



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX01/24

I, PHILIPPA JILLIAN SPENCE, 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 P. Spence]

Pip Spence
Director of Aviation Safety

2 February 2024

CASA EX01/24 — Flight Crew Medical Status (Class 5 Medical Self-declaration) Exemption 2024

Part 1 — Preliminary

1 Name

- (1) This instrument is *CASA EX01/24 — Flight Crew Medical Status (Class 5 Medical Self-declaration) Exemption 2024*.
- (2) This instrument may also be cited as instrument CASA EX01/24.

2 Duration

This instrument:

- (a) commences on 9 February 2024; and
- (b) is repealed at the end of 8 February 2027.

3 Application of this instrument

This instrument applies, according to its terms, to and in respect of the following persons, when they are engaged in certain private operations or permitted class 5 training:

- (a) student pilots conducting solo flights in an aircraft, and flight instructors who supervise or make assessments of them;
- (b) applicants for a recreational pilot licence, or for the grant of a rating other than an operational rating on a recreational pilot licence, who are undertaking flight tests, and:
 - (i) flight examiners who conduct assessments of such applicants; and
 - (ii) Part 141 operators who conduct authorised Part 141 flight training of such applicants, and their heads of operation; and
 - (iii) Part 142 operators who conduct authorised Part 142 activities of such applicants, and their heads of operation;

- (c) holders of a private pilot licence or a recreational pilot licence who are exercising the privileges of the licence in a single-pilot operation, and pilots in command of aircraft for a flight with flight crew, where one or more of the flight crew holds such a licence.

4 Key definitions

- (1) In this instrument:

Aviation Medical Guidelines means the document entitled *Guidelines – Medical Assessment for Aviation*, as published by CASA from time to time.

Note At the commencement of this instrument, the 1st edition (dated December 2023) of the *Guidelines – Medical Assessment for Aviation* was available to view or download on CASA’s website at <https://casa.gov.au>.

online self-assessment of medical fitness process means the process described in section 6.

Note The steps in the online self-assessment of medical fitness process, listed in section 6, include a requirement that the person involved is provided with a copy of the Aviation Medical Guidelines.

record of class 5 medical self-declaration, in relation to a person, means a document given to the person by CASA to acknowledge that the person has successfully completed the online self-assessment of medical fitness process.

renewal date, in relation to a person’s record of class 5 medical self-declaration, means the date specified in it as the date when the exemptions in this instrument will stop applying to the person (unless the person has been earlier required to surrender the self-declaration), which will be:

- (a) 5 years after the date of successful completion of the self-assessment process set out in section 6 — in the case of a person who was younger than 40 when that process was successfully completed and does not also hold a conditional driver licence; or
- (b) 2 years after the date of successful completion — in the case of a person:
- (i) who was younger than 40 when that process was successfully completed and who holds a conditional driver licence; or
- (ii) who was between 40 and 75 years old when that process was successfully completed; or
- (c) 1 year after the date of successful completion — in the case of a person who was 75 years old or older when that process was successfully completed.

successfully completed the online self-assessment of medical fitness process — see section 6.

- (2) The Dictionary in Schedule 1 contains further definitions and interpretative provisions.

Part 2 — Online self-assessment of medical fitness

Note This Part sets out the steps involved in completing the online self-assessment of medical fitness process. If a person successfully completes the process, CASA will automatically acknowledge that completion with a record of class 5 medical self-declaration.

5 Applicant must be at least 16

A person is eligible to apply for the online self-assessment of medical fitness process only if the person is at least 16 years old.

6 Completing the online self-assessment of medical fitness process

A person has *successfully completed the online self-assessment of medical fitness process* if the person:

- (a) has applied in the approved application form on the online portal identified on the CASA website for that purpose and has paid the approved fee; and
- (b) has included with that application all the information required by the approved form or by this instrument; and
- (c) has been provided with a copy of, or link to, the Aviation Medical Guidelines; and
- (d) has declared that they have read and understood the Aviation Medical Guidelines and referred to them in the process of completing the online self-assessment of their medical fitness; and
- (e) has passed an online medical knowledge check that addresses the human factors syllabus, including medical fitness; and
- (f) has declared that they have referred to and followed medical guidance, where relevant, or appropriate advice from their healthcare practitioner (for example, their general medical practitioner or optometrist) when completing the online self-assessment of their medical fitness; and
- (g) has made full and accurate disclosure of the following health matters existing at the time of the self-assessment, whether or not the matters are covered by the Aviation Medical Guidelines:
 - (i) the state of the person's health generally;
 - (ii) the medical conditions, or symptoms of possible medical conditions, that the person is aware of having (if any);
 - (iii) the medical treatment (if any) the person is receiving, or was receiving during the 2 years before the online self-assessment of their medical fitness;
 - (iv) the medications or substances (if any) that the person is taking or using, or was taking or using during the 2 years before the online self-assessment of their medical fitness;
 - (v) any change in health, medical conditions, symptomology or medications or substances taken or used (if any) since last attending or consulting with a medical practitioner; and
- (h) has declared that they:
 - (i) have never had a private driver licence refused or cancelled on the grounds that they did not comply with the required medical standards or had failed to undergo a required medical examination; and

- (ii) have never had a class 1, 2 or 3 medical certificate refused or cancelled by CASA or by a medical practitioner; and
- (iii) do not have an established medical history or clinical diagnosis of a disqualifying medical condition; and
- (iv) are not regularly taking or using a disqualifying medication or substance; and
- (v) do not have a personal history of problematic use of a substance; and
 - Note* A person with a personal history of problematic use of a substance may be able to get a Class 1 medical certificate, one aspect of which is that the medical practitioner certifies that the person has recovered or is in treatment.
- (i) in the case of a person who has been required by a driver licensing authority of a State or Territory to undergo a medical assessment for fitness to drive — has provided CASA with a copy of a current medical assessment for fitness to drive, obtained in accordance with a law in force in a State or Territory, advising a driver licensing authority of a State or Territory that the person meets the appropriate medical standards under that law.

