped together and treated in a common way under Part 61 of CASR. Thus, undertaking training and being assessed to operate one type of aircraft may satisfy the training requirements for a number of other types of aircraft if they have similar characteristics and performance. Also, undertaking a flight review or proficiency check in one type of aircraft may satisfy the flight review or proficiency check requirements for a number of other types of aircraft.

Most single-engine aeroplanes are grouped together in this way into the single-engine aeroplane class rating. Before flying such an aircraft, a pilot must complete appropriate training as required by regulation 61.385 of CASR.

However, many types of aircraft are sufficiently complex or different from other types as to warrant a pilot undertaking type-specific training to be authorised to fly these types. These aircraft are identified as type-rated aircraft. Aircraft that are certificated to be flown by more than 1 pilot are examples of type-rated aircraft.

Before flying an aircraft, a pilot must be competent in operating the particular aircraft. Consequently, even if pilots are qualified to fly single-engine aeroplanes covered by the class rating, before flying a different type within the class rating, pilots must make sure that they

are competent to fly the new type, which may have different systems, performance and handling characteristics to the type of aircraft they flew when qualifying for the class rating.

Nevertheless, some aircraft that are designated as type-rated aircraft are sufficiently similar in their characteristics to other aircraft covered by the relevant class rating as to warrant recognition of ongoing competency checks (flight reviews) done in the type-rated aircraft for the purposes of the class rating flight review.

There will be aircraft that have been included within a class, although they are sufficiently complex or have performance characteristics that warrant initial type-specific training and a flight review. Once the pilot has completed that initial type-specific training and the flight review, the continued competency of the pilot to operate such aircraft in the future can be demonstrated in any aircraft covered by the class rating.

Several regulations in Part 61 of CASR provide for a legislative instrument to prescribe the types of aircraft for which some of the concessions mentioned above apply.

**Regulation 61.050 — multi-engine aeroplanes included in single-engine aeroplane class**

Under regulation 61.050 of CASR, for paragraph 98(5A)(a) of the Act, CASA may, by legislative instrument, prescribe aeroplanes that are included in the single-engine aeroplane class. Under subregulation 61.020(2) of CASR, the single-engine aeroplane class also includes multi-engine centreline thrust aeroplanes. (A person operating such an aeroplane under the authority of a single-engine aeroplane class rating is also required to hold a multi-engine centreline thrust design feature endorsement under subregulation 61.380(2) of CASR.)

Aircraft referred to by regulation 61.050 are aircraft that would otherwise be included in the multi-engine aeroplane class rating or type rating. These aircraft are sufficiently like single-engine aeroplanes in their performance and handling characteristics that they can be safely flown under the authority of a single-engine aeroplane class rating.

CASA has reserved its prescription of multi-engine aeroplanes that are to be included in the single-engine aeroplane class because no relevant aircraft have been identified at the time of making the instrument.

**Regulation 61.055 — type ratings and variants for multi-crew aircraft**

Under subregulation 61.055(1) of CASR, for paragraph 98(5A)(a) of the Act, CASA may, by legislative instrument, prescribe for multi-crew aircraft:

- (a) the type ratings that may be granted for multi-crew operations; and
- (b) the aircraft models that are variants of each other; and
- (c) in relation to each variant — the variants for which differences training is required; and
- (d) the type ratings for which the flight review or instrument proficiency check requirements may be met by completion of a single flight review; and
- (e) the type ratings for which the instrument proficiency check requirements may be met by completion of a single instrument proficiency check.

Under subregulation 61.055(2), for paragraph 98(5A)(a) of the Act, if 2 or more aircraft models are variants of each other, CASA may, by legislative instrument, prescribe that the models are no longer variants of each other if satisfied that:

- (a) the complexity of one of the models' systems; or

(b) a difference in their performance or handling characteristics; requires the provision of additional flight training to enable a person to pilot an aircraft of that model safely.

Aircraft referred to by regulation 61.055 are aircraft that are operated by 2 pilots and require initial and ongoing type-specific training and competency checking. These aircraft are sufficiently complex, or their performance or handling characteristics are such, that additional training of the pilots is warranted to enable them to pilot these aircraft safely.

