



Australian Government

Civil Aviation Safety Authority

CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021

as amended

made under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

This compilation was prepared on 1 October 2021 taking into account amendments up to *CASA EX119/21 — Flight Crew Licensing (Further Miscellaneous Exemptions) Amendment Instrument 2021*. It is a compilation of *CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021*, as amended and in force on 1 October 2021.

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Contents

	Page
Part 1 — Preliminary	3
1 Name	3
2 Duration	3
3 Definitions	3
Part 2 — Logging of Flight Time as a Pilot (Co-pilots on Single-pilot Certificated Aircraft) Exemption and Conditions	6
4 Exemption — logbook recording	6
5 Exemption — flight time for ATPL	6
6 Exemption — flight time for pilot type rating for a type-rated aircraft	6
7 Exemption — flight time for night vision imaging system endorsement (helicopter) ..	6
8 Condition — Exemptions under Part 2	7
Part 3 — Occupation of Flight Control Seat (Certain Flight Instruction and Examination Activities) Exemption and Conditions	7
9 Exemption	7
10 Conditions — Exemptions under Part 3	7
Part 4 — Instrument Proficiency Checks for Aircraft Type Ratings Exemption and Conditions ...	8
11 Definitions	8
12 Exemption No. 1 — single-pilot turbojet aeroplane type ratings	8
13 Conditions — Exemption No. 1 — single-pilot turbojet aeroplane type ratings	9
14 Exemption No. 2 — multi-crew type ratings	9
15 Conditions — Exemption No. 2 — multi-crew type ratings	9
16 Exemption No. 3 — other aircraft type ratings	10
17 Conditions — Exemption No. 3 — other aircraft type ratings	10
18 General condition — Exemption Nos. 1, 2 and 3	10
Part 5 — Flight Reviews Exemption and Conditions	10
19 Application of Part	10
20 Exemption from certain flight review requirements	10
21 Additional conditions and exclusions	11

Part 6 — Flight Examiner Rating for Check Pilots Exemption and Conditions	12
Division 1 — Exemption under CAO 82.0	12
22 Application of Division	12
23 Exemption	12
24 Conditions	12
25 Repeal of Division	12
Division 2 — Exemption under new Flight Operations Regulations	13
26 Commencement of Division	13
27 Application of Division	13
28 Exemption	13
29 Conditions	13
Part 7 — Foreign Cadet Pilots (Medical Certificate for CPL Flight Test) Exemption and Conditions	13
30 Application of Part	13
31 Exemption	13
32 Conditions	14
Part 8 — Approved Course of Training (Multi-crew Cooperation) Exemption and Conditions ..	14
33 Exemption — ATPL — ADF applicants	14
34 Conditions — ATPL — ADF applicants	14
35 Exemption — ATPL — other applicants — MPL	14
36 Exemption — ATPL — other applicants — CPL	14
37 Exemption — PPL — exercise of privileges in multi-crew operation	14
38 Exemption — CPL — exercise of privileges in multi-crew operation	15
39 Exemption — single-pilot type rating without multi-crew type rating	15
40 Conditions on exemptions in sections 36, 37, 38 and 39	15
41 Alternative requirements	15
42 Evidence and other requirements	16
Part 9 — Basic Instrument Flight Training Exemption	17
43 Exemption — flight instructor conducting BIF training	17
44 Exemption — flight instructor conducting training course	17
45 Exemption — applicant for flight crew licence, rating or endorsement	18
46 Requirements of training course	18
Part 10 — Aerial Application Proficiency Check Exemption and Direction	19
47 Exemption — head of flight operations	19
48 Exemption — aerial application rating holder	19
49 Direction	19
Part 11 — English Language Proficiency Assessments Exemption	19
50 Definitions	19
51 Approved persons	20
52 Exemption — application directly to aviation English language proficiency assessor	20
53 Exemption — current aviation English language proficiency assessment	20
54 Exemption — alternative AELP assessment holders	20
55 Exemption — GELP holders	21
56 Exemption — instructors and training operators	21
57 Condition	21
Part 12 — Instrument Rating Aeronautical Knowledge Examination (IREX) (Certain Applicants for an Air Transport Pilot Licence) Exemption	21
58 Exemptions — exempted applicant	21
59 Exemption — examiners	22
Note to CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021	23

Part 1 — Preliminary

1 Name

This instrument is *CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021*.

2 Duration

This instrument:

- (a) commences on 1 July 2021; and
- (b) is repealed at the end of 31 May 2024.

Note For regulation 11.250 of CASR, the directions issued in this instrument cease to be in force at the end of 31 May 2024.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: *air transport pilot licence*, *AOC*, *civil aviation legislation*, *commercial pilot licence*, *co-pilot*, *flight crew member*, *flight test*, *instrument rating*, *Part 61 Manual of Standards*, *pilot in command* and *radiocommunication system*.

- (1) In this instrument:

ADF means the Australian Defence Force.

AELP means aviation English language proficiency.

aerial application operator means an operator that holds an AOC that authorises the use of an aeroplane in aerial application operations.

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 Part 61 Manual of Standards.

approved person means a person approved by CASA under section 51 to conduct assessments of the AELP or GELP of individuals.

ATPL means an air transport pilot licence.

ATPL(A) means air transport pilot licence with the aeroplane category rating.

BIF training means basic instrument flight training.

CAAP means Civil Aviation Advisory Publication.

CAO means Civil Aviation Order.

CASA certificate of equivalence means a certificate issued by CASA stating that, for paragraph 41 (e) of this instrument, a person's successful completion of alternative training, or acquisition of qualifications, or possession of experience, or a combination of these, is approved to be at least equivalent to an alternative means of compliance mentioned in paragraphs 41 (a) to (d).

