



Australian Government

Civil Aviation Safety Authority

CASA EX70/18 – EPC Requirements for ATOs Transitioning to the FER – Exemption 2018 **(as amended)**

made under regulation 11.160 of the *Civil Aviation Safety Regulations 1998*.

This compilation was prepared on 23 April 2020 taking into account amendments up to *CASA EX69/20 – EPC Requirements for ATOs Transitioning to the FER (Extensions of Time Due to COVID-19) – Exemption Amendment Instrument 2020 (No. 1)* as amended and in force on 22 April 2020.

Prepared by the Advisory and Drafting Branch, Legal, International & Regulatory Affairs Division, Civil Aviation Safety Authority, Canberra.

Compilation No. 1.

1 Name

This instrument is *CASA EX70/18 – EPC requirements for ATOs transitioning to the FER – Exemption 2018*.

2 Duration

This instrument:

- (a) commences on 1 September 2018; and
- (b) is repealed at the end of 30 November 2020.

3 Definitions

- (1) In this instrument:

ATO delegation holder means a person who, as an approved testing officer, was a delegate of CASA under an instrument of delegation that expires at the end of 31 August 2018.

CASR means the *Civil Aviation Safety Regulations 1998*.

EPC means an examiner proficiency check.

FER holder means the holder of a flight examiner rating granted by CASA under subregulation 202.272 (2) of CASR to an ATO delegation holder.

- (2) Subject to subsection (1), in this instrument words and phrases have the same meaning as in Part 61 of CASR, unless the contrary intention appears.
- (3) In this instrument, a numerical reference to a provision that includes the number 61 is a reference to the provision as contained in Part 61 of CASR.

4 Application

- (1) This instrument applies to an FER holder (a **relevant FER holder**) who is granted an FER that takes effect on 1 September 2018.

Note The effect of subsection 4 (1) is that the instrument also applies to a small number of former ATO delegation holders who had been granted an earlier FER but for a set of privileges

different from those which they were still exercising under their retained ATO delegation. For the retained ATO privileges, they will be granted an FER to take effect on 1 September 2018.

- (2) This instrument does not apply to a relevant FER holder who, in the 2 years immediately before 1 September 2018, successfully completed an EPC.

Note For relevant FER holders who completed an EPC during the 2 years before 1 September 2018, the requirements of regulation 61.1285 apply to ensure that the requisite frequency cycle of EPCs set in motion at that time is maintained for the FER holder.

5 Exemptions

Each relevant FER holder is exempted from subregulation 61.1285 (2), but only to the extent that a valid EPC is one the holder has to have during the period referred to in:

- (a) paragraph 61.1285 (2) (a); or
- (b) paragraph 61.1285 (2) (b); or
- (c) paragraph 61.1285 (2) (c); or
- (d) paragraph 61.1285 (2) (d).

6 Condition on exemptions

Each exemption of a relevant FER holder mentioned in section 5 is subject to the condition that the holder must complete an EPC in accordance with Schedule 1.

Schedule 1 Timetable for completion of EPC

- 1 Subject to clause 2, for a relevant FER holder whose birthday occurs during a month mentioned in a row of column 1 of the Table, the holder must complete an EPC by:
 - (a) if the holder's year of birth is an uneven number — not later than the date mentioned in the same row in column 2 of the Table; or
 - (b) if the holder's year of birth is an even number — not later than the date mentioned in the same row in column 3 of the Table.
- 2 For an FER holder whose date of birth occurred on 29 February in a leap year, the holder must complete an EPC by not later than 31 March 2020.

Table

For a birthday that occurs in the month of:	an EPC must be completed by not later than:	
	for a year of birth that is an uneven number (for example 1969, 1971):	for a year of birth that is an even number (for example 1970, 1972):
January	31 January 2019	31 January 2020
February	28 February 2019	28 February 2020
March	31 March 2019	30 June 2020
April	30 April 2019	31 July 2020
May	31 May 2019	31 August 2020
June	30 June 2019	30 September 2020
July	31 July 2019	31 October 2020
August	31 August 2019	30 November 2020
September	30 September 2019	30 September 2018
October	31 October 2019	31 October 2018
November	30 November 2019	30 November 2018
December	31 December 2019	31 December 2018

Note The Table, as amended, now reads as follows (emphasis added for this Note only):

For a birthday that occurs in the month of:	an EPC must be completed by not later than:	
	for a year of birth that is an uneven number (for example 1969, 1971):	for a year of birth that is an even number (for example 1970, 1972):
January	31 January 2019	31 January 2020
February	28 February 2019	28 February 2020
March	31 March 2019	30 June 2020
April	30 April 2019	31 July 2020
May	31 May 2019	31 August 2020
June	30 June 2019	30 September 2020
July	31 July 2019	31 October 2020
August	31 August 2019	30 November 2020
September	30 September 2019	30 September 2018
October	31 October 2019	31 October 2018
November	30 November 2019	30 November 2018
December	31 December 2019	31 December 2018

Table

Notes to CASA EX70/18 – EPC Requirements for ATOs Transitioning to the FER – Exemption 2018

Note 1

CASA EX70/18 – EPC Requirements for ATOs Transitioning to the FER – Exemption 2018 (in force under regulation 11.160 of the *Civil Aviation Safety Regulations 1998*) as shown in this compilation is amended as indicated in the tables below.

Table of instruments

Title	Date of FRLI registration	Date of commencement	Application, saving or transitional provisions
CASA EX70/18 EPC Requirements for ATOs Transitioning to the FER – Exemption 2018	25 June 2018 (see F2018L00871)	1 September 2018 (see s. 2)	—
CASA EX69/20 EPC Requirements for ATOs Transitioning to the FER (Extensions of Time Due to COVID-19) – Exemption Amendment Instrument 2020 (No. 1)	22 April 2020 (see F2020L00456)	22 April 2020 (see s. 2)	—

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Schedule 1	am. F2020L00456