Part 3 — Exemptions relating to student pilots

Note 1 Sections 7 and 8 exempt student pilots conducting solo flights in an aircraft from certain obligations about holding medical certificates if CASA has given the student pilot a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process.

The exemption of student pilots is only effective if the record of class 5 medical self-declaration is “current”, that is, a student pilot will not have the advantage of an exemption if:

- (a) the renewal date specified in their record of class 5 medical self-declaration has passed; or
- (b) their efficiency has become impaired and they have been required to surrender their record of class 5 medical self-declaration for one of the reasons specified in section 11.

In that case, the student pilot may be guilty of an offence under CASR if they continue to undertake solo flights in an aircraft without obtaining a class 1 or 2 medical certificate.

Sections 10 to 14 set out conditions to which the exemptions in sections 7 and 8 are subject.

A student pilot will not have the advantage of an exemption if they do not comply with all of the conditions to which the exemption is subject (set out in sections 10 to 14), in which case they may be guilty of the offence of failure to comply with the obligations imposed by a condition to which an exemption is subject (see regulation 11.210 of CASR).

If a student pilot is found not to have made full and accurate disclosure when they completed the online self-assessment of medical fitness process (which may happen as a result of CASA issuing directions requiring accurate information) they may be guilty of an offence if they continue to undertake solo flights in an aircraft without obtaining a class 1 or 2 medical certificate.

Note 2 Section 9 exempts a flight instructor of a student pilot from obligations regarding medical certificates held by a student pilot who holds a record of class 5 medical self-declaration. A flight instructor is responsible for satisfying themselves that a student pilot they approve has planned a solo flight that complies with the conditions mentioned in subsection 12(1), section 13 and subsection 14(1) at all times.

7 Exemption — student pilots conducting a solo flight in an aircraft that is not a recreational aircraft

- (1) A student pilot is exempt from compliance with paragraph 61.114(2)(a) of CASR, to the extent that the paragraph requires the student pilot to hold a class 1 or 2 medical certificate to be authorised to conduct a solo flight in an aircraft other than a recreational aircraft, if:
 - (a) CASA has given the student pilot a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process; and
 - (b) the student pilot has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 11(2); and
 - (c) the solo flight is conducted before the renewal date specified in the student pilot’s record of class 5 medical self-declaration.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in sections 10 to 14.

8 Exemption — student pilots conducting a solo flight in a recreational aircraft

- (1) A student pilot is exempt from compliance with paragraphs 61.114(4)(a) and (b) of CASR, to the extent that the paragraphs require the student pilot to hold a

class 1 or 2 medical certificate or a recreational aviation medical practitioner's certificate to be authorised to conduct a solo flight in a recreational aircraft, if:

- (a) CASA has given the student pilot a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process; and
 - (b) the student pilot has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 11(2); and
 - (c) the solo flight is conducted before the renewal date specified in the student pilot's record of class 5 medical self-declaration.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in sections 10 to 14.

9 Exemption — flight instructors of student pilots

- (1) A flight instructor of a student pilot is exempt from compliance with subparagraph 61.1225(1)(b)(iii) of CASR in relation to the approval of that student pilot if the flight examiner:
- (a) has sighted the student pilot's record of class 5 medical self-declaration; and
 - (b) is satisfied with assurances given by the student pilot that the student pilot has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 11(2); and
 - (c) is satisfied that the solo flight is conducted before the renewal date specified in the student pilot's record of class 5 medical self-declaration.

Note Under subregulation 61.1225(1) of CASR, a flight instructor commits an offence if:

- (a) the instructor approves a person to pilot an aircraft as a student pilot; and
 - (b) the approval is not authorised by the provisions mentioned in paragraph 61.1225(1)(b). Those provisions include, relevantly in subparagraph 61.1225(1)(b)(iii), regulation 61.114 (Solo flights—medical certificate requirements for student pilots).
- (2) The exemption in subsection (1) is subject to the flight instructor being satisfied that the student pilot concerned will comply with the conditions mentioned in subsection 12(1), section 13 and subsection 14(1).

10 Conditions — conduct of operations by student pilots

A student pilot must not conduct a solo flight in an aircraft unless the solo flight is a private operation or permitted class 5 training that:

- (a) is conducted under the VFR by day; and
- (b) is conducted below an altitude of 10 000 feet; and
- (c) is conducted wholly within Australian territory; and
- (d) is conducted in an aircraft with a maximum take-off weight less than 2 000 kg; and
- (e) does not involve flying in formation or the conduct of aerobatic manoeuvres; and
- (f) does not involve more than two persons being on board the aircraft.

Note A student pilot is not authorised to pilot an aircraft carrying passengers. See regulation 61.113 of CASR for the general requirements for student pilots. Those requirements include, but are not limited to, the requirement that a student pilot is not authorised to pilot an aircraft carrying passengers — see subregulation 61.113(2) of CASR.

11 Conditions — obligation to notify CASA of certain matters and surrender record of class 5 medical self-declaration

- (1) A student pilot must notify CASA within 30 days if:
 - (a) they know, or have reasonable grounds to believe, that they have a medically significant condition that impairs their ability to conduct a solo flight in an aircraft and that condition has lasted for more than 60 days; or
 - (b) they have a private driver licence refused or cancelled on the grounds that they do not comply with the required medical standards or have failed to undergo required medical examination; or
 - (c) they are clinically diagnosed with a disqualifying medical condition; or
 - (d) they are regularly taking or using a disqualifying medication or substance; or
 - (e) they are experiencing problematic use of a substance.
- (2) A student pilot must surrender their record of class 5 medical self-declaration to CASA as soon as is practicable if:
 - (a) the renewal date specified in their record of class 5 medical self-declaration has passed; or
 - (b) they are required to notify CASA of any matter specified in subsection (1).

