



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX65/23

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 Chris Monahan]

Christopher P. Monahan

Executive Manager, National Operations & Standards

7 July 2023

CASA EX65/23 — Amendment of CASA EX66/21 (for Pilots in Command in Miscellaneous Dropping Operations) Instrument 2023

1 Name

This instrument is *CASA EX65/23 — Amendment of CASA EX66/21 (for Pilots in Command in Miscellaneous Dropping Operations) Instrument 2023*.

2 Commencement

This instrument commences on the day after it is registered.

3 Repeal of instrument CASA EX136/20

CASA EX136/20 — Incendiary Dropping Operations (Aerial Application Rating) Instrument 2020 is repealed.

Note The Part 137 operator record keeping obligations under CASA EX136/20 are preserved by *CASA EX92/22 – Part 137 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2022*, as amended by *CASA EX66/23 — Amendment of CASA EX92/22 (for Part 137 operators in Miscellaneous Dropping Operations) Instrument 2023*.

4 Amendment of instrument CASA EX66/21

Schedule 1 amends *CASA EX66/21 — Flight Crew Licensing (Miscellaneous Exemptions) Exemption 2021*.

Schedule 1 Amendment

After Part 15

insert

Part 16 Miscellaneous Dropping Operations

72 Application of Part

This Part applies to the pilot in command of an aircraft in a miscellaneous dropping operation.

73 Definitions

- (1) In this Part:

CASR means the *Civil Aviation Safety Regulations 1998*.

miscellaneous dropping operation means an operation that involves, or involves training for, dropping relevant articles from an aircraft in flight below 500 ft, but does not include any operation that involves spraying or broadcasting any substance.

relevant articles means any of the following:

- (a) incendiaries to initiate controlled burning;
- (b) baits for the capture or eradication of feral animals;
- (c) search and rescue equipment;
- (d) fodder for livestock;
- (e) items for disaster relief;
- (f) other articles of a nature, or articles dropped for a purpose, that is closely similar to the nature or purpose of the articles mentioned in paragraphs (a) to (e).

Note A **relevant article** does not include any substance that may be sprayed or broadcast: see the definition of **miscellaneous dropping operation**.

- (2) Unless the contrary intention appears, in this Part, other words and phrases have the same meaning as they have under Part 137 or Part 138 of CASR, as applicable.

74 Exemptions

- (1) The pilot in command of an aircraft in a miscellaneous dropping operation is exempted from compliance with the following provisions of CASR:
- (a) subparagraph 61.065 (1) (a) (i);
 - (b) subregulation 61.065 (2) — in respect of subparagraph 61.065 (1) (a) (i);
 - (c) subregulation 61.375 (7);
- but only to the extent that:
- (d) the miscellaneous dropping operation is an aerial application operation below 500 ft for which item 6 in Table 61.375 requires the pilot in command to hold an aerial application rating; and
 - (e) if the pilot in command is not employed to conduct the miscellaneous dropping operation for an operator under Part 137 of CASR, or for an aerial work operator under Part 138 of CASR — the pilot conducts the miscellaneous dropping operation in accordance with the requirements and limitations that apply to a limited aerial work operation under Part 138 of CASR.
- (2) The pilot in command of an aircraft in a miscellaneous dropping operation is exempted from compliance with subregulation 138.500 (2) of CASR but:
- (a) only with respect to subparagraph 138.500 (1) (a) (i); and
 - (b) only to the extent that the miscellaneous dropping operation is an aerial work operation in the form of a dispensing operation below 500 ft, for which item 6 in Table 61.375 requires the pilot in command to hold an aerial application rating.

75 Conditions

The exemptions under section 74 are subject to the following conditions:

- (a) the pilot in command must hold a low-level rating and a low-level endorsement for the category of aircraft used in the miscellaneous dropping operation;
- (b) the pilot in command must comply with the requirements imposed on a pilot in command under:
 - (i) Part 137 of CASR — if the aeroplane operator is an operator under Part 137 of CASR; or
 - (ii) Part 138 of CASR — if the aircraft operator conducts aerial work operations (whether or not the operator holds an aerial work certificate authorising the operation).

Note For related Part 137 and Part 138 operator exemptions, see, respectively: Part 3 of *CASA EX92/22 – Part 137 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2022*; and Part 5 of *CASA EX86/21 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2021*.