CASR special approval means an approval granted under regulation 61.040, 141.035 or 142.040 of CASR.

check pilot has the meaning given by paragraph 2.1 of CAO 82.0.

check pilot approval, in relation to a person, means the document granting CASA's approval of the person as an exempt check pilot.

CPL means a commercial pilot licence issued by CASA under Part 61 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.

exempted applicant means a person who:

- (a) is an applicant for the grant of an ATPL(A); and
- (b) has been granted a commercial pilot licence, with the aeroplane category rating and an instrument rating, in accordance with the *Trans-Tasman Mutual Recognition Act 1997*.

exempt check pilot means:

- (a) a check pilot; and
- (b) an individual holding an approval under regulation 121.010 of CASR to conduct a Part 121 proficiency check for an aeroplane of a particular kind for the purposes of subparagraph 121.580 (3) (a) (ii) of CASR; and
- (c) an individual who meets the requirements of paragraph 133.377 (2) (a) of CASR; and
- (d) an individual who meets the requirements of paragraph 135.387 (2) (a) of CASR; and
- (e) an individual who meets the requirements of paragraph 138.505 (2) (a) of CASR.

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

flight examiner rating has the same meaning as in Subpart 61.U of CASR.

flight instructor rating has the same meaning as in Division 61.T.1 of CASR.

GELP means general English language proficiency.

GELP holder: see subsections 50 (1), (2) and (3).

GELP unit means the unit entitled “GEL General English language proficiency” in Section 1 of Schedule 2 of the Part 61 Manual of Standards.

HF&NTS means human factors and non-technical skills.

IPC means instrument proficiency check.

IREX means the examination of aeronautical knowledge for an instrument rating described in Unit 2.1.1 of Section 2.1 of Appendix 2 of Schedule 3 of the Part 61 Manual of Standards.

last 3 years means the 3 years immediately preceding:

- (a) in the case of an applicant for an ATPL — the date of the application; and
- (b) in any other case — the first flight for which a pilot relies upon this exemption instrument for non-compliance with a requirement in Part 61 of CASR to have completed an approved course of training in MCC.

MCC means multi-crew cooperation.

medical assessment means the evidence issued by a national aviation authority (**NAA**) that the licence holder meets specific requirements of medical fitness.

MPL means multi-crew pilot licence.

multi-pilot capable aircraft means an aircraft being operated as a multi-pilot aircraft that:

- (a) is certificated under Part 21 of CASR for single-pilot operations; and
- (b) is not an aircraft that, under CASR or CAR, must be flown with a crew of at least 2 pilots; and
- (c) is fitted with:
 - (i) 2 flight control seats — from each of which a flight operation may be conducted by a pilot; and
 - (ii) flight instruments suitable for operation of the aircraft from either flight control seat.

Note Some examples of multi-pilot capable aircraft are Metro series aeroplanes, BE1900 aeroplanes, DO228 aeroplanes, AW139 helicopters and S-76 helicopters.

old authorisation has the same meaning as in regulation 202.261 of CASR.

permissible co-pilot time, in relation to a person who was a permitted co-pilot, means time during which the pilot performed co-pilot duties in a multi-pilot capable aircraft in accordance with multi-crew procedures specified in the operations manual or exposition (whichever is applicable) of the AOC holder operating the aircraft.

permitted co-pilot means a co-pilot of a multi-crew operation conducted in a multi-pilot capable aircraft that is operated by an AOC holder.

PPL means a private pilot licence issued by CASA under Part 61 of CASR.

proficiency check has the same meaning as in Part 61 of CASR.

relevant flight examiner activity means an activity mentioned in paragraph 61.1255 (a) or (c) of CASR.

relevant simulator instructor activity means an activity mentioned in paragraph 61.1165 (a), (c), (d), (e) or (f) of CASR, or paragraph 61.1190 (a), (c), (d), (e) or (f) of CASR, that is conducted in a flight simulation training device.

RPT means regular public transport.

simulator instructor rating has the same meaning as in Division 61.T.2 of CASR.

single-place aircraft means an aircraft that has only 1 flight control seat.

SMS means safety management system.

specified category means a category of aircraft for which a flight instructor holds a grade 1 training endorsement, grade 2 training endorsement or grade 3 training endorsement.

this exemption instrument includes instruments CASA EX192/15, CASA EX225/15 and CASA EX102/18.

- (2) In this instrument, the following terms have the meaning given by regulation 61.010 of CASR: **aeronautical knowledge examination**, **approved course of training**, **aviation English language proficiency assessment**, **aviation English language proficiency assessor**, **basic instrument flight training**, **conduct**, **flight simulation training device**, **flight time** as a pilot, **multi-crew operation**, **operator proficiency check**, **pilot** and **pilot licence**.
- (3) A reference in this instrument to a provision that includes the numerals “61” is a reference to the provision of the same number in Part 61 of CASR.

Part 2 — Logging of Flight Time as a Pilot (Co-pilots on Single-pilot Certificated Aircraft) Exemption and Conditions

4 Exemption — logbook recording

- (1) A person who has been a permitted co-pilot is exempt from compliance with subregulation 61.345 (1) of CASR to the extent that the person must not record in the person's logbook the person's permissible co-pilot time.
- (2) The exemption is subject to the condition in section 8.

5 Exemption — flight time for ATPL

- (1) A person who is an applicant for an ATPL and who has been a permitted co-pilot is exempt from compliance with paragraph 61.700 (3) (d) of CASR.
- (2) The exemption is subject to the following conditions:
 - (a) the person would meet the aeronautical experience requirements mentioned in Subpart 61.K of CASR for the grant of the ATPL if the applicant's permissible co-pilot time in a category of aircraft was flight time as a co-pilot in the category of aircraft; and
 - (b) the condition in section 8.

