



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX11/25

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

28 February 2025

**CASA EX11/25 — Medical Certification (Basic Class 2 Medical Certificate)
Exemption 2025**

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1 Name

This instrument is *CASA EX11/25 — Medical Certification (Basic Class 2 Medical Certificate) Exemption 2025*.

2 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) is repealed at the end of 31 January 2028.

3 Repeal of instrument CASA EX49/24

Instrument *CASA EX49/24 — Medical Certification (Private Pilot Licence Holders with Basic Class 2 Medical Certificate) Exemption 2024* is repealed.

4 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: **aircraft**, **altitude**, **Australian territory**, **authorised Part 141 flight training**, **authorised Part 142 activity**, **authorised person**, **CASR**, **class**, **flight examiner**, **flight instructor**, **flight test**, **medical practitioner**, **maximum take-off weight**, **medical certificate**, **officer**, **Part 141 operator**, **Part 142 operator**, **passenger**, **pilot**, used as a verb, **pilot in command**, **single-pilot operation**, **solo** and **student pilot**.

In this instrument:

authorised CASA officer means an officer who holds an appointment as an authorised person for the purposes of regulation 302 of the *Civil Aviation Regulations 1988*.

Aviation Medical Certificate (Basic Class 2) means a certificate of that name, issued by CASA:

- (a) on the application of a person who has certified that they have been assessed by a medical practitioner as meeting the medical standard basic class 2, as the medical standard exists at the time the application is made; and
- (b) on the basis that CASA is satisfied that the applicant meets the medical standard basic class 2, as the medical standard exists at the time CASA issues the certificate; and
- (c) that records an expiry date for the certificate on the basis of the recommended date of next review recorded on the person's most recent Fitness Report.

category of aircraft has the meaning given by regulation 61.015 of CASR.

conduct, as a verb, in relation to a flight operation, has the meaning given by regulation 61.010 of CASR.

current:

- (a) for a recreational aviation medical practitioner's certificate — has the meaning given by regulation 61.010 of CASR; and
- (b) for an Aviation Medical Certificate (Basic Class 2) — the certificate is **current** during the period beginning when it is issued by CASA and ending at the time and date of expiry, as recorded on the certificate.

Fitness Report, in relation to a person, means CASA Form 1474, *Fitness Report*:

- (a) showing that a medical practitioner assessed that, on the date of making the assessment, the person met the medical standard basic class 2; and
- (b) that includes a date of next review, recommended by the medical practitioner, for the person to be next assessed against the medical standard basic class 2.

flight activity endorsement has the meaning given by regulation 61.010 of CASR.

maximum certificated take-off weight has the meaning given by regulation 61.010 of CASR.

medical exemption has the meaning given by regulation 61.010 of CASR.

medical standard basic class 2 means the commercial vehicle driver medical standards that apply to drivers of heavy vehicles, public passenger vehicles or vehicles carrying dangerous goods, published by Austroads:

- (a) as existing from time to time; and
- (b) without conditions or restrictions other than a requirement to wear glasses or a hearing aid.

Note 1 To be assessed by a medical practitioner as meeting the medical standard basic class 2, a person must meet the commercial vehicle driver medical standards for an unconditional licence (other than the requirement to meet those standards without a hearing aid or glasses).

Note 2 At the time of making this instrument, the commercial vehicle driver medical standards mentioned in the definition of ***medical standard basic class 2*** are included in the publication titled *Assessing fitness to drive for commercial and private vehicle drivers*, 6th edition, 2022. That publication is freely available by searching for the publication title on the Austroads Publications page, located at <<https://austroads.com.au/publications>>.

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

Part 142 activity has the meaning given by regulation 142.015 of CASR.

pilot, used as a noun, has the meaning given by regulation 61.010 of CASR.

pilot licence has the meaning given by regulation 61.010 of CASR.

privilege, in relation to a flight crew licence, rating or endorsement, has the meaning given by regulation 61.010 of CASR.

rating has the meaning given by regulation 61.010 of CASR.

recreational aircraft has the meaning given by regulation 61.010 of CASR.

recreational aviation medical practitioner's certificate has the meaning given by regulation 61.010 of CASR.

5 Exemptions — certain student pilots

- (1) This section applies to a student pilot who holds a current Aviation Medical Certificate (Basic Class 2).
- (2) The student pilot is exempt from compliance with subregulation 61.114(2) of CASR, to the extent that the subregulation requires that, to be authorised to conduct a solo flight in an aircraft other than a recreational aircraft, the student pilot must hold:
 - (a) a class 1 or 2 medical certificate; or
 - (b) a medical exemption for the flight.
- (3) The student pilot is exempt from compliance with subregulation 61.114(4) of CASR, to the extent that the subregulation requires that, to be authorised to conduct a solo flight in a recreational aircraft by day, the student pilot must hold:
 - (a) a class 1 or 2 medical certificate; or
 - (b) a medical exemption for the flight.