Aircraft types can have variants within each type, and the characteristics of the variants can differ (for example, in such areas as operating systems, size or performance). In some cases, the variant differences are such that additional training of the pilots is warranted to enable them to pilot variants of the original aircraft type. However, there will be variants that are sufficiently similar that additional training and competency checking is not warranted, and completing a proficiency check or a flight review in one variant meets the proficiency check or flight review requirements applicable to the other variants of that type.

**Regulation 61.060 — type ratings for single-pilot aircraft**

Under subregulation 61.060(1) of CASR, for paragraph 98(5A)(a) of the Act, CASA may, by legislative instrument, prescribe the following:

- (a) for a type of aircraft that is certificated for single-pilot operation — whether a single-pilot type rating is required;
- (b) for aircraft for which single-pilot type ratings are required:
  - (i) the type ratings that may be granted for single-pilot operation; and
  - (ii) the aircraft models that are variants of each other; and
  - (iii) in relation to each variant — the variants for which differences training is required;
- (c) the type ratings for which the flight review or instrument proficiency check requirements may be met by completion of a single flight review;
- (d) the type ratings for which the instrument proficiency check requirements may be met by completion of a single instrument proficiency check.

Under subregulation 61.060(2), CASA may prescribe that a single-pilot type rating is required for an aircraft only if satisfied that:

- (a) the complexity of the aircraft's systems; or
- (b) its performance or handling characteristics;

requires the provision of additional flight training to enable a person to pilot an aircraft of that type safely.

Aircraft referred to by regulation 61.060 are aircraft that may be operated by 1 pilot and require initial and ongoing type-specific training and competency checking. These aircraft are sufficiently complex, or their performance or handling characteristics are such, that additional training of the pilots is warranted to enable them to pilot these aircraft safely.

Aircraft types can have variants within each type, and the characteristics of the variants can differ (for example, in such areas as operating systems, size or performance). In some cases, the variant differences are such that additional training of the pilots is warranted to enable them to pilot these variants of the original aircraft type.

**Regulation 61.061 — types of aircraft where a flight review for a pilot type rating meets flight review requirements for a class rating**

Under regulation 61.061 of CASR, for paragraph 98(5A)(a) of the Act, CASA may, by instrument, prescribe types of aircraft for which the conduct of a flight review or instrument proficiency check for a pilot type rating meets the flight review requirements for a class rating.

Aircraft referred to by regulation 61.061 are identified as being sufficiently complex, or have performance or handling characteristics, that warrant initial and ongoing type-specific training and competency checking requirements that must be satisfied before pilots are authorised to fly these types of aircraft. However, conducting a flight review or proficiency check in such an aircraft is regarded as being sufficient to ensure the pilot is also competent operating similar aircraft covered by the class rating and, therefore, would be acceptable for the purposes of a relevant class rating flight review. The aircraft type has sufficient commonality with aircraft included in a relevant class rating that justifies this recognition.

CASA has prescribed types of multi-engine aeroplanes for this purpose, while reserving its prescription of types of single-engine helicopters on this matter.

**Regulation 61.062 — types of aircraft with additional limitations on class ratings**

Under regulation 61.062 of CASR, for paragraph 98(5A)(a) of the Act, CASA may, by instrument, prescribe types of aircraft for which flight training and a flight review are required under regulation 61.747 of CASR for the exercise of the privileges of a class rating. Under subregulation 61.747(1), the holder of an aircraft class rating may, subject to other requirements, exercise the privileges of the class rating in an aircraft type prescribed under regulation 61.062.

Aircraft referred to by regulation 61.062 are identified as being sufficiently complex or have performance or handling characteristics that warrant initial type-specific training and a flight review in the specific type.

However, these types are not so different that ongoing training and competency checking needs to be type specific. In these cases, the pilot only needs to complete initial type-specific training along with a flight review, rather than a flight test, as the means of assessing the pilot's competence in operating that type of aircraft. Thereafter, a flight review in any other aircraft in the same class satisfies the flight review requirements to fly that type of aircraft.

