



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX31/25

I, ANDREAS MARCELJA, Executive Manager, Stakeholder Engagement, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed A. Marcelja]

Andreas Marcelja
Executive Manager, Stakeholder Engagement

18 March 2025

CASA EX31/25 — Operations by Sport and Recreational Aircraft in Restricted Area R979A (Australian International Airshow and Aerospace & Defence Exposition) Exemption 2025

1 Name

This instrument is *CASA EX31/25 — Operations by Sport and Recreational Aircraft in Restricted Area R979A (Australian International Airshow and Aerospace & Defence Exposition) Exemption 2025*.

2 Duration

This instrument:

- (a) commences at the time it is registered; and
- (b) is repealed at the end of 1 April 2025.

3 Interpretation

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: *AIP Supplement, air traffic control, controlled airspace, flight review, NOTAM, pilot in command, pilot licence* and *restricted area*.

In this instrument:

Avalon aerodrome means Avalon aerodrome (YMAV), aerodrome certificate CASA.ADCERT.0010.

CAO 95.10 aircraft means an aircraft to which *Civil Aviation Order 95.10* applies.

CAO 95.12 aircraft means an aircraft to which *Civil Aviation Order 95.12* applies.

CAO 95.12.1 aircraft means an aircraft to which *Civil Aviation Order 95.12.1* applies.

CAO 95.32 aircraft means an aircraft to which Civil Aviation Order 95.32 applies.

CAO 95.55 aircraft means an aircraft to which Civil Aviation Order 95.55 applies.

Civil Aviation Order 95.10 means *Civil Aviation Order 95.10 (Exemptions from CAR and CASR — Microlight Aeroplanes) Instrument 2024*, as in force from time to time.

Civil Aviation Order 95.12 means *Civil Aviation Order 95.12 (Exemptions from CAR and CASR — Gyroplanes Not Exceeding 250 kg) Instrument 2024*, as in force from time to time.

Civil Aviation Order 95.12.1 means *Civil Aviation Order 95.12.1 (Exemptions from CAR and CASR — LSA Gyroplanes and ASRA-compliant Gyroplanes) Instrument 2024*, as in force from time to time.

Civil Aviation Order 95.32 means *Civil Aviation Order 95.32 (Exemptions from CAR and CASR — Powered Parachutes and Weight-shift-controlled Aeroplanes) Instrument 2024*, as in force from time to time.

Civil Aviation Order 95.55 means *Civil Aviation Order 95.55 (Exemptions from CAR and CASR — Certain Light Sport Aircraft, Lightweight Aeroplanes and Ultralight Aeroplanes) Instrument 2024*, as in force from time to time.

Operations Manager means:

- (a) in relation to a relevant aircraft registered with Recreational Aviation Australia Limited, ARN 224806 — the person holding the position of Head of Flight Operations of the entity; or
- (b) in relation to a relevant aircraft registered with Sports Aviation Federation of Australia Limited, ARN 217853 — the person holding the position of Chief Operating Officer of the entity; or
- (c) in relation to a relevant aircraft registered with Australian Sport Rotorcraft Association Incorporated, ARN 223306 — the person holding the position of Operations Manager of the entity.

R979A means the restricted area with that designation, declared by a NOTAM, as it exists from time to time, in the vicinity of Avalon aerodrome.

relevant aircraft means an aircraft to which this instrument applies under section 4.

relevant airspace means Class C or D airspace in the vicinity of Avalon aerodrome.

Note Class C and Class D airspace is determined from time to time in a legislative instrument made under regulation 5 of the *Airspace Regulations 2007*. As at the date of commencement of this instrument, the legislative instrument is *CASA OAR 186/24 — Determination of Airspace and Controlled Aerodromes, Etc. (Designated Airspace Handbook) Instrument 2024* and is available at <<https://www.legislation.gov.au/Details/F2024L01502>>.

4 Application

This instrument applies in relation to a CAO 95.10 aircraft, CAO 95.12 aircraft, CAO 95.12.1 aircraft, CAO 95.32 aircraft or CAO 95.55 aircraft.