12 Conditions — student pilots must remain medically fit

- (1) A student pilot must not commence a solo flight in an aircraft if, at the time the flight commences, the student pilot knows, or has reasonable grounds to believe, that they have a medically significant condition that impairs their ability to conduct a solo flight in an aircraft.
- (2) A student pilot must, as soon as practicable, cease any solo flight they are conducting in an aircraft if:
 - (a) there are any changes in their health circumstances, whether involving temporary or longer-term impairment or incapacitation, which may affect their ability to continue to conduct the solo flight or may otherwise have an impact on aviation safety; or
 - (b) any issue arises in flight that causes them to have reduced capacity to control the aircraft for any period, or to change the flight plan, such as land early, divert or change altitude.
- (3) A student pilot must notify CASA within 30 days if:
 - (a) they know, or have reasonable grounds to believe, that they have a medically significant condition that impairs their ability to conduct a solo flight in an aircraft; and
 - (b) that condition has lasted for more than 30 days.

Note Such notification is important for aviation safety purposes. It is an important indication to CASA of willingness to comply with the conditions in this Part.

- (4) Subsection (2) does not apply if, in the circumstances, the relevant act was a reasonable measure to save life (including the student pilot's own life) or avoid damage to property.

13 Conditions — correcting lenses must be worn if needed

A student pilot who needs correcting lenses must not commence a solo flight in an aircraft unless they:

- (a) have acceptable correcting lenses available for use while conducting the solo flight; and
- (b) have within reach, while they are performing duties essential to the operation of an Australian aircraft during flight time for the relevant solo flight, a spare pair of spectacles for each pair of correcting lenses that the person requires to comply with this section.

14 Conditions — record of class 5 medical self-declaration must be carried on aircraft and produced for inspection

- (1) A student pilot must not commence a solo flight in an aircraft unless they are carrying a copy of their record of class 5 medical self-declaration on the aircraft.
- (2) A student pilot must, on request of an authorised person, produce their record of class 5 medical self-declaration for inspection by the person.

Part 4 — Exemption relating to applicants for recreational pilot licences or for ratings on such licences

Note 1 Sections 15 and 16 exempt certain applicants for a recreational pilot licence or a rating on any such licence who are taking a flight test in an aircraft from obligations regarding medical certificates if CASA has given the applicant a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process.

The exemption of applicants for a recreational pilot licence or a rating is only effective if the record of class 5 medical self-declaration is “current”, that is, an applicant will not have the advantage of an exemption if:

- (a) the renewal date specified in their record of class 5 medical self-declaration has passed; or
- (b) their efficiency has become impaired and they have been required to surrender their record of class 5 medical self-declaration for one of the reasons specified in section 21.

In that case, an applicant for a recreational pilot licence or a rating may be guilty of the offence under CASR if they continue to undertake flight tests in an aircraft without obtaining a class 1 or 2 medical certificate.

Sections 20 to 24 set out conditions to which the exemptions in sections 15 and 16 are subject.

An applicant for a recreational pilot licence or a rating will not have the advantage of an exemption if they do not comply with all of the conditions to which the exemption is subject (set out in sections 20 to 24), in which case they may be guilty of the offence of failure to comply with the obligations imposed by a condition to which an exemption is subject (see regulation 11.210 of CASR).

If an applicant for a recreational private pilot licence or a rating is found not to have made full and accurate disclosure when they completed the online self-assessment of medical fitness process (which may happen as a result of CASA issuing directions requiring accurate information), they may be guilty of an offence if they continue to undertake flight tests in an aircraft without obtaining a class 1 or 2 medical certificate.

Note 2 Sections 17 to 19 exempt flight examiners for a recreational pilot licence applicant or rating, Part 141 operators conducting authorised Part 141 flight training of a recreational pilot licence applicant or rating applicant and Part 142 operators conducting authorised Part 142 flight training of an applicant from obligations regarding medical certificates held by an applicant. In each case, the flight examiner, Part 141 operator or Part 142 operator concerned is responsible for satisfying themselves that the applicant has planned a flight test that complies with the conditions mentioned in subsection 22(1), section 23 and subsection 24(1) at all times.

15 Exemption — recreational pilot licence applicants taking flight test

- (1) A recreational pilot licence applicant is exempt from compliance with paragraph 61.235(2)(c) of CASR, to the extent that the paragraph requires the applicant to hold a class 1 or 2 medical certificate or a current recreational aviation medical practitioner’s certificate to be eligible to take a flight test for a recreational pilot licence that is to be conducted in an aircraft, if:
 - (a) CASA has given the applicant a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process; and
 - (b) the applicant has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 21(2); and
 - (c) the flight test is conducted before the renewal date specified in the applicant’s record of class 5 medical self-declaration.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in sections 20 to 24.

Note See also subsections 18(1) and (2). The combined effect of those subsections exempts a Part 141 operator undertaking authorised flight training of a recreational licence applicant, and

the operator's head of operations, from compliance with regulation 141.210 of CASR to the extent that the regulation requires the operator or head of operations to ensure that the applicant is eligible under regulation 61.235 of CASR to undertake a flight test.

16 Exemption — certain rating applicants taking flight test

- (1) A rating applicant is exempt from compliance with subparagraph 61.235(4)(b)(i) of CASR, to the extent that the subparagraph requires the rating applicant to hold a current class 1 or 2 medical certificate or recreational aviation medical practitioner's certificate (whichever applies), to be eligible to take a flight test for the grant of the rating that is to be conducted in an aircraft, if:
 - (a) CASA has given the applicant a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process; and
 - (b) the applicant has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 21(2); and
 - (c) the flight test is conducted before the renewal date specified in the applicant's record of class 5 medical self-declaration.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in sections 20 to 24.