Note The condition has effect so that a permitted co-pilot may submit permissible co-pilot time in support of an application for an ATPL with aeroplane category, an ATPL with helicopter category or an ATPL with powered-lift aircraft category provided the permissible co-pilot time is in the category of aircraft relevant to the ATPL.

6 Exemption — flight time for pilot type rating for a type-rated aircraft

- (1) A person who holds a pilot type rating for a type-rated aircraft that is a multi-engine turbine-powered aircraft and who has been a permitted co-pilot for an aircraft covered by the rating is exempt from compliance with the condition mentioned in subregulation 61.775 (2) of CASR.
- (2) The exemption is subject to the following conditions:
 - (a) the person would comply with the condition in the subregulation if the applicant's permissible co-pilot flight time in an aircraft covered by the rating was flight time; and
 - (b) the condition in section 8.

7 Exemption — flight time for night vision imaging system endorsement (helicopter)

- (1) A person who is an applicant for a night vision imaging system endorsement mentioned in regulation 61.1025 of CASR and who has been a permitted co-pilot for a helicopter is exempt from compliance with paragraph 61.1035 (2) (d) of CASR to the extent that the paragraph requires the person to comply with subparagraph 61.1035 (4) (b) (i) of CASR.
- (2) The exemption is subject to the following conditions:
 - (a) the person would meet the flight time requirements of subparagraph 61.1035 (4) (b) (i) of CASR if the person's permissible co-pilot flight time was flight time; and
 - (b) the condition in section 8.

8 Condition — Exemptions under Part 2

As soon as practicable after completing each flight as a permitted co-pilot, the person must record the permissible co-pilot time in the person's logbook as if the time was flight time for regulation 61.345 of CASR.

Part 3 — Occupation of Flight Control Seat (Certain Flight Instruction and Examination Activities) Exemption and Conditions

9 Exemption

- (1) The holder of an authorisation mentioned in an item in column 1 of Table 1 is exempt from compliance with subregulation 61.065 (1) of CASR to the extent that the subregulation requires the holder to occupy a flight control seat to be authorised under the provision mentioned in column 2 of the table for the item to conduct an activity mentioned in column 3 of the table for the item.

Table 1

	Authorisations (Column 1)	Provision (Column 2)	Activity (Column 3)
1	pilot licence with a flight instructor rating	subregulation 61.375 (7) of CASR, by reference to item 7 of Table 61.375	relevant simulator instructor activity
2	pilot licence with a flight instructor rating or a simulator instructor rating	subregulation 61.375 (7) of CASR, by reference to item 8 of Table 61.375	relevant simulator instructor activity
3	pilot licence with a flight examiner rating	subregulation 61.375 (7) of CASR, by reference to item 9 of Table 61.375	relevant flight examiner activity
4	flight instructor rating; old authorisation; CASR special approval	regulation 61.1165 of CASR	relevant simulator instructor activity
5	simulator instructor rating; old authorisation; CASR special approval	regulation 61.1190 of CASR	relevant simulator instructor activity
6	flight examiner rating; old authorisation; CASR special approval	regulation 61.1255 of CASR	relevant flight examiner activity

- (2) The exemption in subsection (1) is subject to the conditions in section 10.

10 Conditions — Exemptions under Part 3

- (1) An authorisation holder must occupy a flight control seat for any of the following activities in an aircraft:
- (a) a proficiency check, in an aircraft that is not a single-place aircraft, unless each flight crew member occupying a flight control seat is authorised under Part 61 of CASR to pilot the aircraft;

- (b) any activity for which the authorisation holder is the pilot in command, or is required to be the pilot in command in order for the flight to be authorised under the civil aviation legislation;
 - (c) any activity for which a flight control seat is available on the aircraft to be occupied by the authorisation holder.
- (2) In relation to a flight in an aircraft that is not a single-place aircraft, an authorisation holder conducting a relevant flight examiner activity, when occupying a seat that is not a flight control seat:
 - (a) must be located at a place on the aircraft that enables the authorisation holder to observe all the matters to be demonstrated by each flight crew member occupying a flight control seat; and
 - (b) must not manipulate any aircraft control or system accessible from a flight control seat.
- (3) An authorisation holder must not conduct a relevant flight examiner activity, in relation to a flight in a single-place aircraft, unless:
 - (a) the activity is an aerial application proficiency check; and
 - (b) the authorisation holder is located at a place that enables them to observe all the matters to be demonstrated by the pilot of the aircraft for the activity.
- (4) In relation to an activity in a flight simulation training device, an authorisation holder must, when not occupying a flight control seat, be located at a place that enables the authorisation holder to observe all the matters to be demonstrated by each flight crew member occupying a flight control seat.
- (5) An authorisation holder conducting a relevant simulator instructor activity or a relevant flight examiner activity, when not occupying a flight control seat, must ensure that at all times during the activity they can:
 - (a) monitor flight crew member use of radiocommunication systems; and
 - (b) maintain 2-way communications with the flight crew members.

Part 4 — Instrument Proficiency Checks for Aircraft Type Ratings Exemption and Conditions

11 Definitions

- (1) In this Part, a reference to *the 12-month period* in subsection 13 (1) is a reference to the period of 12 months calculated in the same way as the period would be calculated under subregulation 61.805 (3) if this instrument had not been made.
- (2) In this Part, a reference to *the 24-month period*:
 - (a) in subsection 13 (1) — is a reference to the period of 24 months calculated in the same way as the 12-month period is calculated; or
 - (b) in subsections 15 (1) and 17 (1) — is a reference to the period of 24 months calculated in the same way as the period would be calculated under subregulation 61.805 (2) if this instrument had not been made.

