



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX61/15

I, JONATHAN ALECK, Associate Director of Aviation Safety, on behalf of CASA, make this instrument under subregulation 11.160 (1) of the *Civil Aviation Safety Regulations 1998* (**CASR 1998**).

**[Signed Jonathan Aleck]**

Jonathan Aleck  
Associate Director of Aviation Safety

27 April 2015

### **Exemption — solo flight training using ultralight aeroplanes registered with the RAA at Moorabbin Aerodrome**

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#### **1 Duration**

This instrument:

- (a) commences on the day of registration; and
- (b) expires at the end of March 2017, as if it had been repealed by another instrument.

#### **2 Definition**

In this instrument:

**solo**, in relation to a flight of an aircraft, means a flight in which the pilot is the sole occupant of the aircraft.

#### **3 Application**

This instrument applies to each solo flight (the **operation**):

- (a) using an ultralight aeroplane registered with Recreational Aviation Australia Incorporated, Aviation Reference Number (**ARN**) 224806 (the **RAA**), at Moorabbin Aerodrome; and
- (b) by:
  - (i) a student under the control of Oasis Flight Training Pty. Ltd., ARN 590036 (the **operator**); or
  - (ii) a pilot under the control of the operator for the operation and carrying out of training sequences authorised by the operator's chief flying instructor (**CFI**).

#### **4 Exemption**

The operator and pilot are exempt from complying with CASR 1998 and the following provisions of the *Civil Aviation Regulations 1988* when conducting the operation:

- (a) regulation 37;
- (b) Parts 4A, 4B, 4C and 4D;
- (c) regulations 133, 139, 155, 157, 207, 208 and 230;

- (d) subregulation 242 (2);
- (e) regulations 252 and 258.

## 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 standards 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 unless the design of the modification has been approved:
    - (i) subject to subparagraph (ii), by the manufacturer or under Subpart 21.M of CASR 1998; or
    - (ii) in the case of an aircraft to which regulation 21.186 applies, by the manufacturer only; and
  - (f) may only be flown in daylight hours:
    - (i) in V.M.C; or
    - (ii) under special V.F.R. as approved 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) must either:
    - (i) be certified to the design standards mentioned in Civil Aviation Order 101.55 (*CAO 101.55*); or
    - (ii) meet the criteria mentioned in subregulation 21.024 (1) or 21.186 (1) of CASR 1998; and
  - (j) may be flown inside controlled airspace only if the aeroplane:
    - (i) is fitted with an engine of a kind to which paragraph 6.1 of CAO 101.55 applies or that CASA has approved as being suitable for use in the aircraft without any conditions; and
    - (ii) if the pilot plans to land at, or take off from, an aerodrome at which it is required to be fitted with a transponder — is fitted with a transponder suitable for use at the aerodrome; and
  - (k) may be flown inside controlled airspace only if the transponder that is fitted to the aeroplane is maintained in accordance with CASA AD/RAD/47 as current at the time of this instrument.
- 2 For paragraph 1 (d), the radiotelephone equipment may only be used by a person who holds a valid flight radiotelephone operator licence, an aeronautical radio operator

certificate, a recreational pilot licence with a flight radio endorsement or an RAA radio operator endorsement.

- 3 The person conducting the flight training must hold a valid RAA flight instructor rating and a valid pilot licence that allows the holder to fly inside the controlled airspace.
- 4 Each pilot in command must hold a class 1 or class 2 medical certificate or a CASA recreational aviation medical practitioner's certificate.
- 5 As soon as possible after an incident or accident, the CFI must report it to:
  - (a) the Australian Transport Safety Bureau; and
  - (b) the Team Leader, Self-Administering Sport Aviation Organisations Section, CASA; and
  - (c) the RAA.

*Note* Reports to the Team Leader, Self-Administering Sport Aviation Organisations Section, CASA, may be sent by email to [sport@casa.gov.au](mailto:sport@casa.gov.au).

- 6 The operator may use the RAA syllabus for instructing students, and:
    - (a) must ensure that the instructor enters the airspace certification in each student's log book; and
    - (b) must ensure that all solo flights under this exemption are authorised in writing by the CFI who must hold a valid pilot licence that allows the holder to fly inside the controlled airspace; and
    - (c) must ensure that the pilot in command has been assessed as competent to the standards specified in the Part 61 Manual of Standards for the controlled aerodrome endorsement, the controlled airspace endorsement and the flight radio endorsement; and
    - (d) must retain evidence of compliance with paragraphs (a), (b) and (c) for a period of not less than 5 years.
  - 7 The operator must allow CASA to carry out audits of its records and facilities to ensure that it is complying with the requirements of this exemption.
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