

Civil Aviation Amendment Order (No. R43) 2004

I, WILLIAM BRUCE BYRON, Director of Aviation Safety, on behalf of CASA, issue the following Civil Aviation Order under subregulation 5.14 (1) regulation 5.16, subregulation 5.17 (3), regulation 5.18, subregulation 5.20 (1), subregulation 5.22 (1), and subregulation 5.23 (1) of the *Civil Aviation Regulations 1988*.

[signed by Bruce Byron]

Bruce Byron
Director of Aviation Safety and
Chief Executive Officer

2 December 2004

1 Name of Order

This Order is the Civil Aviation Amendment Order (No. R43) 2004.

2 Commencement

This Order commences on gazettal.

3 Replacement of section 40.7 of the Civil Aviation Orders

Section 40.7 of the Civil Aviation Orders is omitted and a new section substituted as set out in Schedule 1.

Schedule 1 Substitution of section 40.7 of the Civil Aviation Orders

SECTION 40.7

AIRCRAFT ENDORSEMENTS (BALLOONS) AND FLIGHT INSTRUCTOR (BALLOONS) RATINGS

2 INTERPRETATION

2.1 In this subsection:

flight instructor means a person who holds a flight instructor (balloon) rating.

2.2 A reference in this section to a regulation or subregulation identified by a numerical code (for example, 5.18 or 5.22 (1)) is a reference to the regulation or subregulation identified by that code in the *Civil Aviation Regulations 1988*.

3 PRESCRIPTION OF ENDORSEMENTS

3.1 For the purposes of regulation 5.22 (1), the following class endorsements are prescribed for balloons:

- (a) class 1 endorsement;
- (b) class 2 endorsement;
- (c) class 3 endorsement;
- (d) class 4 endorsement;
- (e) class 5 endorsement.

7 AUTHORITY GIVEN BY CLASS ENDORSEMENT

7.1 A class endorsement mentioned in subsection 3 authorises the holder of the endorsement to fly a balloon included in the class as pilot in command, or co-pilot.

12 ENDORSEMENTS

12.4 For the purposes of subregulation 5.23 (1), the requirements for the issue of a class 1 endorsement are:

- (a) the person seeking the endorsement must:
 - (i) hold a commercial pilot (balloon) licence; and
 - (ii) have completed, in a hot air balloon, the course of flying training set out in regulation 5.146; and

- (iii) have passed, in a hot air balloon, a commercial pilot (balloon) licence flight test; or
 - (b) the person seeking the endorsement must:
 - (i) hold a commercial pilot (balloon) licence; and
 - (ii) hold a class 5 endorsement; and
 - (iii) have completed, in a hot air balloon, a course of flying training in accordance with paragraph 12.11; or
 - (c) the person seeking the endorsement must hold, or have held, an overseas balloon endorsement that is at least equivalent to a class 1 endorsement.
- 12.5 For the purposes of subregulation 5.23 (1), the requirements for the issue of a class 2 endorsement are:
- (a) the person seeking the endorsement must:
 - (i) have at least 125 hours aeronautical experience as pilot in command, being experience that includes not less than 40 hours as pilot in command of a balloon engaged in charter operations; and
 - (ii) hold a class 1 endorsement and have undertaken at least 6 hours of flying training in a class 2 balloon, being training conducted by a flight instructor who holds a class 2 endorsement; or
 - (b) the person seeking the endorsement must:
 - (i) hold, or have held, an overseas balloon endorsement that is at least equivalent to a class 2 endorsement; and
 - (ii) satisfy the requirements of subparagraph (a) (i).
- 12.6 The requirements for the issue of a class 3 endorsement are:
- (a) the person seeking the endorsement must:
 - (i) have at least 175 hours aeronautical experience as pilot in command, being experience that includes not less than 80 hours as pilot in command of a balloon engaged in charter operations; and
 - (ii) either:
 - (A) hold a class 2 endorsement and have undertaken at least 6 hours of flying training in a class 3 balloon conducted by a flight instructor who holds a class 3 endorsement; or
 - (B) hold a class 1 endorsement and have undertaken at least 10 hours of flying training in a class 3 balloon conducted by a flight instructor who holds a class 3 endorsement; or