- (4) The student pilot is exempt from compliance with subregulation 61.118(2) of CASR, to the extent that the subsection requires the student pilot to produce their medical certificate.
- (5) The exemption in subsection (2) is subject to the conditions mentioned in section 6.
- (6) The exemptions in subsections (3) and (4) are subject to the conditions mentioned in:
 - (a) subsections 6(1) and (2); and
 - (b) paragraphs 6(3)(a), (b) and (c); and
 - (c) subsection 6(4).

Note The condition in paragraph 6(3)(d) is not mentioned in subsection 5(6) because the definition of **recreational aircraft** in regulation 61.010 of CASR means a single-engine aircraft that, relevantly in paragraph (b), has a maximum certificated take-off weight of less than 1 500 kg. However, that condition applies to the exemption in subsection 5(2) because that exemption relates to a solo flight in an aircraft other than a recreational aircraft.

6 Conditions — certain student pilots

- (1) A student pilot mentioned in subsection 5(1) must not commence a solo flight unless the student pilot carries, during the flight, their current Aviation Medical Certificate (Basic Class 2).
- (2) The student pilot must not commence a solo flight after the recommended date of next review against the medical standard basic class 2, recorded on the student pilot's most recent Fitness Report.
- (3) The student pilot must not commence a solo flight unless the solo flight is conducted:
 - (a) by day under the VFR; and
 - (b) below an altitude of 10 000 feet; and
 - (c) within Australian territory; and
 - (d) in a piston-engined aircraft with a maximum take-off weight less than 8 618 kg.

Note 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).

- (4) The student pilot must:
 - (a) on request of an authorised CASA officer — produce their Aviation Medical Certificate (Basic Class 2) for inspection by the officer; and
 - (b) within 48 hours of a request of an authorised CASA officer — produce a copy of their most recent Fitness Report for inspection by the officer.

7 Exemption — flight instructors of certain student pilots

- (1) Subsection (2) applies if:
 - (a) a flight instructor approves a person to conduct a solo flight in an aircraft as a student pilot (the **student pilot**); and
 - (b) the student pilot holds a current Aviation Medical Certificate (Basic Class 2).

- (2) The flight instructor is exempt from compliance with subparagraph 61.1225(1)(b)(iii) of CASR.

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).

8 Exemption — certain private pilot licence applicants

- (1) This section applies to a person:
- (a) who has applied to CASA for:
 - (i) the grant of a private pilot licence; or
 - (ii) an additional aircraft category rating for an existing private pilot licence; and
 - (b) who holds a current Aviation Medical Certificate (Basic Class 2).
- (2) The applicant is exempt from compliance with paragraph 61.235(2)(c) of CASR, to the extent that the paragraph requires that, to be eligible to take a flight test for the licence that is to be conducted in an aircraft, the applicant must hold:
- (a) a current medical certificate of the class required for the exercise of the privileges of the licence; or
 - (b) a medical exemption for the exercise of the privileges of the licence.

Note Under subregulation 61.730(3) of CASR, an applicant for an aircraft category rating for an existing pilot licence must meet the requirements for the grant of the pilot licence with the aircraft category rating.

- (3) The exemption in subsection (2) is subject to the conditions mentioned in section 9.

Note See also subsections 22(1) to (4) for related exemptions applying to a Part 141 operator in relation to an applicant mentioned in subsection 8(1) and subsections 23(1) to (4) for related exemptions applying to a Part 142 operator in relation to that kind of applicant.

9 Conditions — certain private pilot licence applicants

- (1) An applicant mentioned in subsection 8(1) must not commence a flight test, to be conducted in an aircraft, for the grant of the private pilot licence or an additional aircraft category rating unless the applicant carries, during the flight test on the aircraft, their current Aviation Medical Certificate (Basic Class 2).
- (2) The applicant must not commence a flight test for the grant of the licence, or additional aircraft category rating, that is to be conducted in an aircraft after the recommended date of next review against the medical standard basic class 2, recorded on their most recent Fitness Report.
- (3) The applicant must:
- (a) on request of an authorised CASA officer — produce their Aviation Medical Certificate (Basic Class 2) for inspection by the officer; and
 - (b) within 48 hours of a request of an authorised CASA officer — produce a copy of their most recent Fitness Report for inspection by the officer.

10 Exemption — flight examiners of certain private pilot licence applicants

A flight examiner is exempt from compliance with subparagraph 61.1300(3)(b)(i) of CASR, in relation to a flight test conducted in an aircraft, if:

- (a) the flight test is for the grant of a private pilot licence, or an additional aircraft category rating for an existing private pilot licence; and
- (b) the applicant for the licence or rating holds a current Aviation Medical Certificate (Basic Class 2).

