



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX111/18

I, CHRISTOPHER PAUL MONAHAN, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed Christopher P. Monahan]

Christopher P. Monahan
Executive Manager, National Operations & Standards

28 August 2018

CASA EX111/18 — English Language Proficiency Assessments Exemption 2018

1 Name

This instrument is *CASA EX111/18 — English Language Proficiency Assessments Exemption 2018*.

2 Duration

This instrument:

- (a) commences on 1 October 2018; and
- (b) is repealed at the end of 30 September 2021.

3 Definitions

- (1) In this instrument:

AELP means aviation English language proficiency.

alternative AELP assessment holder means an individual who:

- (a) has applied, in writing, to an approved person for an assessment of the individual's AELP; and
- (b) has been assessed by the approved person as meeting the ICAO level 6 AELP standards mentioned in the MOS.

approved person means a person approved by CASA under section 4 to conduct assessments of the AELP or GELP of individuals.

aviation English language proficiency assessment has the meaning defined in regulation 61.010 of CASR.

aviation English language proficiency assessor has the meaning defined in regulation 61.010 of CASR.

ELP assessment holder means an individual who:

- (a) has a current aviation English language proficiency assessment; or
- (b) is an alternative AELP assessment holder; or
- (c) is a GELP holder.

GELP means general English language proficiency.

GELP holder: see subsections (2), (3) and (4).

GELP unit means the unit entitled “GEL General English language proficiency” in Section 1 of Schedule 2 of the MOS.

MOS means the Manual of Standards for Part 61 of CASR.

- (2) A person is a **GELP holder** if the person provides an assessment report, completed by CASA, an examiner or an approved person, that states that the person is able to perform each of the elements mentioned in clause 2 of the GELP unit:
 - (a) according to the performance criteria mentioned for the element; and
 - (b) within the range of variables mentioned in clause 3 for the unit.
- (3) A person is also a **GELP holder** if the person provides evidence that 1 of the assessors mentioned in subsection (4) is satisfied that the person:
 - (a) meets the requirement mentioned in subclause 5.1.2 of the GELP unit; and
 - (b) has sufficient GELP to:
 - (i) for a student pilot — safely conduct a solo flight; and
 - (ii) for an applicant for a recreational pilot licence — safely exercise the privileges of the licence; and
 - (iii) for a person proposing to transmit on a radio frequency of a kind used for the purpose of ensuring the safety of air navigation — safely transmit on that kind of radio frequency.
- (4) For subsection (3), the assessors are:
 - (a) CASA; and
 - (b) an examiner; and
 - (c) the head of operations of a Part 141 operator or a Part 142 operator; and
 - (d) the holder of a pilot instructor rating and a grade 1 training endorsement who has been nominated by the head of operations of a Part 141 operator or a Part 142 operator; and
 - (e) an approved person.

4 Approved persons

CASA may, in writing, approve a person to conduct assessments of the AELP or GELP of individuals for this instrument.

5 Exemption — application directly to aviation English language proficiency assessor

A person who applies, in writing, to an aviation English language proficiency assessor for an assessment of the person’s AELP is exempt from compliance with the following provisions of CASR:

- (a) subparagraph 61.160 (b) (ii), to the extent that it requires compliance with subregulations 61.255 (1), (2) and (3);
- (b) subregulations 61.255 (1), (2) and (3).

6 Exemption — current aviation English language proficiency assessment

A person who has a current aviation English language proficiency assessment is exempt from compliance with the following provisions of CASR:

- (a) subparagraph 61.160 (b) (iii);
- (b) subparagraph 61.235 (2) (a) (vi);
- (c) regulation 61.265.

7 Exemption — alternative AELP assessment holders

An alternative AELP assessment holder is exempt from compliance with the following provisions of CASR:

- (a) subparagraphs 61.160 (b) (ii) and (iii);
- (b) subparagraphs 61.235 (2) (a) (v) and (vi);
- (c) regulation 61.265;
- (d) paragraph 61.275 (1) (d);
- (e) subparagraph 61.285 (b) (ii);
- (f) subregulation 61.422 (1);
- (g) paragraph 61.495 (2) (d);
- (h) paragraph 61.500 (4) (c);
- (i) paragraph 64.015 (1) (d);
- (j) paragraph 64.015 (5) (c);
- (k) subregulation 64.025 (2);
- (l) paragraph 64.025 (3) (b);
- (m) subregulation 64.035 (2).

8 Exemption — GELP holders

A GELP holder is exempt from compliance with the following provisions of CASR:

- (a) subparagraph 61.160 (b) (iii);
- (b) subparagraph 61.235 (2) (a) (vi);
- (c) regulation 61.265;
- (d) paragraph 64.015 (1) (d);
- (e) paragraph 64.015 (5) (c);
- (f) subregulation 64.025 (2);
- (g) paragraph 64.025 (3) (b);
- (h) subregulation 64.035 (2).

9 Exemption — instructors and training operators

- (1) A flight instructor is exempt from compliance with subparagraph 61.1225 (2) (b) (iii) of CASR in relation to an ELP assessment holder.
- (2) A pilot instructor is exempt from compliance with regulation 61.1227 of CASR in relation to an ELP assessment holder.
- (3) A Part 141 operator is exempt from compliance with paragraph 141.306 (2) (c) of CASR in relation to an ELP assessment holder.

- (4) A Part 142 operator is exempt from compliance with paragraph 142.386 (2) (c) of CASR in relation to an ELP assessment holder.

10 Condition

An exemption from compliance with subregulation 64.025 (2) or paragraph 64.025 (3) (b) of CASR is subject to the condition that the applicant must ensure that the application for the grant of an aeronautical radio operator certificate is accompanied by evidence of the applicant's AELP or GELP.
