Instrument number CASA EX133/16

I, Mark Alan Skidmore, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998*.

**[Signed M. Skidmore]**

Mark Skidmore AM
Director of Aviation Safety

26 August 2016

Exemption — from examiner proficiency check for flight examiner rating holders

1 Duration

 This instrument:

(a) commences on the day of registration; and

(b) is repealed at the end of 30 June 2019.

2 Definitions

 (1) In this instrument:

***ATO delegation holder*** means a person who, as an approved testing officer, was a delegate of CASA under an instrument of delegation on the basis of which an FER is granted to the person before or after the commencement of this exemption instrument.

***CASR 1998*** means the *Civil Aviation Safety Regulations 1998*.

***EPC*** means an examiner proficiency check.

***FER*** means a flight examiner rating, but only as granted by CASA, under subregulation 202.272 (2) of CASR 1998, to an ATO delegation holder.

***FER holder***, or ***holder***,means a person who holds an FER.

 (2) Subject to subsection (1), in this instrument words and phrases have the same meaning as in Part 61 of CASR 1998, unless the contrary intention appears.

 (3) In this instrument, a numerical reference to a provision that includes the number 61 is a reference to the provision as contained in Part 61 of CASR 1998.

3 Application

 (1) Subject to subsection (2), this instrument applies to each FER holder.

 (2) This instrument does not apply to an FER holder if, on or after 1 September 2014, the holder completed a valid EPC to comply with the requirements of regulation 61.1285.

4 Exemptions

 Each FER holder is exempted from subregulation 61.1285 (2), but only to the extent that a valid EPC is one the holder has to have during the period referred to in:

(a) paragraph 61.1285 (2) (a); or

(b) paragraph 61.1285 (2) (b); or

(c) paragraph 61.1285 (2) (c); or

(d) paragraph 61.1285 (2) (d).

5 Condition on exemptions

 Each exemption of an FER holder mentioned in section 4 is subject to the condition that the holder must complete an EPC in accordance with Schedule 1.

*Note*   The date by which a deferred EPC must be completed by an FER holder is the same as the date by which the FER holder must complete a professional development program or an approved course of professional development under CASA EX134/16.

Schedule 1 Timetable for completion of EPC

 1 Subject to clause 2, for an FER holder whose birthday occurs during a month mentioned in a row of column 1 of the Table, the holder must complete an EPC by:

(a) if the holder’s year of birth is an uneven number — not later than the date mentioned in the same row in column 2 of the Table; or

(b) if the holder’s year of birth is an even number — not later than the date mentioned in the same row in column 3 of the Table.

 2 For an FER holder whose date of birth occurred on 29 February in a leap year, the holder must complete an EPC by not later than 31 March 2018.

**Table**

|  |  |
| --- | --- |
| **For a birthday that occurs in the month of:** | **an EPC must be completed by not later than:** |
| **for a year of birth that is an uneven number (for example 1969, 1971):** | **for a year of birth that is an even number (for example 1970, 1972):** |
| January | 31 January 2019 | 31 January 2018 |
| February | 28 February 2019 | 28 February 2018 |
| March | 31 March 2019 | 31 March 2018 |
| April | 30 April 2019 | 30 April 2018 |
| May | 31 May 2019 | 31 May 2018 |
| June | 30 June 2019 | 30 June 2018 |
| July | 31 July 2017 | 31 July 2018 |
| August | 31 August 2017 | 31 August 2018 |
| September | 30 September 2017 | 30 September 2018 |
| October | 31 October 2017 | 31 October 2018 |
| November | 30 November 2017 | 30 November 2018 |
| December | 31 December 2017 | 31 December 2018 |