**Regulation 61.063 — types of single-engine helicopters for flight reviews**

Under regulation 61.063 of CASR, for paragraph 98(5A)(a) of the Act, CASA may, by instrument, prescribe types of single-engine helicopters that may be used to conduct flight reviews for other types of single-engine helicopters.

Aircraft referred to by regulation 61.063 are identified as being sufficiently complex or have performance characteristics that warrant initial and ongoing type-specific training and checking requirements that must be satisfied before pilots are authorised to fly these types of aircraft. However, conducting a flight review in such an aircraft is regarded as acceptable for the purposes of the other listed single-engine helicopter types.

CASA has reserved its prescription of single-engine type-rated helicopters that may be used to conduct flight reviews for other single-engine helicopters.

## Background (current policy)

When new aircraft are added to the civil aircraft register, the role of CASA includes to maintain the flight crew licensing scheme by determining the training required for pilots to operate the aircraft safely. In determining the authorisation required to fly a particular aircraft, CASA considers the aeronautical knowledge and practical flight training pilots require to be competent to safely fly the aircraft. For more complex aircraft, CASA refers to evaluations of pilot training requirements conducted as part of the aircraft certification process in conjunction with assessments by CASA subject matter experts.

Where the training for a new aircraft is assessed as minor for pilots who have flown similar aircraft, CASA usually determines the aircraft can be flown under the authority of an existing aircraft rating. For aircraft that require more comprehensive training, CASA prescribes a new type rating or prescribes the aircraft as a variant of an existing type rating. Where flight training for a variant requires use of a flight simulator or in-aircraft flight training, CASA specifies differences training for the variant.

In accordance with Part 61 of CASR, CASA prescribes type ratings and differences training requirements for variants covered by a type rating in a legislative instrument, originally called *Prescription of aircraft and ratings – CASR Part 61* and now called *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) Instrument* with editions to identify latest versions. Under Part 61 of CASR, the training for the grant of a multi-crew certified aircraft type rating and associated courses of differences training for similar variants must be conducted by a Part 142 operator.

While training for most type-rated aircraft falls under Part 142, a further prescription instrument under regulation 142.045 differentiates some types for which flight training for the prescribed type ratings is Part 141 flight training. The title of the current instrument is *Type Ratings Excluded from Part 142 Flight Training (Edition 7) Instrument 2023*. This instrument echoes some of the types in the former instrument and, therefore, requires concurrent amendment.

## Content of instrument

For the purposes of the legislative provisions mentioned above, the instrument prescribes the variants, differences training requirements, flight review requirements and type ratings for specified aircraft types. It also prescribes flight training and flight review requirements for class ratings.

Section 1 gives the instrument its name and provides that the instrument commences on the day after it is registered on the Federal Register of Legislation (the **FRL**).

Section 2 repeals instrument *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 9) Instrument 2023* in accordance with subsection 33(3) of the AI Act.

Section 3 contains definitions of terms used in the instrument, including a number of abbreviations.

Section 5 prescribes type ratings for multi-crew aeroplane models under paragraph 61.055(1)(a).

Section 5A provides for the transitional arrangements for pilots who, immediately before the commencement of Edition 9, held an A330 or A330(CR) type rating. The holder of the type

rating is taken to hold the new A330/350 type rating or A330/350(CR) type rating but will be subject to the differences training requirements for the variants included or covered by the new rating.

Section 6 prescribes type ratings for multi-crew helicopters under paragraph 61.055(1)(a).

Section 7 prescribes variants for multi-crew aeroplanes under paragraph 61.055(1)(b).

Section 8 prescribes variants for multi-crew helicopters under paragraph 61.055(1)(b).

Section 9 prescribes, for paragraph 61.055(1)(c), differences training that is required for a person to exercise the privileges of a multi-crew aeroplane type rating in a variant that is different from the variant for which the person first received the type rating.

Section 10 prescribes, for paragraph 61.055(1)(c), the differences training that is required for a person to exercise the privileges of a multi-crew helicopter type rating in a variant that is different from the variant for which the person first received the type rating.