Note See also subsections 18(1) and (2). The combined effect of those subsections exempts a Part 141 operator undertaking authorised flight training of a rating applicant, and the operator's head of operations, from compliance with regulation 141.210 of CASR to the extent that the regulation requires the operator or head of operations to ensure that the applicant is eligible under regulation 61.235 of CASR to undertake a flight test

17 Exemption — flight examiners of recreational pilot licence applicants or rating applicants

- (1) A flight examiner of a recreational pilot licence applicant is exempt from compliance with subparagraph 61.1300(3)(b)(i) of CASR in relation to a flight test for that applicant if the flight examiner:
 - (a) has sighted the applicant's record of class 5 medical self-declaration; and
 - (b) is satisfied with assurances given by the applicant that the applicant has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 21(2); and
 - (c) is satisfied that the flight test is conducted before the renewal date specified in the applicant's record of class 5 medical self-declaration.
- (2) A flight examiner of a rating applicant is exempt from compliance with subregulation 61.1300(5) of CASR in relation to a flight test for that applicant if the flight examiner:
 - (a) has sighted the applicant's record of class 5 medical self-declaration; and
 - (b) is satisfied with assurances given by the applicant that the applicant has not been required to surrender their record of class 5 medical self-declaration by the condition mentioned in subsection 21(2); and
 - (c) is satisfied that the flight test is conducted before the renewal date specified in that record of class 5 medical self-declaration; and
- (3) The exemptions in subsections (1) and (2) are subject to the flight examiner being reasonably satisfied that the recreational pilot licence applicant or rating applicant

concerned will comply with the conditions mentioned in subsection 22(1), section 23 and subsection 24(1).

18 Exemption — Part 141 operators and their head of operations

- (1) A Part 141 operator conducting authorised Part 141 flight training of a recreational pilot licence applicant or rating applicant undertaking the authorised Part 141 flight training, and the operator's head of operations, are exempt from compliance with regulation 141.210 of CASR to the extent that the regulation requires them to ensure that the applicant is eligible under regulation 61.235 of CASR to undertake a flight test if the operator, or the head of operations, as the case may be:
 - (a) has sighted the applicant's record of class 5 medical self-declaration; and
 - (b) is satisfied with assurances given by the applicant that the applicant has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 21(2); and
 - (c) is satisfied that the flight test is conducted before the renewal date specified in the applicant's record of class 5 medical self-declaration.
- (2) The exemption in subsection (1) is subject to the Part 141 operator being satisfied that the recreational pilot licence applicant or rating applicant concerned will comply with the conditions mentioned in subsection 22(1), section 23 and subsection 24(1).

19 Exemption — certain Part 142 operators and their head of operations

- (1) A Part 142 operator conducting an authorised Part 142 activity of a recreational pilot licence applicant or rating applicant who flies an aircraft as pilot in command is exempt from compliance with regulations 142.245 and 142.365 of CASR to the extent mentioned in subsection (2).
- (2) The operator conducting the authorised Part 142 activity is exempt to the extent that regulation 142.365 of CASR requires the operator not to permit the recreational pilot licence applicant or rating applicant to fly an aircraft as pilot in command in the conduct of an authorised Part 142 activity for the operator unless the applicant is authorised under Part 61 of CASR to fly the aircraft as pilot in command if the operator:
 - (a) has sighted the applicant's record of class 5 medical self-declaration; and
 - (b) is satisfied that the flight test is conducted before the renewal date specified in the applicant's record of class 5 medical self-declaration; and
 - (c) is satisfied with assurances given by the applicant that the applicant has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 21(2).

Note See also subsections 15(1) and 16(1). The combined effect of those subsections exempts a Part 142 operator conducting an authorised Part 142 activity of a recreational pilot licence applicant or rating applicant, and the operator's head of operations, from compliance with regulation 142.245 of CASR to the extent that the regulation requires the operator or head of operations to ensure that the applicant is eligible under regulation 61.235 of CASR to undertake a flight test.

- (3) The exemption in subsection (2) is subject to the Part 142 operator being satisfied that the recreational pilot licence applicant concerned will comply with the conditions mentioned in subsection 22(1), section 23 and subsection 24(1).

20 Conditions — conduct of operations by recreational pilot licence applicants or rating applicants

A recreational pilot licence applicant or rating applicant must not commence a flight test in an aircraft unless the flight test is a private operation or permitted class 5 training that is conducted for the purpose of assessing the applicant's performance in relation to the grant of a recreational pilot licence and:

- (a) is conducted under the VFR by day; and
- (b) is conducted below an altitude of 10 000 feet; and
- (c) is conducted wholly within Australian territory; and
- (d) is conducted in an aircraft with a maximum take-off weight less than 2 000 kg; and
- (e) does not involve flying in formation or the conduct of aerobatic manoeuvres; and
- (f) does not involve more than two persons being on board the aircraft.

21 Conditions — obligation to notify CASA of certain matters and surrender record of class 5 medical self-declaration

- (1) A recreational pilot licence applicant or rating applicant must notify CASA within 30 days if:
 - (a) the renewal date specified in their record of class 5 medical self-declaration has passed; or
 - (b) they know, or have reasonable grounds to believe, that they have a medically significant condition that impairs their ability to undertake a flight test in an aircraft and that condition has lasted for more than 60 days; or
 - (c) they have a private driver licence refused or cancelled on the grounds that they do not comply with the required medical standards or have failed to undergo required medical examination; or
 - (d) they are clinically diagnosed with a disqualifying medical condition; or
 - (e) they are regularly taking or using a disqualifying medication or substance; or
 - (f) they are experiencing problematic use of a substance.
- (2) A recreational pilot licence applicant or rating applicant must surrender their record of class 5 medical self-declaration to CASA as soon as is practicable if:
 - (a) the renewal date specified in their record of class 5 medical self-declaration has passed; or
 - (a) they are required to notify CASA of any matter specified in subsection (1).