12 Exemption No. 1 — single-pilot turbojet aeroplane type ratings

- (1) The holder of a single-pilot turbojet aeroplane type rating (the *SP type rating holder*), for the exercise of the privileges of the rating under the IFR, is exempt from compliance with subregulation 61.805 (3).

- (2) The SP type rating holder is exempt from compliance with subregulations 61.805 (5) and (6).
- (3) *The exemptions in this section are subject to the conditions in sections 13 and 18.*

13 Conditions – Exemption No. 1 – single-pilot turbojet aeroplane type ratings

- (1) The SP type rating holder must have a valid IPC as if the requirements under subregulation 61.805 (3), to have a valid IPC for the aeroplane type covered by the rating during the 12-month period, applied as a requirement to have a valid IPC for any single-pilot turbojet aeroplane type during the 24-month period.

Note Thus, for an SP type rating holder, the 12-monthly IPC requirement under subregulations 61.805 (1) and (3) may be satisfied by a 24-monthly IPC in **any** single-pilot turbojet aeroplane type.

- (2) Subregulations 61.805 (5) and (6) must be complied with as if they applied despite the exemption in subsection 12 (2) of this instrument, except that references to “relevant aircraft” for paragraphs 61.805 (3) (e) and (f) must be taken to be references to any single-pilot turbojet aeroplane type (rather than the particular single-pilot turbojet aeroplane type covered by the SP type rating holder’s rating).

Note Thus, it is a condition of the exemption from the requirements in subregulations 61.805 (5) and (6) that subregulations 61.805 (5) and (6) be complied with, but in the particular context of the operation of the exemption.

14 Exemption No. 2 — multi-crew type ratings

- (1) The holder of a multi-crew type rating (the ***multi-crew type rating holder***) for a particular aircraft category, for the exercise of the privileges of the rating under the IFR, is exempted from subregulation 61.805 (2).
- (2) The multi-crew type rating holder is exempt from compliance with subregulations 61.805 (5) and (6).
- (3) The exemptions in this section are subject to the conditions in sections 15 and 18.

15 Conditions – Exemption No. 2 – multi-crew type ratings

- (1) The multi-crew type rating holder for a particular aircraft category must have a valid IPC as if the requirements under subregulation 61.805 (2), to have a valid IPC for the aircraft type covered by the rating during the 24-month period, applied as a requirement to have a valid IPC for any multi-crew type-rated aircraft in the same category during the 24-month period.
- (2) Subregulations 61.805 (5) and (6) must be complied with as if they applied despite the exemption in subsection 14 (2) of this instrument, except that references to “relevant aircraft” for paragraphs 61.805 (2) (e) and (f) must be taken to be references to any multi-crew aircraft type in the same category as that of the multi-crew type rating holder’s rating (rather than the particular aircraft type covered by the holder’s rating).

Note Thus, it is a condition of the exemption from the requirements in subregulations 61.805 (5) and (6) that subregulations 61.805 (5) and (6) be complied with, but in the particular context of the operation of the exemption.

16 Exemption No. 3 — other aircraft type ratings

- (1) This section does not apply to an SP type rating holder or a multi-crew type rating holder.
- (2) The holder of a pilot type rating (the **holder**), for the exercise of the privileges of the rating under the IFR, is exempt from compliance with subregulation 61.805 (2).
- (3) The holder is exempted from subregulations 61.805 (5) and (6).
- (4) The exemptions in this section are subject to the conditions in sections 17 and 18.

17 Conditions – Exemption No. 3 – other aircraft type ratings

- (1) The holder must have a valid IPC as if the requirements under subregulation 61.805 (2), to have a valid IPC for the aircraft type covered by the rating during the 24-month period, applied as a requirement to have a valid IPC for any type-rated aircraft in the same category during the 24-month period.
- (2) Subregulations 61.805 (5) and (6) must be complied with as if they applied despite the exemption in subsection 16 (3) of this instrument, except that references to “relevant aircraft” for paragraphs 61.805 (2) (e) and (f) must be taken to be references to any aircraft type in the same category as that of the holder’s pilot type rating (rather than the particular aircraft type covered by the holder’s rating).

Note Thus, it is a condition of the exemption from the requirements in subregulations 61.805 (5) and (6) that subregulations 61.805 (5) and (6) be complied with, but in the particular context of the operation of the exemption.

18 General condition — Exemption Nos. 1, 2 and 3

An exemption mentioned in section 12, 14 or 16 does not apply to the type rating holder mentioned in the section unless the type rating holder’s pilot licence records that the type rating holder has a valid IPC in accordance with the condition in subsection 13 (1), 15 (1) or 17 (1) (as the case requires).

Part 5 — Flight Reviews Exemption and Conditions

19 Application of Part

This Part applies to a person who holds 1 of the following aircraft class or pilot type ratings under Part 61 of CASR:

- (a) a single-engine aeroplane class rating;
- (b) a multi-engine aeroplane class rating;
- (c) a single-engine aeroplane pilot type rating;
- (d) a multi-engine aeroplane pilot type rating;
- (e) a single-engine helicopter class rating;
- (f) a single-engine helicopter pilot type rating;
- (g) a multi-engine helicopter pilot type rating.

20 Exemption from certain flight review requirements

- (1) Subsection (2) applies to a person who:
 - (a) is the holder of a rating mentioned in column 1 of an item in Table 2; and
 - (b) has a valid flight review mentioned in column 2 of the item.