Section 13 prescribes the aeroplanes that require a single-pilot type rating under paragraph 61.060(1)(a).

Section 14 prescribes the helicopters that require a single-pilot type ratings under paragraph 61.060(1)(a).

Section 15 prescribes type ratings for single-pilot aeroplanes under subparagraph 61.060(1)(b)(i).

Section 16 prescribes type ratings for single-pilot helicopters under subparagraph 61.060(1)(b)(i).

Section 17 prescribes variants of single-pilot aeroplane models that still have the same type rating for subparagraph 61.060(1)(b)(ii).

Section 18 prescribes variants of single-pilot helicopter models that still have the same type rating for subparagraph 61.060(1)(b)(ii).

Section 19 prescribes, for subparagraph 61.060(1)(b)(iii), differences training that is required for a person to exercise the privileges of a single-pilot aeroplane rating in a variant that is different from the variant for which the person first received the type rating.

Section 20 prescribes, for subparagraph 61.060(1)(b)(iii), differences training that is required for a person to exercise the privileges of a single-pilot helicopter rating in a variant that is different from the variant for which the person first received the type rating.

Section 23 prescribes, for regulation 61.061, types of multi-engine aeroplanes for which the conduct of a flight review for a pilot type rating meets the flight review requirements for the multi-engine aeroplane class rating.

Section 24 prescribes, for regulation 61.062, types of single-engine aeroplanes for which flight training and flight review are required for exercising the privileges of the single-engine aeroplane class rating.

Section 25 prescribes, for regulation 61.062, types of multi-engine aeroplanes for which flight training and flight review are required for exercising the privileges of the multi-engine aeroplane class rating.

Section 26 prescribes, for regulation 61.062, types of single-engine helicopters for which flight training and flight review are required for exercising the privileges of the single-engine helicopter class rating.

The provisions described above devolve the detail of prescribed matters to the Schedules (described below).

Schedules 2, 3, 6 and 7 set out models and variants of type ratings, and whether differences training is required. Schedule 2 is made for sections 5, 7 and 9; Schedule 3 for sections 6, 8 and 10; Schedule 6 for sections 13, 15, 17 and 19; and Schedule 7 for sections 14, 16, 18 and 20. Schedules 10, 12, 13 and 14 list the detail of types and models of aircraft for the purposes of sections 23, 24, 25 and 26.

Sections 4, 11, 12, 21, 22 and 27 are placeholder headings that are reserved for future use. (Placeholder headings for Schedules 1, 4, 5, 8, 9, 11 and 15 are also reserved for future use.)

The Schedules are as follows:

Schedule 1	Multi-engine aeroplanes included in the single-engine aeroplane class. This Schedule heading is RESERVED
Schedule 2	Multi-crew pilot aeroplane type ratings, variants and differences training
Schedule 3	Multi-crew pilot helicopter type ratings, variants and differences training
Schedule 4	Multi-crew type ratings for which flight review or instrument proficiency check met by a single flight review. This Schedule heading is RESERVED
Schedule 5	Multi-crew type ratings for which instrument proficiency check met by a single instrument proficiency check. This Schedule heading is RESERVED
Schedule 6	Single-pilot type-rated aeroplanes, type ratings, variants and differences training
Schedule 7	Single-pilot type-rated helicopters, type ratings, variants and differences training
Schedule 8	Single-pilot type ratings for which flight review met by a single flight review. This Schedule heading is RESERVED
Schedule 9	Single-pilot type ratings for which instrument proficiency check met by a single instrument proficiency check. This Schedule heading is RESERVED
Schedule 10	Types of multi-engine aeroplanes for which the conduct of a flight review for a pilot rating meets the flight review requirements for the multi-engine aeroplane class rating
Schedule 11	Types of single-engine helicopters for which the conduct of a flight review for a pilot rating meets the flight review requirements for the single-engine helicopter class rating. This Schedule heading is RESERVED



- Schedule 12 Types of single-engine aeroplanes for which flight training and flight review are required for exercising the privileges of the single-engine aeroplane class rating
- Schedule 13 Types of multi-engine aeroplanes for which flight training and flight review are required for exercising the privileges of the multi-engine aeroplane class rating
- Schedule 14 Types of single-engine helicopters for which flight training and flight review are required for exercising the privileges of the single-engine helicopter class rating
- Schedule 15 Types of single-engine helicopters that may be used for flight reviews for other types of single-engine helicopters. This Schedule heading is RESERVED.

