



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX86/09

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, on behalf of CASA, make this instrument under subregulation 308 (1) of the *Civil Aviation Regulations 1988* (**CAR 1988**).

[Signed John F. McCormick]

John F. McCormick
Director of Aviation Safety

29 October 2009

Exemption — flight training using ultralight aeroplanes registered with Recreational Aviation Australia Incorporated at West Sale Aerodrome

1 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) stops having effect at the earlier of:
 - (i) the letter of agreement between A.W. & W.E. Peters Pty Ltd, trading as Gippsland Flight Centre, Aviation Reference Number (**ARN**) 439702 (the **operator**) and RAAF Base East Sale ceasing to have effect; or
 - (ii) the end of 30 September 2011.

2 Revocation

Instrument CASA EX55/07 is revoked.

3 Application

This instrument applies to a flight:

- (a) using an ultralight aeroplane registered with Recreational Aviation Australia Incorporated, ARN 224806 (the **RAA**), at West Sale Aerodrome (YWSL) (the **operation**); and
- (b) by:
 - (i) a student under the control of the operator; or
 - (ii) a pilot undertaking flight training under the control of the operator for the operation.

4 Exemption

The operator is exempt from complying with the following provisions of CAR 1988 when conducting the operation:

- (a) regulations 36A and 37;
- (b) Parts 4A, 4B, 4C, 4D and 5;
- (c) regulations 133, 139, 155, 157, 207, 208 and 230;
- (d) subregulation 242 (2);
- (e) regulations 252 and 252A.

5 Conditions

The exemption is subject to the conditions mentioned in Schedule 1.

Schedule 1 Conditions

- 1 The aeroplane:
 - (a) may only be operated by a person as pilot in command who holds at least a valid student pilot certificate; and
 - (b) subject to this Schedule, must be operated in accordance with:
 - (i) the privileges and limitations of the certificate; and
 - (ii) the RAA Operations Manual; and
 - (c) must be maintained in accordance with the maintenance standard set out in the RAA Technical Manual; and
 - (d) must be fitted with at least a serviceable VHF radio capable of two-way communication with Air Traffic Control (*ATC*); and
 - (e) must not have been modified without the approval of CASA or a person authorised for regulation 35 of CAR 1988; and
 - (f) may only be flown in daylight hours:
 - (i) in visual meteorological conditions; or
 - (ii) under special V.F.R. as directed by ATC; and
 - (g) must not be flown over a built-up area at a height from which it cannot glide clear of all dwellings, buildings and persons within the built-up area; and
 - (h) must not be flown in acrobatic flight; and
 - (i) may be flown inside an area that has been designated in the AIP as a restricted area only:
 - (i) if it is fitted with an engine of a kind to which paragraph 6.1 of Civil Aviation Order 101.55 (*CAO 101.55*) applies, or that CASA has approved as being suitable for use in the aircraft, and is not subject to any conditions; and
 - (ii) if the pilot plans to land at, or take off from, an aerodrome at which it is a requirement that the aeroplane be fitted with a transponder, the aeroplane is fitted with a serviceable transponder suitable for use at the aerodrome; and
 - (iii) if the transponder fitted in accordance with subparagraph (ii) is maintained in accordance with CASA AD/RAD/43 and CASA AD/RAD/47 current at the time of this instrument.
- 2 For paragraph 1 (d), the VHF radio equipment may only be used by a person who holds a valid flight radiotelephone operator licence or an RAA radio operator endorsement.
- 3 The person conducting the flight training must hold a valid flight instructor rating issued by the RAA and a CASA private pilot licence (aeroplane) endorsed for the category of airspace.
- 4 Each student must hold at least a class 2 medical certificate.
- 5 As soon as possible after an incident or accident, the operator must report it to:
 - (a) the Australian Transport Safety Bureau; and
 - (b) the CASA Sports Aviation Office; and
 - (c) the RAA.
- 6 The operator:
 - (a) must ensure that the instructor enters the airspace certification in each student's log book; and
 - (b) may use the RAA syllabus for instructing students; and
 - (c) must ensure that first solo flights are authorised by an instructor holding:
 - (i) a senior RAA flight instructor rating; and
 - (ii) CASA private pilot licence (aeroplane) endorsed for the category of airspace; and
 - (d) must use the CASA Day (VFR) Syllabus — Aeroplanes for controlled airspace elements.
- 7 The aeroplane must:
 - (a) be certified to the design standards mentioned in CAO 101.55; or
 - (b) meet the criteria mentioned in subregulation 21.024 (1) or 21.186 (1) of the *Civil Aviation Safety Regulations 1998*.