



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX55/18

I, GRAEME MILLS CRAWFORD, Acting Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed G.M. Crawford]

Graeme M. Crawford
Acting Director of Aviation Safety

21 May 2018

CASA EX55/18 — Flight in Certain Ultralight Aeroplanes in Rockhampton Class D Airspace (Peace Aviation) Exemption 2018

1 Name

This instrument is *CASA EX55/18 — Flight in Certain Ultralight Aeroplanes in Rockhampton Class D Airspace (Peace Aviation) Exemption 2018*.

2 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) is repealed at the end of 30 April 2021.

3 Definitions

In this instrument:

CAO 95.55 means the *Civil Aviation Order 95.55 (Exemption from the provisions of the Civil Aviation Regulations 1988 — certain ultralight aeroplanes) Instrument 2018* (the **2018 CAO 95.55**), as in force from time to time, and any instrument that replaces the 2018 CAO 95.55, as in force from time to time.

CFI means the person who performs the duties and responsibilities of the chief flying instructor of Peace Aviation.

exempted person means each of the following:

- (a) Peace Aviation;
- (b) a Peace Aviation pilot;
- (c) a Peace Aviation restricted pilot.

Part 61 MOS means the *Part 61 Manual of Standards Instrument 2014*, as in force from time to time.

Peace Aviation means Peace Aviation Pty Ltd, ARN 760985.

Peace Aviation aeroplane means an aeroplane:

- (a) of a kind mentioned in subsection 1 of CAO 95.55; and
- (b) that is available for use by Peace Aviation for flight training purposes at Rockhampton aerodrome; and
- (c) maintained by a person authorised by Peace Aviation.

Peace Aviation pilot means the holder of a pilot certificate issued by, or under the delegated authority of, the RAA.

Peace Aviation restricted pilot means the holder of a student pilot certificate or converting pilot certificate issued by, or under the delegated authority of, the RAA.

RAA means Recreational Aviation Australia Limited, ARN 224806.

Rockhampton aerodrome means Rockhampton aerodrome, CASA certificate number 1-6Y7ZC.

solo has the same meaning as in regulation 61.010 of CASR.

4 Application

This instrument applies if:

- (a) Peace Aviation operates, or authorises the operation of, a Peace Aviation aeroplane in class D airspace at Rockhampton aerodrome; and
- (b) the aeroplane is flown by a Peace Aviation pilot or for solo flight training purposes by a Peace Aviation restricted pilot.

Note Class D airspace at Rockhampton aerodrome is determined from time to time in a legislative instrument made under regulation 5 of the *Airspace Regulations 2007*. At the date this instrument is signed, the legislative instrument is *CASA OAR 027/18 — Determination of Airspace and Controlled Aerodromes Etc. (Designated Airspace Handbook) Instrument 2018* (<https://www.legislation.gov.au/Details/F2018L00615/Download>).

5 Exemption

- (1) An exempted person is exempt from complying with subparagraphs 7.3 (d) and (e) of CAO 95.55 in relation to the exempted person's operation of a Peace Aviation aeroplane for a flight in class D airspace at Rockhampton aerodrome.
- (2) The exemption is subject to the conditions mentioned in sections 6, 7, 8 and 9.

6 Conditions — requirements relating to the Peace Aviation pilot and the Peace Aviation restricted pilot

- (1) Peace Aviation must ensure that the Peace Aviation pilot or Peace Aviation restricted pilot flying the aeroplane for the flight at the aerodrome:
 - (a) meets the competency requirements mentioned in the Part 61 MOS for:
 - (i) a controlled aerodrome endorsement; and
 - (ii) a controlled airspace endorsement; and
 - (iii) a flight radio endorsement; and
 - (b) holds one of the following kinds of certificate that is current:
 - (i) a class 1 medical certificate;
 - (ii) a class 2 medical certificate;
 - (iii) a recreational aviation medical practitioner's certificate; and
 - (c) holds one of the following documents that is current:
 - (i) flight radiotelephone operator licence;

- (ii) a radio operator endorsement issued by, or under the delegated authority of, the RAA.
- (2) The Peace Aviation pilot or Peace Aviation restricted pilot must not fly the aeroplane for the flight at the aerodrome unless the pilot:
 - (a) holds one of the following kinds of certificate that is current:
 - (i) a class 1 medical certificate;
 - (ii) a class 2 medical certificate;
 - (iii) a recreational aviation medical practitioner's certificate; and
 - (b) holds one of the following documents that is current:
 - (i) flight radiotelephone operator licence;
 - (ii) a radio operator endorsement issued by, or under the delegated authority of, the RAA.

7 Condition — authorisation of flight

- (1) Peace Aviation must ensure that, before a pilot commences a flight to which this instrument applies, the CFI authorises the pilot in writing to conduct the flight.
- (2) Peace Aviation must ensure that, before a pilot commences the pilot's first flight to which this instrument applies, the CFI:
 - (a) provides training to the pilot on the airspace management procedures for class D airspace at Rockhampton aerodrome; and
 - (b) notates in the pilot's logbook:
 - (i) the provision of the training mentioned in paragraph (a); and
 - (ii) the authorisation mentioned in subsection (1), for the first flight; and
 - (iii) the attainment of competencies mentioned in paragraph 6 (1) (a).

8 Condition — information about accident or incident

If Peace Aviation reports an accident or incident under the *Transport Safety Investigation Act 2003* or *Transport Safety Investigation Regulations 2003*, in relation to the flight of the aeroplane at the aerodrome by the Peace Aviation pilot or the Peace Aviation restricted pilot, Peace Aviation must as soon as practicable provide a copy of the report notice to SPORT@casa.gov.au.

9 Conditions — record keeping and audit

- (1) Peace Aviation must retain records of the following matters relating to the operation of the aeroplane for the flight at the aerodrome by the Peace Aviation pilot or the Peace Aviation restricted pilot:
 - (a) records of the assessment of the competencies mentioned in paragraph 6 (1) (a) and a copy of the notations mentioned in paragraph 7 (2) (b);
 - (b) a copy of a certificate held to comply with paragraph 6 (1) (b) and the document held to comply with paragraph 6 (1) (c);
 - (c) the authorisation mentioned in subsection 7 (1).
- (2) If CASA notifies Peace Aviation in writing that it intends to audit Peace Aviation's records and facilities to assess whether this instrument is being complied with and provides reasonable notice of the audit, Peace Aviation must make the records available and provide access to the facilities.