### **Changes made since Edition 9 commenced in 2023**

#### Changes made by a 2023 amending instrument

In 2023, Schedule 6 to Edition 9 was amended to ensure that the differences training requirements are applied as intended to certain aeroplane models and variants prescribed in Edition 9. This was achieved by substituting the cell in which the C525 aeroplane models and variants manufactured by Textron Aviation Inc appear and reinstating the requirements for differences training for models and variants in the different cells (see *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 9) Amendment Instrument 2023*).

#### Changes made in this instrument

The instrument repeals and remakes Edition 9. The changes made to Edition 9 include the addition, substitution or deletion of aircraft models or variants for various manufacturers or type certificate holders, as follows:

#### *Prescription of Aerospatial/Nord C-160 Transall*

The Aerospatial/Nord C-160 Transall is a new aircraft that has been added to the civil aircraft register. Regulation 61.735 of CASR prevents the aircraft from being flown under the privileges of the multi-engine aeroplane class rating as the aircraft requires more than 1 pilot.

This creates the need to prescribe a type rating that authorises a pilot to fly the aircraft.

The instrument adds Aerospatial/Nord C-160 Transall to Schedule 2 (Multi-crew pilot aeroplane type ratings, variants and differences training). The ND16 type rating is the same as the type rating issued by the European Union Aviation Safety Agency for these aircraft. Pilots can then apply for the rating if they meet the requirements under regulation 61.810 of CASR. The instrument also includes a Flight Engineer (FE) type rating of ND16 (FE) for the Transall C-160, which requires a flight engineer as a member of the flight crew.

#### *Prescription of Gulfstream Aerospace Corp GVIII-G700*

The Gulfstream Aerospace Corp GVIII-G700 is a new aircraft that is proposed to be added to the civil aircraft register. Regulation 61.735 prevents the aircraft from being flown under the privileges of the multi-engine aeroplane class rating as the aircraft requires more than 1 pilot.

This creates the need to prescribe a type rating that authorises a pilot to fly the aircraft.

The instrument adds the Gulfstream Aerospace Corp GVIII-G700 model to Schedule 2 (Multi-crew pilot aeroplane type ratings, variants and differences training). Pilots can then apply for the rating if they meet the requirements under regulation 61.810.

*Change of description of Airbus Helicopters EC-175*

Currently, the type rating for the Airbus Helicopters EC-175 is included in Schedule 3 (Multi-crew pilot helicopter type ratings, variants and differences training) and Schedule 7 (Single-pilot type-rated helicopters, type ratings, variants and differences training) of Edition 9, but the description of models in the type rating for the EC-175 does not correctly identify the EC 175-B helicopters on the civil aircraft register, which are also marketed as a model H175.

The instrument corrects the description of the Airbus Helicopters models included in the EC175 type rating to EC 175-B (H175) to more accurately describe the helicopter.

*Creation of a new manufacturer/type certificate (TC) holder of Honda Aircraft HA-420 type rating and differences training*

The instrument adds a further manufacturer/TC holder, Honda Aircraft, and the aircraft types HA-420 and HA-420 (elite models) with a type rating of HA-420 to Schedule 6 (Single-pilot type-rated aeroplanes, type ratings, variants and differences training). The instrument also includes differences training requirements (for a person to exercise the privileges of a type rating for the model Honda Aircraft HA-420, in cases where that variant is different from the variant for which the person received the type rating) that is in accordance with the training specified in the United States Federal Aviation Administration Flight Standards Board report for the Honda Jet HA-420.