22 Conditions — recreational pilot licence applicant or rating applicant must remain medically fit

- (1) A recreational pilot licence applicant or rating applicant must not commence a flight test in an aircraft if the applicant knows, or has reasonable grounds to believe, that they have a medically significant condition that impairs their ability to undertake a flight test in an aircraft.

- (2) A recreational pilot licence applicant or rating applicant must, as soon as practicable, cease any flight test they are undertaking in an aircraft if:
 - (a) there are any changes in their health circumstances, whether involving temporary or longer-term impairment or incapacitation, which may affect their ability to continue to undertake the flight test or may otherwise have an impact on aviation safety; or
 - (b) any issue arises in flight that causes them to have reduced capacity to control the aircraft for any period, or to change the flight plan, such as land early, divert or change altitude.
- (3) A recreational pilot licence applicant or rating applicant must notify CASA within 30 days if:
 - (a) they know, or have reasonable grounds to believe, that they have a medically significant condition that impairs their ability to undertake a flight test in an aircraft; and
 - (b) that condition has lasted for more than 30 days.

Note Such notification is important for aviation safety purposes. It is an important indication to CASA of willingness to comply with the conditions in this Part.
- (4) Subsection (2) does not apply if, in the circumstances, the relevant act was a reasonable measure to save life (including the recreational pilot licence applicant's or rating applicant's own life) or avoid damage to property.

23 Conditions — correcting lenses must be worn if needed

A recreational pilot licence applicant or rating applicant who needs correcting lenses must not commence a flight test in an aircraft unless they:

- (a) have acceptable correcting lenses available for use while undertaking the flight test; and
- (b) have within reach, while they are performing duties essential to the operation of an Australian aircraft during flight time for the flight test, a spare pair of spectacles for each pair of correcting lenses that the person requires to comply with this section.

24 Conditions — record of class 5 medical self-declaration must be carried on aircraft and produced for inspection

- (1) A recreational pilot licence applicant or rating applicant must not commence a flight test in an aircraft unless they are carrying a copy of their record of class 5 medical self-declaration on the aircraft.
- (2) A recreational pilot licence applicant or rating applicant must, on request of an authorised person, produce their record of class 5 medical self-declaration for inspection by the person.

Part 5 — Exemptions relating to holders of a private pilot licence or a recreational pilot licence

Note 1 Sections 25 and 26 exempt certain persons who hold a private pilot licence or a recreational pilot licence from obligations regarding medical certificates if CASA has given them a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process.

The exemption of licence holders is only effective if the record of class 5 medical self-declaration is “current”, that is, a licence holder will not have the advantage of an exemption if:

- (a) the renewal date specified in their record of class 5 medical self-declaration has passed; or
- (b) their efficiency has become impaired and they have been required to surrender their record of class 5 medical self-declaration for one of the reasons specified in section 29.

In that case, the licence holder may be guilty of an offence under CASR if they continue to undertake a single-pilot operation in an aircraft without obtaining a class 1 or 2 medical certificate.

Sections 29 to 32 set out conditions to which the exemptions in sections 25 and 26 are subject.

A person who holds a private pilot licence or recreational pilot licence will not have the advantage of an exemption if they do not comply with all of the conditions to which the exemption is subject (set out in sections 29 to 32), in which case they may be guilty of the offence of failure to comply with the obligations imposed by a condition to which an exemption is subject (see regulation 11.210 of CASR).

If a person who holds a private pilot licence or recreational pilot licence is found not to have made full and accurate disclosure when they completed the online self-assessment of medical fitness process (which may happen as a result of CASA issuing directions requiring accurate information) they may be guilty of an offence if they continue to undertake single-pilot operations in an aircraft without obtaining a class 1 or 2 medical certificate.

Note 2 Section 27 exempts a pilot in command of a flight crew with flight crew members who hold a private pilot licence and are exempted from obligations regarding medical certificates. A pilot in command is responsible for satisfying themselves that the holder of the private pilot licence or recreational pilot licence concerned has planned a single-pilot operation that complies with the conditions mentioned in subsection 30(1), section 31 and subsection 32(1).

25 Exemption — persons who hold a private pilot licence carrying out single-pilot operation

- (1) A person who holds a private pilot licence is exempt from compliance with subregulation 61.065(1) of CASR, to the extent that subregulation 61.410(1) of CASR requires the person to also hold a current class 1 or 2 medical certificate to be authorised to exercise the privileges of the licence in a single-pilot operation, if:
 - (a) CASA has given them a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process; and
 - (b) the person has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 29(2); and
 - (c) the single-pilot operation is conducted before the renewal date specified in the person’s record of class 5 medical self-declaration.
- (2) A person who holds a private pilot licence is exempt from compliance with paragraph 61.420(b) of CASR to the extent that the paragraph requires the person to carry any current class 1 or 2 medical certificate on a flight, to be

authorised to exercise the privileges of the licence in a single-person operation, if:

- (a) CASA has given the person a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process; and
 - (b) the person has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 29(2); and
 - (c) the single-pilot operation is conducted before the renewal date specified in the person's record of class 5 medical self-declaration.
- (3) The exemptions in subsections (1) and (2) are subject to the conditions mentioned in sections 28 to 32.