- (2) The person is exempt from the provision of CASR mentioned in column 3 of the item to the extent that the provision requires the person to have a valid flight review for the rating mentioned in column 1 of the item.
- (3) The exemption in subsection (2) is subject to the additional conditions and exclusions mentioned in section 21.

Table 2

Item	Column 1 Rating	Column 2 Valid flight review under (regulation)	Column 3 Provision (regulation)
1	single-engine aeroplane class rating <i>Note</i> See Note below.	61.800 — for any aeroplane pilot type rating	61.745
2	multi-engine aeroplane class rating	61.800 — for any multi-engine aeroplane pilot type rating	61.745
3	single-engine aeroplane pilot type rating	61.800 — for any aeroplane pilot type rating; or 61.745 — for any aeroplane class rating	61.800
4	multi-engine aeroplane pilot type rating	61.800 — for any multi-engine aeroplane pilot type rating; or 61.745 — for the multi-engine aeroplane class rating	61.800
5	single-engine helicopter class rating	61.800 — for any helicopter type rating	61.745
6	single-engine helicopter pilot type rating	61.800 — for any helicopter pilot type rating; or 61.745 — for the single-engine helicopter class rating	61.800
7	multi-engine helicopter pilot type rating	61.800 — for any multi-engine helicopter pilot type rating	61.800

Note Under subregulations 61.375 (3) and (4), a licence holder is authorised to exercise the privileges of the licence in an aeroplane in the single-engine aeroplane class if the holder is authorised to exercise the privileges of the multi-engine aeroplane class rating. Thus, if the licence holder has a valid flight review for multi-engine aeroplanes, the holder is authorised to operate aeroplanes in the single-engine aeroplane class without requiring a valid single-engine aeroplane class rating flight review.

21 Additional conditions and exclusions

Evidence of completion of applicable flight review

- (1) The holder of a rating mentioned in column 1 of an item in Table 2 must ensure that their pilot licence includes a record that the holder has completed the applicable flight review referred to in column 2 of the item.

MU-2 aircraft type rating

- (2) The exemptions under this Part do not affect the flight review requirements for the holder of the MU-2 single-pilot multi-engine aeroplane type rating, as set out in paragraph 6 (b) of instrument *CASA 62/20 — Conditions on Flight Crew Authorisations (Edition 3) Instrument 2020 (CASA 62/20)* (as in force on 1 September 2021).

Note Under CASA 62/20, the holder of the MU-2 single-pilot multi-engine aeroplane type rating must not exercise the privileges of the rating as a pilot in command unless (among other things) the holder has, within the previous 12 months, satisfactorily completed a flight review or a proficiency check conducted in an MU-2 aircraft.

Single-engine helicopter class rating

- (3) The exemptions under this Part do not affect the flight review requirements for the holder of a single-engine helicopter class rating for use in the conduct of operations in an R22 or R44 helicopter, as set out in section 8 of CASA 62/20 (as in force on 1 September 2021).

Note Under CASA 62/20, the holder of a single-engine helicopter class rating must not conduct operations in an R22 or R44 helicopter unless (among other things) the holder has completed a flight review, in accordance with regulation 61.745, and the flight review was conducted in an R22 or R44 helicopter.

Part 6 — Flight Examiner Rating for Check Pilots Exemption and Conditions

Division 1 — Exemption under CAO 82.0

22 Application of Division

This Division applies to a check pilot when conducting an operator proficiency check within the scope of the check pilot approval, other than an operator proficiency check for the purposes of regulation 61.650, 61.695 or 61.880.

23 Exemption

- (1) The check pilot is exempt from the requirement in subregulation 61.375 (7) to hold a flight examiner rating.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in section 24.

24 Conditions

- (1) While conducting an operator proficiency check, the check pilot must be employed or contracted by the operator for which the check is conducted.
- (2) The check pilot must conduct the operator proficiency check in accordance with the operator's approved training and checking system, as existing from time to time.
- (3) The check pilot must conduct the operator proficiency check in accordance with all the conditions mentioned in the check pilot approval.

25 Repeal of Division

This Division is repealed at the end of 1 December 2021.

Division 2 — Exemption under new Flight Operations Regulations

26 Commencement of Division

This Division commences on 2 December 2021.

27 Application of Division

This Division applies to an exempt check pilot when conducting an operator proficiency check within the scope of the check pilot approval, other than an operator proficiency check for the purposes of regulation 61.650, 61.695 or 61.880.

28 Exemption

- (1) The exempt check pilot is exempt from the requirement in subregulation 61.375 (7) to hold a flight examiner rating.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in section 29.

29 Conditions

- (1) While conducting an operator proficiency check, the exempt check pilot must be employed or contracted by the operator for which the check is conducted.
- (2) The exempt check pilot must conduct the operator proficiency check in accordance with the operator's approved training and checking system, as existing from time to time.
- (3) The exempt check pilot must conduct the operator proficiency check in accordance with all the conditions mentioned in the check pilot approval.

Part 7 — Foreign Cadet Pilots (Medical Certificate for CPL Flight Test) Exemption and Conditions

30 Application of Part

This Part applies to each person (*foreign cadet pilot*) who:

- (a) is not a citizen of Australia; and
- (b) is not a permanent resident of Australia; and
- (c) is a student registered to undergo flight training with 1 of the following persons (the *operator*):
 - (i) a Part 141 operator;
 - (ii) a Part 142 operator; and
- (d) is undertaking training for a CPL under the sponsorship of a foreign aircraft operator; and
- (e) takes a flight test for a CPL.

31 Exemption

- (1) The foreign cadet pilot is exempt from the requirement in paragraph 61.235 (2) (c) to the extent that it requires the pilot to hold a current class 1 medical certificate to be eligible to take a flight test for a CPL.
- (2) The exemption is subject to the conditions in section 32.