*Change of description of Textron Aviation Inc King Air 300 series*

The current descriptions of King Air 300 models are not consistent with the description of other aircraft models and variants. The instrument updates the descriptions of Textron Aviation Inc King Air 300 series in Schedules 6 and Schedule 10 (by deleting the word “series”) to achieve consistency with the description of other aircraft models and variants in the instrument.

*Prescription of Airbus Helicopters H160-B type*

Currently, Airbus Helicopters is listed as a type certificate holder or manufacturer of certain helicopter models and variants in Schedule 7 (Single-pilot type-rated helicopters, type ratings, variants and differences training) of Edition 9. There is currently no aircraft rating that authorises a pilot to operate the H160-B helicopter.

The instrument adds a type rating for the H160-B multi-engine helicopter for the manufacturer Airbus Helicopters to the existing Airbus aircraft types and provides a H-160 pilot type rating as an authorisation for pilots to fly models of the H160-B helicopter.

*Addition of a new type for an updated model of Kodiak 200 (Kodiak 900)*

Edition 9 prescribes the Daher Kodiak 100 in Schedule 12 (Types of single-engine aeroplanes for which flight training and flight review are required for exercising the privileges of the single-engine aeroplane class rating).

The instrument adds the Kodiak 200 (Kodiak 900) to the existing Daher Kodiak 100 series aircraft in Schedule 12 and updates the name of the manufacturer from Daher to Daher Aircraft Design LLC. (The Kodiak 200, marketed as a Kodiak 900, is a new upgraded model of the Kodiak series aircraft manufactured by the new owner Daher Aircraft Design LLC,

which is new to the civil aircraft register, is similar to Daher Kodiak 100 and is included on the same type certificate.)

*Substitution of the description of types for Piper Aircraft PA-46 (all turbine powered models)*

Edition 9 prescribed two models of Piper Aircraft (namely PA-46-500TP and PA-46-600TP) in Schedule 12 (Types of single-engine aeroplanes for which flight training and flight review are required for exercising the privileges of the single-engine aeroplane class rating). Piper Aircraft has applied for type acceptance of the Piper PA-46-701TP (M700) single-engine aeroplane.

The instrument substitutes the description of types and models for the manufacturer Piper Aircraft to PA-46 (all turbine powered models), which will ensure that pilots complete flight training and a flight review for all turbine powered models of the Piper Aircraft PA-46 to comply with regulation 61.747. This reflects entries for aircraft that have been or are shortly anticipated to be added to, or deleted from, the civil aircraft register.

***Legislation Act 2003 (the LA)***

Under paragraph 98(5A)(a) of the Act, CASA may issue instruments in relation to matters affecting the safe navigation and operation of aircraft. Under subsection 98(5AA) of the Act, an instrument issued under paragraph 98(5A)(a) is a legislative instrument if expressed to apply in relation to a class of persons or aircraft.

Under regulation 61.055, CASA's prescription of type ratings and aircraft model variants for multi-crew aircraft is made by legislative instrument. Similarly, under regulation 61.060, CASA's prescription of aircraft types that require a single-pilot type rating, and the prescription of the type ratings that may be granted for single-pilot operation, is made by legislative instrument.

The various prescriptions made by the instrument apply to classes of persons and aircraft. The instrument also prescribes type ratings and aircraft model variants for multi-crew aircraft and single-pilot aircraft under regulations 61.055 and 61.060. Therefore, the instrument is a legislative instrument, and is subject to tabling and disallowance in the Parliament under sections 38 and 42 of the LA.

As the instrument relates to aviation safety and is made under CASR, Part 4 of Chapter 3 of the LA (the ***sunsetting provisions***) does not apply to the instrument (as per item 15 of the table in section 12 of the *Legislation (Exemptions and Other Matters) Regulation 2015*).

The instrument deals with aviation safety matters that, once identified, require a risk response or treatment plan. As such, the instrument is intended to have enduring operation and it would not be appropriate for it to be subject to sunsetting. The exemption from the sunsetting provisions affects parliamentary oversight by not requiring the instrument to be remade and subject to further tabling and disallowance in the Parliament under sections 38 and 42 of the LA. Despite this, CASA's accepted practice has been to repeal and remake a new edition of the instrument, generally every year, as an alternative to amending it. A renewal of the instrument would be subject to tabling and disallowance in the Parliament under sections 38 and 42 of the LA, in which case the exemption from sunsetting would not affect parliamentary oversight of this instrument.