26 Exemption — persons who hold a recreational pilot licence carrying out single-pilot operation

- (1) A person who holds a recreational pilot licence is exempt from compliance with subregulation 61.065(1) of CASR, to the extent that subregulation 61.405(1) of CASR requires the person to also hold a current class 1 or 2 medical certificate, to be authorised to exercise the privileges of the licence in a single-pilot operation, if:
 - (a) CASA has given the person a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process; and
 - (b) the person has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 29(2); and
 - (c) the single-pilot operation is conducted before the renewal date specified in the person's record of class 5 medical self-declaration.
- (2) A person who holds a recreational pilot licence is exempt from compliance with paragraphs 61.420(b) and (c) of CASR to the extent that the paragraphs require the person to carry any current class 1 or 2 medical certificate or recreational aviation medical practitioner's certificate on the flight, to be authorised to exercise the privileges of the licence in a single-pilot operation, if:
 - (a) CASA has given the person a record of class 5 medical self-declaration to acknowledge their successful completion of the online self-assessment of medical fitness process; and
 - (b) the person has not been required to surrender that record of class 5 medical self-declaration by the condition mentioned in subsection 29(2); and
 - (c) the single-pilot operation is conducted before the renewal date specified in the person's record of class 5 medical self-declaration.
- (3) A person who holds a recreational pilot licence is exempt from compliance with subregulation 61.065(1) of CASR, to the extent that subregulation 61.465(3) of CASR requires that, to be authorised to pilot an aircraft above 10 000 ft above mean sea level, the person who holds a private pilot licence must also hold a current class 1 or 2 medical certificate.
- (4) The exemptions in subsections (1), (2) and (3) are subject to the conditions mentioned in sections 28 to 32.

27 Exemption — certain pilots in command with flight crew members who are exempted by this instrument

- (1) A pilot in command of an aircraft for a flight is exempt from compliance with subregulation 91.105(1) of CASR, to the extent that the subregulation requires the medical certificate of a member of the flight crew who holds a private pilot licence or a recreational pilot licence to be carried on the aircraft if the pilot in command:
 - (a) has sighted the flight crew member's record of class 5 medical self-declaration; and
 - (b) is satisfied with assurances given by the flight crew member concerned that the flight crew member has not been required to surrender their record of class 5 medical self-declaration by the condition mentioned in subsection 29(2); and
 - (c) is satisfied that the relevant flight is conducted before the renewal date specified in that record of class 5 medical self-declaration.
- (2) The exemption in subsection (1) is subject to the member of the flight crew concerned complying with the conditions mentioned in subsection 30(1), section 31 and subsection 32(1).

28 Conditions — conduct of operations by holders of a private pilot licence or recreational pilot licence

- (1) A person who holds a private pilot licence or recreational pilot licence must not exercise the privileges of their licence in a single-pilot operation in an aircraft unless the single-pilot operation is a private operation or permitted class 5 training that:
 - (a) is conducted under the VFR by day; and
 - (b) is conducted below an altitude of 10 000 feet; and
 - (c) is conducted wholly within Australian territory; and
 - (d) is conducted in an aircraft with a maximum take-off weight less than 2 000 kg; and
 - (e) does not involve flying in formation or the conduct of aerobatic manoeuvres; and
 - (f) does not involve more than two persons being on board the aircraft.
- (2) A person who holds a private pilot licence or recreational pilot licence must not exercise the privileges of a licence in a single-pilot operation in conjunction with an operational rating.

Note Regulation 61.010 of CASR provides that **operational rating** means any of several ratings listed in that definition. Those ratings include, respectively at paragraphs (d) and (h), an instrument rating and a private instrument rating.
- (3) Subsections (1) and (2) do not limit the exercise of the privileges of the person who holds a private pilot licence or a recreational pilot licence in a single-pilot operation if a flight control seat on the aircraft for the operation is occupied by a person who:
 - (a) is authorised under CASR to conduct the operation as pilot in command; and
 - (b) holds a current class 1 or 2 medical certificate.

29 Conditions — obligation to notify CASA of certain matters and surrender record of class 5 medical self-declaration

- (1) A person who holds a private pilot licence or recreational pilot licence must notify CASA within 30 days if:
 - (a) the renewal date specified in their record of class 5 medical self-declaration has passed; or
 - (b) they know, or have reasonable grounds to believe, that they have a medically significant condition that impairs their ability to exercise the privileges of their licence in a single-pilot operation in an aircraft and that condition has lasted for more than 60 days; or
 - (c) they have a private driver licence refused or cancelled on the grounds that they do not comply with the required medical standards or have failed to undergo required medical examination; or
 - (d) they are clinically diagnosed with a disqualifying medical condition; or
 - (e) they are regularly taking or using a disqualifying medication or substance; or
 - (f) they are experiencing problematic use of a substance.
- (2) A person who holds a private pilot licence or recreational pilot licence must surrender their record of class 5 medical self-declaration to CASA as soon as is practicable if:
 - (a) the renewal date specified in their record of class 5 medical self-declaration has passed; or
 - (b) they are required to notify CASA of any matter specified in subsection (1).

30 Conditions — person who holds a private pilot licence or recreational pilot licence must remain medically fit

- (1) A person who holds a private pilot licence or recreational pilot licence must not commence exercising the privileges of their licence in a single-pilot operation if the person knows, or has reasonable grounds to believe, that they have a medically significant condition that impairs their ability to exercise the privileges of the licence in a single-pilot operation.
- (2) A person who holds a private pilot licence or recreational pilot licence must, as soon as practicable, cease exercising the privileges of their licence in a single-pilot operation in an aircraft if:
 - (a) there are any changes in their health circumstances, whether involving temporary or longer-term impairment or incapacitation, which may affect their ability to continue to exercise the privileges of their licence in a single-pilot operation in an aircraft or may otherwise have an impact on aviation safety; or
 - (b) any issue arises in flight that causes them to have reduced capacity to control the aircraft for any period, or to change the flight plan, such as land early, divert or change altitude.
- (3) A person who holds a private pilot licence or recreational pilot licence must notify CASA within 30 days if:
 - (a) they know, or have reasonable grounds to believe, that they have a medically significant condition that impairs their ability to exercise the privileges of their licence in a single-pilot operation in an aircraft; and

(b) that condition has lasted for more than 30 days.