32 Conditions

- (1) The foreign cadet pilot must:
 - (a) hold a current class 2 medical certificate; and
 - (b) hold, or have held, a class 1 medical assessment (however described or administered) issued by the NAA of the pilot's country of residence.

Note For paragraph (1) (b), NAAs may administer the requirement to hold a class 1 medical assessment by issuing a class 1 medical certificate or, if a certificate is not issued, by requiring that the pilot pass a class 1 medical examination to show that the pilot meets the class 1 medical standard.

- (2) The foreign cadet pilot must not undertake a flight test for a CPL unless the flight test is organised by the operator as part of the foreign cadet pilot's registration with the operator.

Part 8 — Approved Course of Training (Multi-crew Cooperation) Exemption and Conditions

33 Exemption – ATPL – ADF applicants

A member or former member of the ADF (the *applicant*) who applies for the grant of an ATPL is exempt from the requirement under subparagraph 61.285 (f) (ii) to complete an approved course of training in MCC.

34 Conditions – ATPL – ADF applicants

The exemption in section 33 is subject to the following conditions:

- (a) the applicant must have successfully completed a course of training conducted by the ADF for a multi-crew pilot operational conversion qualification;
- (b) compliance with paragraph (a) must be evidenced by giving CASA a copy of the relevant ADF qualification showing that the applicant has completed an operational conversion training course for an aircraft that is normally operated by 2 pilots.

35 Exemption – ATPL – other applicants – MPL

The holder of an MPL with an aircraft category rating (the *applicant*) who applies for the grant of an ATPL is exempt from the requirement under paragraph 61.700 (3) (e) to complete an approved course of training in MCC.

36 Exemption – ATPL – other applicants – CPL

The holder of a CPL with an aircraft category rating (the *applicant*) who applies for the grant of an ATPL is exempt from the requirement under paragraph 61.700 (3) (e) to complete an approved course of training in MCC.

37 Exemption – PPL – exercise of privileges in multi-crew operation

The holder of a PPL (the *holder*) is exempt from the requirement under subregulation 61.510 (1) that to exercise the privileges of the licence in a multi-crew operation, the holder must have completed an approved course of training in MCC.

38 Exemption – CPL – exercise of privileges in multi-crew operation

The holder of a CPL (the *holder*) is exempt from the requirement under subregulation 61.575 (1) that to exercise the privileges of the licence in a multi-crew operation, the holder must have completed an approved course of training in MCC.

39 Exemption — single-pilot type rating without multi-crew type rating

The holder of a single-pilot (*SP*) type rating (the *holder*) is exempt from the requirement under paragraph 61.785 (1) (b) of CASR that to exercise the privileges of the SP type rating in a multi-crew operation, the holder must have completed an approved course of training in MCC if the holder does not hold a multi-crew type rating.

40 Conditions on exemptions in sections 36, 37, 38 and 39

Each exemption under section 36, 37, 38 and 39 is subject to the condition that the applicant or the holder, as the case requires:

- (a) satisfies at least 1 of the alternative requirements set out in section 41; and
- (b) evidences compliance with the alternative requirement set out in section 41 in accordance with the evidence and other requirements set out in section 42; and
- (c) complies with any other requirement mentioned in section 42 for the requirement set out in section 41.

41 Alternative requirements

For section 40, the alternative requirements to be satisfied are:

- (a) successful completion of a course of training in MCC approved by EASA; or
- (b) successful completion of the training required to qualify for an EASA type rating for a multi-crew certificated aircraft; or
- (c) both of the following:
 - (i) holding a type rating;
 - (ii) having at least 50 hours' experience as a pilot in multi-crew operations conducted by an Australian AOC holder engaged in RPT operations in accordance with CAO 82.3 or 82.5, being experience gained during the last 3 years; or

Note **Last 3 years** is a defined expression — see section 3.

- (d) all of the following:
 - (i) holding a type rating;
 - (ii) having at least 100 hours' experience as a pilot in multi-crew operations conducted by an Australian AOC holder engaged in charter operations in accordance with CAO 82.1, being experience gained during the last 3 years;
 - (iii) successful completion, within the last 3 years, of 2 operator proficiency checks in multi-crew operations, each of which included assessment of HF&NTS competencies; or

Note The assessment of HF&NTS competencies should be guided by reference to CAAP SMS-3 (1), as existing from time to time.

- (e) successful completion of alternative training, or acquisition of qualifications, or possession of experience, or a combination of these, which CASA approves to be at least equivalent to any of the alternative requirements mentioned in paragraphs (a) to (d).

42 Evidence and other requirements

For sections 40 and 41, the evidence and other requirements are:

- (a) for paragraph 41 (a):
 - (i) a copy of a course completion certificate issued to the person by an EASA-approved training provider; and
 - (ii) a copy of the EASA approval held by the approved training provider that shows the approval is valid and current; and
- (b) for paragraph 41 (b):
 - (i) a copy of the person's current EASA flight crew licence endorsed with the multi-crew type rating for a multi-crew certificated aircraft; and
 - (ii) logbook evidence of the person having exercised the privileges of the rating following the grant of the rating; and
- (c) for paragraph 41 (c):
 - (i) a copy of the person's current CASA flight crew licence endorsed with a multi-crew type rating; and
 - (ii) logbook evidence of the person's experience as a pilot in multi-crew operations for an Australian AOC holder engaged in RPT operations in accordance with CAO 82.3 or 82.5; and
- (d) for paragraph 41 (d):
 - (i) a copy of the person's current CASA flight crew licence endorsed with a multi-crew type rating; and
 - (ii) logbook evidence of the person having at least 100 hours' experience as a pilot in multi-crew operations for an Australian AOC holder engaged in charter operations in accordance with CAO 82.1; and
 - (iii) evidence of the successful completion of 2 operator proficiency checks which included assessment of HF&NTS competencies; and
- (e) for paragraph 41 (e):
 - (i) evidence of successful completion of training, qualifications or experience, or a combination of these; and
 - (ii) a CASA certificate of equivalence; and