**Consultation**

An aircraft operator has requested that CASA prescribe the Aerospatial/Nord C-160 Transall.

No other consultation has been undertaken under section 17 of the LA. Complex aircraft, like those that are certified for operation with at least 2 pilots, are prescribed a type rating in accordance with standards and recommended practices in Annex 1 – Personnel Licensing to the Convention on International Civil Aviation. For multi-crew certified aircraft CASA must prescribe aircraft type ratings to enable pilots to be issued a flight crew authorisation, required by the regulations, to fly the aircraft.

Flight crew ratings prescribed by CASA are consistent with the ratings specified by other foreign national aviation authorities. As new type ratings are required to support the introduction of new aircraft types, the proposed changes to the instrument since Edition 9 are normally exempted from the requirement for an impact analysis (*IA*) as they are considered to be machinery in nature.

The changes from Edition 9, adding a further manufacturer/TC holder, Honda Aircraft, and the aircraft types HA-420 and HA-420, the H160-B multi-engine helicopter manufactured by Airbus Helicopters and an upgraded model of the Kodiak series of aircraft Kodiak 200 (which is marketed as Kodiak 900) are consequential upon changes to the civil aircraft register. If a national airworthiness authority provides an Operations Evaluation report regarding the type rating and required level of training for an aircraft, and the amendments are consistent with the report, as they are in this case, CASA considers that further consultation is not necessary.

The changes to the description of the Airbus Helicopters models, the Textron Aviation Inc King Air 300 series and the types and models of PA-46 (all turbine powered models), for the manufacturer Piper Aircraft, are technical and administrative and, therefore, do not require further consultation.

CASA is satisfied that no further consultation is appropriate or reasonably practicable for this instrument for section 17 of the LA.

### **Sector risk, economic and cost impact**

Subsection 9A(1) of the Act states that, in exercising its powers and performing its functions, CASA must regard the safety of air navigation as the most important consideration.

Subsection 9A(3) of the Act states that, subject to subsection (1), in developing and promulgating aviation safety standards under paragraph 9(1)(c), CASA must:

- (a) consider the economic and cost impact on individuals, businesses and the community of the standards; and
- (b) take into account the differing risks associated with different industry sectors.

The instrument replaces an existing instrument with the same (or largely the same) provisions and conditions. The instrument prescribes new type ratings for new aircraft added to the civil aircraft register to ensure pilots complete the training required to conduct a flight in the type of aircraft safely. Prescribed type ratings also enable pilots to comply with the requirements of Part 61 of CASR. As pilots typically need to complete flight training to be competent to fly each kind of aircraft, the changes to the instrument impose no additional cost impacts on industry.

The instrument also makes minor or machinery changes to an existing instrument, including to correct changes to the names of manufacturers and type certificate holders that have

occurred since the last amendment, and there will be no change to the economic or cost impact on individuals, businesses or the community.

**Impact on categories of operations**

The instrument will have an impact on operators of aircraft that are being added or amended in the instrument. The instrument will facilitate the introduction of new types of aircraft and regularise the administration of the licensing system. Necessarily, flight training operators will require training courses to be developed, new training endorsements and examiner endorsements to be introduced that will be applicable to persons involved in training, flight testing, flight reviews, proficiency checking and (where applicable) training and checking activities.

**Impact on regional and remote communities**

The instrument will not have any impact on any particular regional or remote community.

**Office of Impact Analysis (OIA)**

An IA is not required in this case, as the instrument is covered by a standing agreement between CASA and OIA under which an IA is not required for amendments to Part 61 of CASR to add additional aircraft for the purpose of pilot type ratings (OIA reference number: OIA23-06249).

**Statement of Compatibility with Human Rights**

The Statement of Compatibility with Human Rights at Attachment 1 has been prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

**Making and commencement**

The instrument has been made by a delegate of CASA relying on the power of delegation under subregulation 11.260(1) of CASR.