- (b) the person seeking the endorsement must:
 - (i) hold, or have held, an overseas balloon endorsement that is at least equivalent to a class 3 endorsement; and
 - (ii) satisfy the requirements of subparagraph (a) (i).
- 12.7 For the purposes of sub-subparagraphs 12.5 (a) (ii) and 12.6 (a) (ii), the flying training must include 5 flights in a free balloon.
- 12.8 For the purposes of subregulation 5.23 (1), the requirements for the issue of a class 4 endorsement are:
 - (a) the person seeking the endorsement must:
 - (i) have at least 250 hours aeronautical experience as pilot in command, being experience that includes not less than 150 hours as pilot in command of a balloon engaged in charter operations; and
 - (ii) satisfy the requirements of subparagraph 12.6 (a) (ii); and
 - (iii) have undertaken at least 2 flights in a class 4 balloon during which the person received flying training conducted by a flight instructor who holds a class 4 endorsement or by an approved person; or
 - (b) the person seeking the endorsement must:
 - (i) hold, or have held, an overseas balloon endorsement that is at least equivalent to a class 4 endorsement; and
 - (ii) satisfy the requirements of subsubparagraph (a) (i).
- 12.9 For the purposes of sub-subparagraph 12.8 (a) (iii), each flight must consist of not less than 30 minutes free flight time.
- 12.10 For the purposes of subregulation 5.23 (1), the requirements for the issue of a class 5 endorsement are:
 - (a) that the person seeking the endorsement must:
 - (i) hold a commercial pilot (balloon) licence; and
 - (ii) have completed, in a gas balloon, the course of flying training set out in regulation 5.146; and
 - (iii) have passed, in a gas balloon, a commercial pilot (balloon) licence flight test; or
 - (b) the person seeking the endorsement must:
 - (i) hold a commercial pilot (balloon) licence; and
 - (ii) hold a class 1 endorsement; and
 - (iii) have completed, in a gas balloon, a course of flying training in accordance with paragraph 12.11; or
 - (c) the person seeking the endorsement must hold, or have held, an overseas balloon endorsement that is at least equivalent to a class 5 endorsement.
- 12.11 For the purposes of sub-subparagraphs 12.4 (b) (iii) and 12.10 (b) (iii), the course of flying training must consist of at least 5 hours flying

training by an authorised flight instructor that includes 3 flights in a free balloon and 1 flight in a tethered balloon.

12.12 For the purposes of this subsection, an overseas balloon endorsement is equivalent to a particular class endorsement if it authorises the holder of the endorsement to fly balloons included in the relevant class as pilot in command while the balloon is engaged in aerial work, or charter, operations.

12.13 CASA may approve persons for the purposes of sub-subparagraph 12.8 (a) (iii).

12.14 In this subsection:

overseas balloon endorsement means a qualification (whether it is called an endorsement, rating or authority, or is known by some other name):

- (a) that authorises the holder of the qualification to fly a particular class of balloon; and
- (b) that was issued by the responsible authority of a Contracting State.

16 FLIGHT INSTRUCTOR (BALLOON) RATING

16.1 For the purposes of subregulation 5.14 (1):

- (a) the flight tests that must be passed; and
- (b) the other requirements that must be satisfied;

for the issue, or renewal, of a flight instructor (balloon) rating are set out in this subsection.

16.1.1 An applicant for a flight instructor (balloon) rating must:

- (a) have the aeronautical experience set out in paragraph 16.2; and
- (b) pass a flight test conducted by CASA, an approved testing officer or an approved person in accordance with the flight instructor (balloon) rating flight test report form.

16.2 For the purposes of subparagraph 16.1.1 (a), the aeronautical experience must consist of:

- (a) at least 250 hours as pilot in command that includes not less than:
 - (i) 100 hours free flight time in a balloon engaged in charter operations; and
 - (ii) 10 hours tethered flight time; and
- (b) holding a commercial pilot (balloon) licence that has been in force for the immediately preceding period of 2 years.

16.3 For the purposes of subregulation 5.17 (3), a flight instructor (balloon) rating remains in force for the period of:

- (a) 1 year from the day on which the rating was issued; or
- (b) 2 years from the day on which the rating was renewed.

- 16.4 An applicant for the renewal of a flight instructor (balloon) rating must pass a flight test conducted by CASA, an approved test officer or an approved person in accordance with the flight instructor rating test report form.
- 16.5 For the purposes of regulation 5.18, a flight instructor (balloon) rating authorises the holder of the rating:
- (a) to give flying training in accordance with the balloon syllabus; and
 - (b) to give flying training for the issue of an aircraft endorsement for a balloon, being an endorsement held by the holder; and
 - (c) to conduct a balloon flight review; and
 - (d) if the holder is approved under regulation 5.20 — to give training for the issue or renewal of a balloon rating.
- 16.6 For the purposes of subregulation 5.20 (1), the holder of a pilot licence and a flight instructor (balloon) rating is approved to give flying training for the issue of a balloon grade of night V.F.R. rating if he or she holds a balloon grade of night V.F.R. rating.