Note **CASA certificate of equivalence** is a defined expression — see section 3.
- (f) for paragraphs 41 (a) to (e), evidence in logbooks or other documents of any of the following:
 - (i) the exercise of relevant privileges;
 - (ii) the acquisition of experience as a pilot in multi-crew operations;
 - (iii) the successful completion of operator proficiency checks;

- (iv) the successful completion of equivalent training, qualifications and experience;
must be endorsed by:
- (v) the head (however described) of the flying operations part of the relevant AOC holder or other operator to whom the logbook entries or other documents relate; or
- (vi) the head (however described) of training and checking of the relevant AOC holder or other operator to whom the logbook entries or other documents relate; or
- (vii) the holder of a flight examiner rating; and
- (g) for paragraphs 41 (a) to (e), the evidence must be supplied to:
 - (i) in the case of an applicant for an ATPL — CASA; and
 - (ii) in the case of the holder of a PPL, a CPL, or an SP type rating without a multi-crew type rating (as the case may be) conducting multi-crew operations — the head (however described) of the flying operations part of the AOC holder or other operator for whom the pilot operates a multi-crew aircraft; and
- (h) for paragraphs 41 (a) to (e), an applicant or a holder must, on written request, supply CASA with any information or documents CASA considers necessary to determine the appropriate application, or the continued application, of the exemption to the applicant or holder.

Note For example, in the interests of aviation safety, CASA may require proof of authenticity of copies of documents.

Part 9 — Basic Instrument Flight Training Exemption

43 Exemption — flight instructor conducting BIF training

- (1) This section applies to a flight instructor who:
 - (a) holds a grade 1 training endorsement, grade 2 training endorsement or grade 3 training endorsement for a specified category; and
 - (b) does not hold an instrument rating training endorsement or a night VFR rating training endorsement; and
 - (c) has successfully completed a training course in the conduct of BIF training that meets the requirements mentioned in section 46; and
 - (d) has been assessed as competent to conduct BIF training by a flight instructor who:
 - (i) holds a grade 1 training endorsement for the specified category; and
 - (ii) is authorised to conduct BIF training in the specified category.
- (2) The flight instructor is exempt from compliance with subregulation 61.065 (1) to the extent that the subregulation prohibits the flight instructor from conducting BIF training in the specified category.

44 Exemption — flight instructor conducting training course

- (1) This section applies to a flight instructor who conducts a training course in the conduct of BIF training that meets the requirements mentioned in section 46.

- (2) The flight instructor is exempt from compliance with subregulation 61.065 (1) to the extent that the subregulation prohibits the flight instructor from conducting the training course in the specified category.

45 Exemption — applicant for flight crew licence, rating or endorsement

- (1) This section applies to an applicant for a flight crew licence, rating or endorsement who receives BIF training from a flight instructor mentioned in subsection 43 (1).
- (2) The applicant is exempt from compliance with paragraph 61.195 (2) (b), but only in relation to receiving BIF training.

46 Requirements of training course

For sections 43, 44 and 45, the requirements are as follows:

- (a) the training course must be conducted by a flight instructor for a Part 141 or 142 operator that is authorised to conduct training for the grant of a private pilot licence or a commercial pilot licence;
- (b) the operator must ensure that the training course is conducted as if the training course is:
 - (i) for a Part 141 operator — Part 141 flight training; and
 - (ii) for a Part 142 operator — Part 142 flight training;
- (c) the training course must be conducted by the holder of a grade 1 training endorsement for the specified category:
 - (i) who is authorised to conduct the training by the head of operations of the Part 141 or 142 operator; and
 - (ii) who:
 - (A) holds an instrument rating training endorsement or a night VFR rating training endorsement in the specified category; or
 - (B) for aeroplanes — immediately before 1 September 2014 held a grade 3 flight instructor (airplane) rating; or
 - (C) for helicopters — immediately before 1 September 2014 was authorised under CAO 40.3.7 to give flying training at night or flying training in basic instrument flight;
- (d) the training course must include at least 2 hours of flight time in an aircraft;
- (e) the training course must address the elements, performance criteria and underpinning knowledge mentioned in Schedule 2 of the Part 61 Manual of Standards, as in force from time to time, for the following units of competency:
 - (i) IFF — full instrument panel manoeuvres;
 - (ii) IFL — limited instrument panel manoeuvres.

Note 1 A flight test is not required on completion of the training.

Note 2 The operator may use the course published by CASA from time to time on the CASA website or an equivalent course prepared by the operator. Approval of the course by CASA is not required.

Part 10 — Aerial Application Proficiency Check Exemption and Direction

47 Exemption — head of flight operations

- (1) This section applies if the head of flight operations of an aerial application operator (the **first aerial application operator**) has satisfactorily completed an operator proficiency check conducted by the head of flight operations of another aerial application operator.

Note To avoid doubt, the head of flight operations is also known as the chief pilot.

- (2) The first aerial application operator and that operator's head of flight operations are exempt from compliance with subregulations 137.240 (3) and (4) of CASR.

Note Subregulations 137.240 (3) and (4) of CASR provide that an operator proficiency check for the operator's head of flight operations must be conducted by a flight examiner or instructor authorised under Part 61 of CASR to conduct aerial application operations.

