Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX74/24

I, STEVEN JAMES CAMPBELL, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed S. Campbell]
Steven Campbell
Executive Manager, National Operations & Standards

29 November 2024

CASA EX74/24 – Part 121 – Single Pilot Aeroplane (MOPSC 10-13) Operations – Exemptions and Directions Instrument 2024

1 Name

This instrument is *CASA EX74/24 – Part 121 – Single Pilot Aeroplane (MOPSC 10-13) Operations – Exemptions and Directions Instrument 2024*.

1A Commencement

This instrument commences on 2 December 2024.

2 Repeal

This instrument is repealed at the end of 1 December 2027.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the Act and the regulations. These include ***CAR***, ***CASR***, ***inoperative***, ***Part 121 Manual of Standards***, ***Part 135 Manual of Standards***, ***TAWS-Class A*** and ***TAWS-Class B***, which are defined in the CASR Dictionary.

In this instrument:

airborne weather radar equipment has the same meaning as in Part 135 of CASR.

automatic pilot has the same meaning as in Part 135 of CASR.

class, in relation to an aeroplane, has the meaning given by Part 61 of CASR.

Note See regulation 61.020 of CASR, which lists the classes of aircraft.

MOPSC is short for ***maximum operational passenger seat configuration***, which has the meaning given by the CASR Dictionary.

relevant aeroplane means an aeroplane:

(a) to which subregulation 121.005(1) or (2) of CASR would apply were it not for this instrument; and

(b) that has a MOPSC of at least 10 but not more than 13; and

(c) that has a maximum take-off weight of no more than 8 618 kg; and

(d) that is certificated to be operated by a single pilot in accordance with the type certificate data sheet; and

(e) whose flight manual provides that the flight crew of the aeroplane may be constituted by a single pilot.

TAWS-Class B+ means a terrain awareness warning system that:

(a) is a TAWS-Class B; and

(b) includes a colour terrain display that meets the following requirements:

(i) the displayed terrain information must be depicted relative to the aeroplane's position such that the pilot can estimate the relative bearing to the terrain of interest;

(ii) the displayed terrain information must be depicted relative to the aeroplane's position such that the pilot may estimate the distance to the terrain of interest;

(iii) the displayed terrain information depicted must be oriented to either the heading or the track of the aeroplane, and may include an additional selectable north-up orientation format;

(iv) variations in terrain elevation must be depicted relative to the aeroplane's current or projected elevation (above and below) and be visually distinct, except that terrain that is more than 2 000 feet below the aeroplane's elevation may be excluded;

(v) terrain that generates alerts must be displayed in a manner that distinguishes it from non-hazardous terrain, consistent with the caution and warning alert level relevant to the TAWS Class B equipment.

type, in relation to an aeroplane, has the meaning given by the CASR Dictionary.

4 Application

This instrument applies to the following:

(a) the operator of a relevant aeroplane;

(b) the pilot in command of the operator of a relevant aeroplane.

5 Exemptions — operators and pilots in command

(1) The operator of a relevant aeroplane is exempt from compliance with each provision of Part 121, and the Part 121 Manual of Standards, that would, but for this instrument, apply to the operator.

(2) The pilot in command of the operator of a relevant aeroplane is exempt from compliance with each provision of Part 121, and the Part 121 Manual of Standards, that would, but for this instrument, apply to the pilot in command.

6 Conditions

(1) Each exemption under section 5 is subject to the condition that the operator and the pilot in command, while taking the benefit of this exemption instrument, will not, with respect to a relevant aeroplane, take the benefit of any exemption under *CASA EX69/24 – Part 121 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024*.

(2) Each exemption under section 5 is subject to the condition that the operator and the pilot in command must each comply (as the case requires) with the following as if they applied instead of a provision of Part 121 or the Part 121 Manual of Standards:

(a) Part 135, but as if *CASA EX71/24 – Part 135, Subpart 121.Z and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024* (***CASA EX71/24***) also applied;

(b) the Part 135 Manual of Standards, but as if CASA EX71/24 also applied.

(3) The additional conditions mentioned in Schedule 1 apply for each exemption under section 5.