Note Such notification is important for aviation safety purposes. It is an important indication to CASA of willingness to comply with the conditions in this Part.

- (4) Subsection (2) does not apply if, in the circumstances, the relevant act was a reasonable measure to save life (including the life of the person who holds a private pilot licence or recreational pilot licence) or avoid damage to property.

31 Conditions — correcting lenses must be worn if needed

A person who holds a private pilot licence or recreational pilot licence and who needs correcting lenses must not commence exercising the privileges of their licence in a single-pilot operation in an aircraft unless they:

- (a) have acceptable correcting lenses available for use while exercising the privileges of the licence in a single-pilot operation; and
- (b) have within reach, while they are performing duties essential to the operation of an Australian aircraft during flight time for the single-pilot operation in an aircraft, a spare pair of spectacles for each pair of correcting lenses that the person requires to comply with this section.

32 Conditions — record of class 5 medical self-declaration must be carried on aircraft and produced for inspection

- (1) A person who holds a private pilot licence or recreational pilot licence must not commence exercising the privileges of their licence in a single-pilot operation in an aircraft unless they are carrying a copy of their record of class 5 medical self-declaration on the aircraft.
- (2) A person who holds a private pilot licence or recreational pilot licence must, on request of an authorised person, produce their record of class 5 medical self-declaration for inspection by the person.

Schedule 1 — Dictionary

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 *Australian territory* (which is defined in the *Civil Aviation Act 1988*) and *aerobic manoeuvres, altitude, authorised Part 141 flight training, authorised Part 142 activity, authorised person, flight examiner, flight instructor, flight test, flying in formation, maximum take-off weight, medical certificate, Part 141 operator, Part 142 operator, pilot in command, pilot licence, private operation, private pilot licence, recreational pilot licence, single-pilot operation, solo* and *student pilot* (which are defined in the CASR Dictionary).

1 Definitions

(1) In this instrument:

acceptable correcting lenses means correcting lenses (which may be a pair of spectacles or a combination of contact lenses and a pair of spectacles) to satisfy the requirements of item 1.36 of table 67.150 of CASR.

Aviation Medical Guidelines — see subsection 4(1).

class, in relation to a medical certificate, means a class of medical certificate mentioned in regulation 67.145 of CASR.

conditional private driver licence means a private driver licence issued by a driver licensing authority of a State or Territory as a conditional licence in accordance with a law in force in the State or Territory and that is issued subject to any of the following conditions:

- (a) that the holder must wear correcting lenses at all times while driving;
- (b) that the holder is only authorised to drive during daylight hours;
- (c) that the holder must drive only a motor vehicle that is fitted with a specified driver aid or that is modified as directed by the driver licensing authority or as printed on the licence;
- (d) that the driver is regularly medically assessed for fitness to drive.

conduct, as a verb, in relation to a flight operation, means to occupy a flight control seat in an aircraft while the operation takes place.

disqualifying medical condition means any of the following:

- (a) epilepsy and other seizure disorders, or diseases that could cause seizures;
- (b) blackouts or other sudden alterations of consciousness, or diseases that could cause these;
- (c) insulin-treated diabetes;
- (d) high-risk pregnancy;
- (e) lung disease that requires oxygen therapy;
- (f) intracranial malignancies;
- (g) visual field or visual acuity that does not meet the private vehicle driver standards set out in the publication *Assessing fitness to drive for commercial and private vehicle drivers*, as in force from time to time;

Note At the commencement of this instrument, edition 6.0 of *Assessing fitness to drive for commercial and private vehicle drivers*, dated 22 June 2002, was available to view or download on Austroads's website at <https://austroads.com.au>.

- (h) hearing loss that means the person is unable to understand conversational voice at a distance of 2 metres at the time of the assessment, whether unaided or with the assistance of a medically prescribed hearing aid;

- (i) any neurological or other functional impairment that causes the person not to be able to operate the flight controls safely in all circumstances when in the flying environment;
- (j) any musculoskeletal disability, disorder or disease of the bones, joints, muscles, or tendons, which would limit or restrict the normal manipulation of aircraft controls, or would require physical modifications to the aircraft to enable appropriate manipulation of the controls;
- (k) any other abnormality, disability, or disease (active or latent) or injury that can become suddenly and unpredictably safety-relevant in the flying environment;
- (l) any other medical condition that makes a person unable to safely perform all required aspects of the flying task that the person intends to perform;
- (m) any disease or condition that reduces the capacity of a person to undertake the online self-assessment of medical fitness process, including to make a declaration or give an undertaking as part of that process, including, but not limited to, the following:
 - (i) dementia or other memory disorders including, but not limited to, Alzheimer's disease, vascular dementia, Lewy Body dementia;
 - (ii) psychotic disorders or psychiatric diseases with psychotic features including, but not limited to, schizophrenia and bipolar disorder;
 - (iii) any other disease that includes cognitive impairment or decline as a known part of the natural history of the disease, including, but not limited to, Parkinson's disease and traumatic brain injury.

disqualifying medication or substance means any of the following medications or substances that, if taken or used regularly at the dosage or amount taken by the person concerned, may reduce the person's capacity to safely perform all required aspects of the flying task that the person intends to perform, or to undertake the online self-assessment of medical fitness process (including making a declaration or giving an undertaking as part of that process):

