



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX127/11

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, on behalf of CASA, make this instrument under subregulation 11.160 (1) of the *Civil Aviation Safety Regulations 1998*.

[Signed John F. McCormick]

John F. McCormick
Director of Aviation Safety

24 November 2011

Exemption — recency requirements for night flying (Eastern Australia Airlines Pty Limited and Sunstate Airlines (Qld) Pty Limited)

1 Duration

This instrument:

- (a) commences on 1 December 2011; and
- (b) stops having effect at the end of 30 November 2014.

2 Application

The instrument applies to a flight undertaken by a commercial (aeroplane) pilot or an air transport (aeroplane) pilot:

- (a) at night; and
- (b) as the pilot in command of an aeroplane operated by Eastern Australia Airlines Pty Limited, Aviation Reference Number (*ARN*) 401654, or Sunstate Airlines (Qld) Pty Limited, ARN 065667.

3 Exemption

A pilot to whom this exemption applies is exempt from compliance with paragraphs 5.109 (1) (b) and 5.170 (1) (b) of the *Civil Aviation Regulations 1988*.

4 Conditions

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

Schedule 1 Conditions

- 1 Subject to this Schedule, a pilot must not carry out a flight to which this instrument applies unless, within the period of 90 days immediately before the day of the proposed flight, he or she has carried out at least 3 take-offs and 3 landings at night, consisting of take-offs and landings in an aeroplane of the same type or in a flight simulator approved for aeroplanes of that type.
 - 2 A pilot who does not meet the requirements of clause 1 must, before carrying out a flight to which this instrument applies, meet the recency requirements in either clause 3 or 6.
 - 3 Subject to clauses 4 and 5, a pilot may carry out a flight to which this instrument applies if he or she has carried out a take-off and landing at night within the period of 30 days referred to in clause 4:
 - (a) under the supervision of a person holding a delegation to issue or renew ratings or conduct flight tests; and
 - (b) while line flying in an aeroplane of the same type or in a flight simulator approved for aeroplanes of that type.
 - 4 Satisfaction of the recency requirement referred to in clause 3 may only be used within the period of 30 days immediately following a period of 90 days in which the pilot has failed to maintain compliance with the recency requirement mentioned in clause 1.

Note The purpose of clauses 3 and 4 is to allow a pilot a further period of 30 days in which to renew recency in accordance with clause 1.
 - 5 A pilot who has relied on the requirement mentioned in clause 3 must, after the expiry of the period of 30 days referred to in clause 4, show compliance with the requirements of either clause 1 or 6 before carrying out a flight to which this instrument applies.

Note Clause 4 can be relied on only in order to give a pilot a chance to renew recency in accordance with clause 1. If that has not been accomplished at the end of the 30 days, then the pilot must have undergone the training referred to in clause 6 in the last 180 days in order to claim recency.
 - 6 A pilot may carry out a flight to which this instrument applies if, in the immediately preceding 180 days and in accordance with the operator's CASA approved cyclic training program, he or she:
 - (a) has carried out a training flight at night in an aeroplane of the same type; or
 - (b) has undergone equivalent training in a flight simulator approved for aeroplanes of that type.
 - 7 A copy of the instrument must be included in the Eastern Australia Airlines Pty Limited or Sunstate Airlines (Qld) Pty Limited operations manual.
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