

EXEMPTION NUMBER: CASA EX38/2004

CIVIL AVIATION ACT 1988

CIVIL AVIATION REGULATIONS 1988

**EXEMPTION FROM OBTAINING APPROVAL OF
FLIGHT CHECK SYSTEM**

I, BRUCE ROBERT GEMMELL, Deputy Chief Executive and Chief Operating Officer, a delegate of CASA, under subregulation 308 (1) of the *Civil Aviation Regulations 1988* (CAR 1988), having taken into account all relevant considerations relating to the interests of safety:

- (a) revoke instrument CASA EX04/2003; and
- (b) exempt operators of aircraft included in the category of aircraft identified in Schedule 1 from compliance with the requirement to obtain CASA approval of flight check systems under subregulation 232 (2); and
- (c) exempt all persons associated with the operation of those aircraft from compliance with subregulation 232 (5).

Under subregulation 308 (3) of CAR 1988, the exemption is issued subject to compliance with the conditions specified in Schedule 2.

SCHEDULE 1

CATEGORY OF AIRCRAFT

1. Single and multi-engine piston engine aircraft not above 5700 kg maximum take-off weight and not involved in Regular Public Transport (RPT) operations.
2. Single turbine engine helicopters certificated in the restricted category not above 5700 kg maximum take-off weight.
3. Aircraft engaged in agricultural operations.
4. Aircraft engaged in private operations.
5. Single turbine engine helicopters certificated in the normal category and not involved in RPT operations.
6. Hot air balloons.

SCHEDULE 2

CONDITIONS

1. Subject to paragraph 2, in the case of commercial operations, the operator must ensure that the flight check system is outlined and published in the operator's operations manual required by subregulation 215 (2) of CAR 1988.
2. If the information, procedures or instructions are contained in the aircraft flight manual, as required to be carried by paragraph 139 (1) (e) of CAR 1988, then the operator must ensure that the operations manual refers to the flight manual.

[Signed B. Gemmell]

Bruce Gemmell
Deputy Chief Executive and
Chief Operating Officer

14 October 2004