The instrument commences on the day after it is registered on the FRL.

## Statement of Compatibility with Human Rights

*Prepared in accordance with Part 3 of the  
Human Rights (Parliamentary Scrutiny) Act 2011*

### Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025

This legislative instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

#### Overview of the legislative instrument

The main purpose of *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025* (the **legislative instrument**) is to prescribe different types of aircraft types for relevant provisions in Part 61 of the *Civil Aviation Safety Regulations 1998*.

Part 61 contains regulations for flight crew licensing, including the various requirements for flight crew licences, ratings and endorsements. These requirements, which include flight training in units of competency, aeronautical knowledge examinations, flight tests, flight reviews and proficiency checks, are predicated on types and classes of aircraft and operations, including whether aircraft are variants of other aircraft, and whether in such cases, differences training is required if privileges are safely to be exercised in a variant. These requirements are consistent with Australia's obligations of conformity to the Chicago Convention on International Civil Aviation, its Protocols and Annexes.

The legislative instrument repeals and remakes *Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 9) Instrument 2023 (Edition 9)*, with the addition of the following aircraft types and models, in recognition of the aircraft types and models commencing operations in Australia, in anticipation of them commencing operations or to enable the issue of a type rating that is consistent with the type ratings issued by other foreign national aviation authorities:

- (a) the Aerospatial/Nord C-160 Transall, which is a new aircraft that has been added to the Australian Civil Aircraft Register (the **civil aircraft register**), is prescribed as an aeroplane type with an ND16 type rating and a flight engineer type rating of ND16 (FE);
- (b) the Gulfstream Aerospace GVIII-G700, which is a new aircraft that is expected to be added to the civil aircraft register in the near future, is prescribed as an aeroplane type with a GVIII pilot type rating;
- (c) the aircraft types Honda Aircraft HA-420 and HA-420 (elite models), are prescribed with the type rating of HA-420, and differences training requirements are imposed for pilots seeking to be authorised to operate the model Honda Aircraft HA-420, in cases where that variant is different from the variant for which the person received the type rating;
- (d) the H160-B multi-engine helicopter manufactured by Airbus Helicopters is added to the existing Airbus aircraft types with an H-160 pilot type rating;
- (e) the new type rating for an upgraded model of the Kodiak series of aircraft Kodiak 200 (which is marketed as Kodiak 900), a new upgraded model of the Kodiak series that is

new to the civil aircraft register and manufactured by the new owner Daher Aircraft Design LLC, is added to the existing Daher Kodiak 100 series aircraft and the name of the manufacturer is updated from Daher to Daher Aircraft Design LLC.

The instrument also makes the following minor changes of an administrative or clarifying nature to Edition 9:

- (a) the description of the Airbus Helicopters models is corrected to specifically include EC 175-B (H175) in the EC175 type rating, so as to more accurately describe the helicopter;
- (b) the description of Textron Aviation Inc King Air 300 series is updated (by deleting the word “series”) to achieve consistency with the description of other aircraft models and variants in the instrument;
- (c) the description of types and models of PA-46 (all turbine powered models), for the manufacturer Piper Aircraft which have been or are shortly anticipated to be added or deleted from, the civil aircraft register, has been updated.

### **Human rights implications**

To the extent that certain aircraft are or are not prescribed, it might be said that the right to work, equality and non-discrimination under the International Covenant on Civil and Political Rights or the International Covenant on Economic, Social and Cultural Rights are engaged for pilots of such aircraft, as they cannot access some of the flight review and proficiency check concessions that the legislative instrument might otherwise provide. However, such differential treatment arises from the requirements of aviation safety for the particular types of specialised aircraft involved, and is consistent with honouring the safety obligations imposed by the *Civil Aviation Act 1988*.

### **Conclusion**

The legislative instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*. To the extent that it may also limit human rights, those limitations are reasonable and proportionate in the interests of aviation safety.

This legislative instrument is compatible with human rights as it does not raise any human rights issues.

## **Civil Aviation Safety Authority**