5 Exemptions — CAO 95.10 aircraft

- (1) The operator, or pilot in command, of a CAO 95.10 aircraft is exempt from complying with the flight condition mentioned in subparagraph 10.1(h) of Civil Aviation Order 95.10, to the extent the aircraft is flown in R979A.
- (2) The operator, or pilot in command, of a CAO 95.10 aircraft is exempt from complying with the flight conditions mentioned in sub-subparagraph 10.1(h)(ii) and paragraph 10.2 of Civil Aviation Order 95.10, to the extent the aircraft is flown in the relevant airspace or R979A.
- (3) If a person has an obligation under the exempted provisions mentioned in subsection (8) in relation to a CAO 95.10 aircraft, while operating it in R979A, the person is exempt from complying with the obligation.
- (4) The pilot in command of a CAO 95.10 aircraft is exempt from complying with Part 61 of CASR in relation to the pilot's operation of the aircraft in R979A.
- (5) The pilot in command of a CAO 95.10 aircraft is exempt from complying with paragraph 200.025(b) and subparagraph 200.030(c)(ii) of CASR in relation to the pilot's operation of the aircraft in R979A, to the extent the relevant sport aviation body's operations manual does not allow the pilot to operate the aircraft in R979A.
- (6) The exemptions stated in subsections (3) to (5) are subject to the condition that the person granted the exemption complies with the conditions stated in subsections 9 to 11 of Civil Aviation Order 95.10, other than subparagraph 10.1(h), to the extent the conditions apply to the person.
- (7) The exemptions stated in subsections (1) to (5) are subject to the conditions stated in Schedule 1, to the extent the conditions apply to the person granted the exemptions.
- (8) For subsection (3), the *exempted provisions* are the following provisions of CAR or CASR:
 - (a) Parts 4, 4A, 4B, 4C and 4D of CAR; and
 - (b) the following provisions of CASR:
 - (i) regulations 91.095, 91.105, 91.110, 91.115, 91.145, 91.155, 91.267, 91.390, 91.415, 91.425, 91.550, 91.585, 91.590, 91.595, 91.605, 91.615, 91.625, 91.725, 91.810 and 91.915;
 - (ii) Subpart 91.Y;
 - (iii) Parts 13, 33, 35, 45, 47, 64 and 90.
- (9) The exempted provision regulation 91.390 of CASR does not apply in relation to a microlight aeroplane that is a 3-axis aeroplane.

6 Exemptions — CAO 95.12 aircraft

- (1) The operator, or pilot in command, of a CAO 95.12 aircraft is exempt from complying with the flight condition mentioned in subparagraph 11.1(i) of Civil Aviation Order 95.12, to the extent the aircraft is flown in R979A.
- (2) The operator, or pilot in command, of a CAO 95.12 aircraft is exempt from complying with the flight conditions mentioned in sub-subparagraph 11.1(i)(ii) and paragraph 11.2 of Civil Aviation Order 95.12, to the extent the aircraft is flown in the relevant airspace or R979A.

- (3) If a person has an obligation under the exempted provisions mentioned in subsection (8) in relation to a CAO 95.12 aircraft, while operating it in R979A, the person is exempt from complying with the obligation.
- (4) The pilot in command of a CAO 95.12 aircraft is exempt from complying with Part 61 of CASR in relation to the pilot's operation of the aircraft in R979A.
- (5) The pilot in command of a CAO 95.12 aircraft is exempt from complying with paragraph 200.025(b) and subparagraph 200.030(c)(ii) of CASR in relation to the pilot's operation of the aircraft in R979A, to the extent the relevant sport aviation body's operations manual does not allow the pilot to operate the aircraft in R979A.
- (6) The exemptions stated in subsections (3) to (5) are subject to the condition that the person granted the exemption complies with the conditions stated in subsections 9, 11 and 12 of Civil Aviation Order 95.12, other than subparagraph 11.1(i), to the extent the conditions apply to the person.
- (7) The exemptions stated in subsections (1) to (5) are subject to the conditions stated in Schedule 1, to the extent the conditions apply to the person granted the exemptions.
- (8) For subsection (3), the *exempted provisions* are the following provisions of CAR and CASR:
 - (a) Parts 4 to 4D (inclusive) of CAR; and
 - (b) the following provisions of CASR:
 - (i) regulations 91.095, 91.105, 91.110, 91.115, 91.145, 91.155, 91.267, 91.415, 91.430, 91.550, 91.585, 91.590, 91.595, 91.605, 91.615, 91.625, 91.725 and 91.915;
 - (ii) Subparts 91.K and 91.Y;
 - (iii) Parts 13, 27, 33, 35, 45, 47, 64 and 90.