10 Directions to notify CASA

(1) An operator of a relevant aeroplane is directed that they must notify CASA, using the relevant approved Form, of the similar types of aeroplanes intended to be operated under this instrument, before commencing the operation of the similar types.

(2) Subsection (1) does not apply if the operator previously notified CASA that they were operating, or intended to operate, a similar type of aeroplane under the provisions of *CASA EX97/22 – Part 121 – Single Pilot Aeroplane (MOPSC 10-13) Operations – Exemptions Repeal, Remake, and Direction Instrument 2022*.

Note 1 If an operator's operations conducted under this instrument are a ***significant change*** (as defined in regulation 119.020 of CASR), then the approved Form would be the *Air operator's certificate and associated approvals* form, which is available on CASA's website.

Note 2 If an operator's operations conducted under this instrument are NOT a significant change (as defined in regulation 119.020 of CASR), then the approved Form would be the *non-significant changes* form, which is available on CASA's website.

(3) For the purposes of this section, ***similar type of aeroplane*** to a particular type of relevant aeroplane (the ***first type***), means another type of aeroplane (the ***second type***) that:

(a) is of the same type as the first type; or

(b) if the first type is included in a class rating — is included in the same class rating.

Note 1 Example of same type for paragraph (a): if the first type is a King Air 350, the same type could be a Beech 1900, as both types are covered by the same pilot type rating (both aeroplane types would need to have a MOPSC of 10 to 13 to utilise the exemption).

Note 2 Example of same class for paragraph (b): if the first type is a BE200 (King Air), the same type could be a Cessna 404 (Titan), as both types are included in the multi-engine aeroplane class rating. A Cessna 208B (Caravan) would not be the same as either of these types as it is included in the single, and not the multi-engine, aeroplane class rating.

Schedule 1 Additional conditions

Note The equipment fitment requirements under this Schedule intentionally exceed those under Part 135 of CASR.

1 For a VFR flight conducted by day, a relevant aeroplane must comply with the automatic pilot requirements of subsection 11.10(2) of the Part 135 Manual of Standards as if that subsection applied to the flight.

2 For any flight of a relevant aeroplane, subsection 11.10(3) of the Part 135 Manual of Standards does not apply to the flight.

3 An automatic pilot may be inoperative at the beginning of a day VFR or day IFR VMC flight in a relevant aeroplane only if the flight begins:

(a) from an aerodrome at which there is no facility for the automatic pilot to be repaired or replaced; and

(b) within 24 hours of the time the automatic pilot was found to be inoperative.

Note The effect of these provisions is that an automatic pilot must not be inoperative for more than 24 hours, or if departing from an aerodrome where repairs can be made.

4 For an IFR flight, or a VFR flight at night, in a turbine-engine aeroplane with a maximum take-off weight of more than 5 700 kg, the relevant aeroplane must be fitted with a TAWS-Class A that is not inoperative.

4A For an IFR flight, or a VFR flight at night, in a turbine-engine aeroplane with a maximum take-off weight of 5 700 kg or less, the aeroplane must be fitted with a TAWS-Class A, or a TAWS-Class B+, that is not inoperative.

5 For an IFR flight, or a VFR flight at night, in a piston-engine aeroplane, the relevant aeroplane must be fitted with a TAWS-Class A, TAWS-Class B+ or TAWS-Class B that is not inoperative.

6 For a VFR flight by day in a relevant aeroplane, the relevant aeroplane must be fitted with a TAWS-Class A, TAWS-Class B+ or TAWS-Class B that is not inoperative.

7 For a flight in a relevant aeroplane, paragraph 11.26(a) of the Part 135 Manual of Standards may be applied by the pilot in command or the operator of the flight as if that paragraph applied to the flight.

Note Paragraph 11.26(a) of the Part 135 Manual of Standards deals with inoperative TAWS.

8 For a flight in a relevant aeroplane, the aeroplane must be fitted with airborne weather radar equipment.

9 For a flight in a relevant aeroplane, section 11.28 of the Part 135 Manual of Standards may be applied by the pilot in command or the operator of the flight as if that section applied to the flight.

Note Section 11.28 of the Part 135 Manual of Standards deals with inoperative airborne weather radar equipment.