- (a) benzodiazepines and other sedatives including, but not limited to, diazepam and alprazolam;
- (b) antipsychotics, including, but not limited to, olanzapine, quetiapine, and aripiprazole;
- (c) tricyclic antidepressants, including, but not limited to, amitriptyline;
- (d) mood stabilising medications, including, but not limited to, lithium and sodium valproate;
- (e) narcotic analgesics, including, but not limited to, hydromorphone, codeine, morphine, and oxycodone;
- (f) pain-modifying medications, including, but not limited to, gabapentin and pregabalin;
- (g) Δ 9-tetrahydrocannabinol;
- (h) 6-Acetyl morphine;
- (i) Amphetamine;
- (j) Benzoyllecgonine;
- (k) Cocaine;
- (l) Codeine;

- (m) Dexamphetamine;
- (n) Methylamphetamine;
- (o) Methylenedioxyamphetamine;
- (p) Methylenedioxymethylamphetamine;
- (q) Morphine;
- (r) any medication that causes the pilot to have an alteration in sensory function, motor function or cognition.

flight activity endorsement means an endorsement mentioned in column 1 of table 61.1145.

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

medical condition — see subsection (2).

medical practitioner means a person entitled to practice as a medical practitioner under a law of a State or Territory.

medically significant condition has the meaning given by subregulation 67.010(1) of CASR.

needs correcting lenses, in relation to a person, means a person:

- (a) who would fail to qualify for a record of class 5 medical self-declaration where the only medical condition causing such a failure would relate solely to the person's ophthalmic condition for which the normal use of prescribed refractive correcting lenses is the only medical requirement; and
- (b) whose visual acuity is corrected by their lenses to:
 - (i) at least $\frac{6}{12}$ in 1 eye; and
 - (ii) at least $\frac{6}{18}$ in the other eye; and
 - (iii) at least $\frac{6}{12}$ in both eyes together; and
- (c) whose record of class 5 medical self-declaration includes the following information:

“The person to whom this record of class 5 medical self-declaration relates must wear correcting lenses at all times when relying on this medical self-declaration in the exercise of functions and privileges for aviation purposes”.

online self-assessment of medical fitness process — see subsection 4(1).

operational rating has the meaning given by regulation 61.010 of CASR.

permitted class 5 flight training means a flight:

- (a) that is conducted by a pilot without a flight instructor or flight examiner on board the aircraft; and
- (b) that is Part 141 flight training or Part 142 flight training.

private driver licence means a private driver licence issued by a driver licensing authority of a State or Territory in accordance with a law in force in the State or Territory authorising the holder to drive:

- (a) a motor vehicle with a maximum loaded mass that is not greater than 4.5 tonnes and that is constructed or equipped to seat not more than 12 adults (including the driver); or
- (b) a car-based motor tricycle; or

- (c) a motor bike, or
- (d) a motor trike (other than a car-based motor tricycle) that does not have a body type commonly known as, or similar to, a sedan, station wagon, coupe, convertible, roadster, utility, tray top or van; or
- (e) any tractor or implement.

privilege has the meaning given by regulation 61.010 of CASR.

problematic use of a substance means the use of one or more psychoactive substances by aviation personnel in a way that constitutes a direct hazard to the user or endangers the lives, health or welfare of others or causes or worsens an occupational, social, mental or physical problem or disorder.

Note This definition is based on that in section 1.1 of Annex 1, Personnel Licensing, to the Chicago Convention.

psychoactive substance means:

- (a) alcohol; or
- (b) opioids; or
- (c) cannabinoids; or
- (d) sedatives and hypnotics; or
- (e) cocaine; or
- (f) any other psychostimulant, hallucinogens, and volatile solvents, excluding caffeine or nicotine.

Note This definition is based on that in section 1.1 of Annex 1, Personnel Licensing, to the Chicago Convention.

rating means a rating granted under Part 61 of CASR on a flight crew licence.

rating applicant means a person who has applied to CASA for the grant of a rating, other than an operational rating, on a private pilot licence or a recreational pilot licence, but does not include a person who is eligible for the rating under subregulation 61.275(2) or (3) of CASR.

Note Subregulations 61.275(2) and (3) of CASR set out the circumstances in which the holder of an overseas flight crew licence is taken to meet the requirements under Part 61 of CASR for the grant of, respectively:

- (a) an aircraft class rating, pilot type rating or flight engineer type rating; and
- (b) an operational rating.

record of class 5 medical self-declaration — see subsection 4(1).

recreational pilot licence applicant means a person, other than a person who is eligible for the licence under subregulation 61.275(1) of CASR, who has applied to CASA for the grant of a recreational pilot licence (whether or not the person has applied after a recreational pilot licence they held was cancelled).

Note Subregulation 61.275(1) of CASR sets out the circumstances in which the holder of an overseas flight crew licence is taken to meet the requirements under Part 61 of CASR for the grant of a flight crew licence with an aircraft category rating.

regularly taking or using, in relation to the taking or using of a medication or substance by a particular person, means taking or using the medication or substance on most days, in circumstances in which the disease or symptoms for which the person is taking or using the medication or substance can be expected to become significantly worse if the medication or substance is not taken or used on most days.

renewal date — see subsection 4(1).

safety-relevant, in relation to a medical condition, means a condition that reduces, or is likely to reduce, the ability of someone who has it to:

- (a) in the case of a student pilot — conduct a solo flight in an aircraft; or
- (b) in the case of a relevant pilot licence applicant or a rating applicant — undertake a flight test in an aircraft; or
- (c) in the case of a person who holds a private pilot licence or a recreational pilot licence — exercise the privileges of the licence in a single-pilot operation in an aircraft.

successfully completed the online self-assessment of medical fitness process — see subsection 4(1).

- (2) In this instrument, a reference to a medical condition (other than pregnancy, a consequence of pregnancy or the termination of a pregnancy) includes both such a condition that is congenital and one that is the result of injury or illness.
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