



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX65/18

I, SHANE PATRICK CARMODY, 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 S. Carmody]**

Shane Carmody  
Director of Aviation Safety

28 June 2018

### **CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018**

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#### **1 Name**

This instrument is *CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018*.

#### **2 Duration**

This instrument:

- (a) commences on 2 July 2018; and
- (b) is repealed at the end of 30 June 2021.

#### **3 Definitions**

*Note 1* In this instrument certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations, including *altitude, Australian territory, authorised person, class, maximum take-off weight, medical certificate, officer*.

*Note 2* In this instrument, the following terms are defined in regulation 61.010 of CASR: *conduct, current, flight activity endorsement, flight test, instrument endorsement, medical exemption, operational rating, pilot licence, single-pilot operation*.

*Note 3* In this instrument, *relevant check or review* has the meaning as defined in regulation 61.395 (6) of CASR.

In this instrument:

*authorised CASA officer* means an officer who holds an appointment as an authorised person for the purpose of regulation 302 of CAR.

*Fitness Report*, in relation to a person, means CASA form 1474, *Fitness Report*, that evidences the assessment of a medical practitioner that the person met, at the date of the report, the medical standard basic class 2.

*flight control seat* has the same meaning as in the definition of *conduct* in regulation 61.010 of CASR.

**medical standard basic class 2** means the commercial vehicle driver medical standards that apply to drivers of heavy vehicles, public passenger vehicles or vehicles carrying dangerous goods, published by AUSTROADS, without conditions or restrictions other than a requirement to wear glasses or a hearing aid.

*Note* At the commencement of this instrument the standards are published in the AUSTROADS document *Assessing Fitness to Drive 2016 (as amended up to August 2017)*, available for download at <https://www.onlinepublications.austroads.com.au/items/AP-G56-17>.

#### **4 Exemption**

- (1) A person who holds a private pilot licence is exempt from compliance with subregulation 61.065 (1) of CASR, to the extent that the person is required under paragraph 61.410 (1) (a) of CASR to hold a current class 1 or class 2 medical certificate to exercise the privileges of the licence in a single-pilot operation, if:
  - (a) the person has applied to CASA for an *Aviation Medical Certificate (Basic Class 2)* and certified that the person has been assessed by a medical practitioner as meeting the medical standard basic class 2, as the standard exists at the time the application is made; and
  - (b) CASA has issued the person an *Aviation Medical Certificate (Basic Class 2)* on the basis that CASA is satisfied that the person meets the medical standard basic class 2, as the standard exists at the time CASA issues the certificate; and
  - (c) the operation is conducted before the recommended date of next review of the person against the medical standard basic class 2, as stated in the person's most recent Fitness Report.
- (2) The exemption is subject to the person complying with the conditions mentioned in section 5.

#### **5 Conditions**

- (1) Subject to subsection (3), the person must not, during the operation:
  - (a) exercise the privileges of the licence in conjunction with an operational rating, instrument endorsement or flight activity endorsement; or
  - (b) carry more than 5 passengers.
- (2) Subject to subsection (3), the person may exercise the privileges of the person's licence for the operation only:
  - (a) if the operation is:
    - (i) a private operation; or
    - (ii) for the purpose of undergoing a flight test, or a relevant check or review, associated with the issue of, or the exercise of the privileges of, a private pilot licence or recreational pilot licence; and
  - (b) under the V.F.R. by day; and
  - (c) below an altitude of 10 000 feet; and
  - (d) within Australian territory; and
  - (e) in a piston-engined aircraft with a maximum take-off weight less than 8 168 kg; and
  - (f) if the person carries a copy of the person's *Aviation Medical Certificate (Basic Class 2)* on the flight.

- (3) Subsections (1) and (2) do not limit the exercise of the privileges of the person's licence for the operation if a flight control seat on the aircraft for the operation is occupied by a person who:
  - (a) is authorised under the regulations to conduct the operation as pilot in command; and
  - (b) holds a current class 1 or class 2 medical certificate.
- (4) The person must:
  - (a) on request of an authorised CASA officer, produce the person's *Aviation Medical Certificate (Basic Class 2)* for inspection by the officer; and
  - (b) within 48 hours of a request of an authorised CASA officer, produce the person's most recent Fitness Report for inspection by the officer.

## **6 Conditions — carriage of passengers**

- (1) If the operation carries a passenger, before exercising the privileges of the person's licence for the operation, the person must notify the matters mentioned in subsection (2) to:
    - (a) a guardian for each passenger who has a legal guardian; and
    - (b) each other passenger.
  - (2) For subsection (1), the matters are the following:
    - (a) the person does not hold a standard medical certificate required for private pilots;
    - (b) the person holds a CASA-issued certification that the person meets a lower medical standard, and that permits use of the person's private pilot licence subject to conditions;
    - (c) the lower medical standard is based on the medical standards applicable to commercial drivers' licences;
    - (d) the person is carrying the person's medical certificate, and a statement of the applicable conditions, for inspection by a passenger or a guardian of a passenger.
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