48 Exemption — aerial application rating holder

- (1) This section applies to the holder of an aerial application rating who:
 - (a) holds an aeroplane aerial application endorsement or an aeroplane firefighting endorsement; and
 - (b) has successfully completed an operator proficiency check that was conducted by the head of flight operations of an aerial application operator.
- (2) The holder is exempt from compliance with the requirement in paragraph 61.1110 (2) (c) that the check is conducted by a flight examiner who holds an aerial application rating flight test endorsement.

Note Paragraph 61.1110 (2) (c) provides that the holder of an aerial application rating is taken to have a valid aerial application proficiency check if the holder successfully completes an operator proficiency check that covers operations under the rating conducted by a flight examiner who holds an aerial application rating flight test endorsement.

49 Direction

If a head of flight operations (the **first head of flight operations**) of an aerial application operator conducts an operator proficiency check of the head of flight operations of another aerial application operator in accordance with this Part, the first head of flight operations must notify CASA, in writing, of the check.

Part 11 — English Language Proficiency Assessments Exemption

50 Definitions

- (1) 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.
- (2) A person is also a **GELP holder** if the person provides evidence that 1 of the assessors mentioned in subsection (3) 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.
- (3) For subsection (2), 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.

51 Approved persons

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

52 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).

53 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.

54 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).

55 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).

56 Exemption — instructors and training operators

- (1) A flight instructor is exempt from compliance with subparagraph 61.1225 (2) (b) (iii) in relation to an ELP assessment holder.
- (2) A pilot instructor is exempt from compliance with regulation 61.1227 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.

57 Condition

An exemption in section 54 or 55 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.

Part 12 — Instrument Rating Aeronautical Knowledge Examination (IREX) (Certain Applicants for an Air Transport Pilot Licence) Exemption

58 Exemptions — exempted applicant

- (1) An exempted applicant who is taking the flight test for the grant of an ATPL(A) is exempt from compliance with subparagraph 61.235 (2) (a) (ii), to the extent that the subparagraph requires the exempted applicant to have passed the IREX in order to be eligible to take the flight test.

Note The exemption makes an exempted applicant eligible to take the flight test for the ATPL(A) without having passed the IREX, despite regulations 61.235 and 61.240.

- (2) An exempted applicant is exempt from compliance with the following provisions of CASR, to the extent that the provisions require the exempted applicant to have passed the IREX in order to be eligible to be granted the ATPL(A):

- (a) subparagraph 61.160 (b) (i);
- (b) paragraphs 61.700 (3) (a) and (c).

Note The exemption makes an exempted applicant eligible to be granted the ATPL(A) if the applicant has not passed the IREX, or was ineligible to take the ATPL(A) flight test due to not having passed the IREX.

59 Exemption — examiners

A flight examiner is exempt from compliance with subregulation 61.1300 (1), in relation to the conduct of the flight test for an ATPL(A) taken by an exempted applicant, to the extent that subparagraph 61.1300 (1) (b) (ii) requires the flight examiner to be satisfied that the exempted applicant has passed the IREX.

Note to CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021

CASA EX66/21 — *Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021* (in force under the *Civil Aviation Regulations 1988*) as shown in this compilation comprises *CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021* amended as indicated in the Tables below.

Table of Orders

Year and number	Date of registration on FRL	Date of commencement	Application, saving or transitional provisions
CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021	21 June 2021 (see F2021L00798)	1 July 2021 (see s. 2)	—
CASA EX106/21 — Flight Crew Licensing (Miscellaneous Exemptions) Amendment Instrument 2021	31 August 2021 (see F2021L01223)	1 September 2021 (see s. 2)	—
CASA EX119/21 — Flight Crew Licensing (Further Miscellaneous Exemptions) Amendment Instrument 2021	30 September 2021 (see F2021L01360)	1 October 2021 (see s. 2)	—

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
s. 2	am. F2021L01223
s. 3	am. F2021L01223, F2021L01360
s. 11	ad. F2021L01223
s. 12	ad. F2021L01223
s. 13	ad. F2021L01223
s. 14	ad. F2021L01223
s. 15	ad. F2021L01223
s. 16	ad. F2021L01223
s. 17	ad. F2021L01223
s. 18	ad. F2021L01223
s. 19	ad. F2021L01223
s. 20	ad. F2021L01223
s. 21	ad. F2021L01223
s. 22	ad. F2021L01223
s. 23	ad. F2021L01223
s. 24	ad. F2021L01223
s. 25	ad. F2021L01223
s. 26	ad. F2021L01223

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
s. 27	ad. F2021L01223
s. 28	ad. F2021L01223
s. 29	ad. F2021L01223
s. 30	ad. F2021L01223
s. 31	ad. F2021L01223
s. 32	ad. F2021L01223
s. 33	ad. F2021L01223
s. 34	ad. F2021L01223
s. 35	ad. F2021L01223
s. 36	ad. F2021L01223
s. 37	ad. F2021L01223
s. 38	ad. F2021L01223
s. 39	ad. F2021L01223
s. 40	ad. F2021L01223
s. 41	ad. F2021L01223
s. 42	ad. F2021L01223
s. 43	ad. F2021L01223
s. 44	ad. F2021L01223
s. 45	ad. F2021L01223
s. 46	ad. F2021L01223
s. 47	ad. F2021L01223
s. 48	ad. F2021L01223
s. 49	ad. F2021L01223
s. 50	ad. F2021L01360
s. 51	ad. F2021L01360
s. 52	ad. F2021L01360
s. 53	ad. F2021L01360
s. 54	ad. F2021L01360
s. 55	ad. F2021L01360
s. 56	ad. F2021L01360
s. 57	ad. F2021L01360
s. 58	ad. F2021L01360
s. 59	ad. F2021L01360