7 Exemptions — CAO 95.12.1 aircraft

- (1) The operator, or pilot in command, of a CAO 95.12.1 aircraft is exempt from complying with the flight condition mentioned in subparagraph 12.1K(a) of Civil Aviation Order 95.12.1, to the extent the aircraft is flown in R979A.
- (2) The operator, or pilot in command, of a CAO 95.12.1 aircraft is exempt from complying with the flight conditions mentioned in subparagraph 12.1K(b) and subsection 12A of Civil Aviation Order 95.12.1, to the extent the aircraft is flown in the relevant airspace or R979A.
- (3) If a person has an obligation under the exempted provisions mentioned in subsection (8) in relation to a CAO 95.12.1 aircraft, while operating it in R979A, the person is exempt from complying with the obligation.
- (4) The pilot in command of a CAO 95.12.1 aircraft is exempt from complying with Part 61 of CASR in relation to the pilot's operation of the aircraft in R979A.
- (5) The pilot in command of a CAO 95.12.1 aircraft is exempt from complying with paragraph 200.025(b) and subparagraph 200.030(c)(ii) of CASR in relation to the pilot's operation of the aircraft in R979A, to the extent the relevant sport aviation body's operations manual does not allow the pilot to operate the aircraft in R979A.
- (6) The exemptions stated in subsections (3) to (5) are subject to the condition that the person granted the exemption complies with the conditions stated in

- subsections 9, 10, 12 and 13, of Civil Aviation Order 95.12.1, other than paragraph 12.1K, to the extent the conditions apply to the person.
- (7) The exemptions stated in subsections (1) to (5) are subject to the conditions stated in Schedule 1, to the extent the conditions apply to the person granted the exemptions.
 - (8) For subsection (3), the *exempted provisions* are the following provisions of CAR and CASR:
 - (a) Parts 4 to 4D (inclusive) of CAR; and
 - (b) the following provisions of CASR:
 - (i) regulations 91.095, 91.105, 91.110, 91.115, 91.145, 91.155, 91.267, 91.415, 91.430, 91.550, 91.585, 91.590, 91.595, 91.605, 91.615, 91.625, 91.725 and 91.915;
 - (ii) Subparts 91.K and 91.Y;
 - (iii) Parts 13, 45, 47, 64 and 90.

8 Exemptions — CAO 95.32 aircraft or CAO 95.55 aircraft

- (1) The operator, or pilot in command, of a CAO 95.32 aircraft is exempt from complying with the flight conditions mentioned in subparagraph 8.1K(b) and subsection 8B of Civil Aviation Order 95.32, to the extent the aircraft is operated in the relevant airspace or R979A.
- (2) The operator, or pilot in command, of a CAO 95.55 aircraft is exempt from complying with the flight conditions mentioned in sub-subparagraph 9.1(j)(ii) and subsection 9A of Civil Aviation Order 95.55, to the extent the aircraft is operated in the relevant airspace or R979A.
- (3) The exemptions are subject to the conditions stated in Schedule 1, to the extent the conditions apply to the operator, or pilot in command, of the aircraft.

Schedule 1 Conditions

- 1 The aircraft must be fitted with a radio capable of two-way communication with air traffic control within at least 10 nautical miles of Avalon aerodrome.
- 2 The pilot in command must verify the serviceability of the radio immediately before take-off for a flight in R979A.
- 3 The pilot in command must comply with the AIP Supplement H01/25, as it exists from time to time, for operations at Avalon aerodrome.
- 4 The pilot in command may land the aircraft at Avalon aerodrome only in accordance with the written approval of AMDA Foundation Limited, ARN 530518.

Note AMDA Foundation Limited is the organiser of the Australian International Airshow 2025 at Avalon Aerodrome.
- 5 Subject to clause 6, the pilot in command must obtain the Operations Manager's written approval for the pilot to operate the aircraft in R979A, stating that the Operations Manager is satisfied the pilot has demonstrated the necessary competencies to conduct the operation safely.

- 6 The pilot in command is not required to have the written approval mentioned in clause 5 if the pilot:
 - (a) holds a pilot licence, which is valid for the aircraft, with an aeroplane category rating issued under Part 61 of CASR that allows the pilot to fly in controlled airspace; and
 - (b) has a valid flight review for the class rating for the aircraft under Part 61 of CASR.
-