Note Under subparagraph 61.1300(3)(b)(i) of CASR, a flight examiner commits an offence if:

- (a) the examiner conducts a flight test for a pilot licence in an aircraft; and
- (b) when the test begins, the examiner is not satisfied that, if the test is for a licence other than a recreational pilot licence — the applicant holds a current medical certificate of the class required for the exercise of the privileges of the licence (see sub-subparagraph 61.1300(3)(b)(i)(A)) or a medical exemption to exercise the privileges of the licence (see sub-subparagraph 61.1300(3)(b)(i)(B)).

11 Exemption — certain recreational pilot licence applicants

- (1) This section applies to a person:
 - (a) who has applied to CASA for:
 - (i) the grant of a recreational pilot licence; or
 - (ii) an additional aircraft category rating for an existing recreational pilot licence; and
 - (b) who holds a current Aviation Medical Certificate (Basic Class 2).

- (2) The applicant is exempt from compliance with paragraph 61.235(2)(c) of CASR.

Note Under subregulation 61.730(3) of CASR, an applicant for an additional aircraft category rating for an existing pilot licence must meet the requirements for the grant of the licence with the aircraft category rating.

- (3) The exemption in subsection (2) is subject to the conditions mentioned in section 12.

Note See also subsections 22(1) to (4) for related exemptions applying to a Part 141 operator in relation to an applicant mentioned in subsection 11(1).

12 Conditions — certain recreational pilot licence applicants

- (1) An applicant mentioned in subsection 11(1) must not commence a flight test for the grant of the recreational pilot licence or additional aircraft category rating, that is to be conducted in an aircraft unless the applicant carries, during the flight test in the aircraft, their current Aviation Medical Certificate (Basic Class 2).
- (2) The applicant must not commence a flight test for the grant of the licence or additional aircraft category rating, that is to be conducted in an aircraft, after the recommended date of next review against the medical standard basic class 2, recorded on their most recent Fitness Report.
- (3) The applicant must:
 - (a) on request of an authorised CASA officer — produce their Aviation Medical Certificate (Basic Class 2) for inspection by the officer; and
 - (b) within 48 hours of a request of an authorised CASA officer — produce a copy of their most recent Fitness Report for inspection by the officer.

13 Exemption — flight examiners of certain recreational pilot licence applicants

A flight examiner is exempt from compliance with subparagraph 61.1300(3)(b)(ii) of CASR, in relation to a flight test conducted in an aircraft, if:

- (a) the flight test is for the grant of a recreational pilot licence or an additional aircraft category rating for an existing recreational pilot licence; and
- (b) the applicant for the licence or rating holds a current Aviation Medical Certificate (Basic Class 2).

Note Under subparagraph 61.1300(3)(b)(ii) of CASR, a flight examiner commits an offence if:

- (a) the examiner conducts a flight test for a pilot licence in an aircraft; and
- (b) when the test begins, the examiner is not satisfied that, if the test is for a recreational pilot licence — the applicant holds a current class 1 or 2 medical certificate or recreational aviation medical practitioner's certificate (see sub-subparagraph 61.1300(3)(b)(ii)(A)) or a medical exemption for the exercise of the privileges of the licence (see sub-subparagraph 61.1300(3)(b)(ii)(B)).

14 Exemption — certain rating applicants

- (1) This section applies to the holder of a pilot licence (the *rating applicant*) who:
 - (a) has applied to CASA for the grant of an aircraft class rating or a pilot type rating; and
 - (b) holds a current Aviation Medical Certificate (Basic Class 2).
- (2) The rating applicant is exempt from compliance with subregulation 61.235(4) of CASR, to the extent that the subregulation requires that, to be eligible to take a flight test for the grant of the rating that is to be conducted in an aircraft, the applicant must hold:
 - (a) a current class 1 or 2 medical certificate or recreational aviation medical practitioner's certificate (whichever applies); or
 - (b) a medical exemption for the exercise of the privileges of the licence.
- (3) The exemption in subsection (2) is subject to the conditions mentioned in section 15.

Note See also subsections 22(1) to (4) for related exemptions applying to a Part 141 operator in relation to an applicant mentioned in subsection 14(1) and subsections 23(1) to (4) for related exemptions applying to a Part 142 operator in relation to that kind of applicant.

15 Conditions — certain rating applicants

- (1) A rating applicant mentioned in subsection 14(1) must not commence a flight test for the grant of the rating that is to be conducted in an aircraft unless the rating applicant carries, during the flight test on the aircraft, their current Aviation Medical Certificate (Basic Class 2).
- (2) The rating applicant must not commence a flight test for the grant of the rating that is to be conducted in an aircraft after the recommended date of next review against the medical standard basic class 2, recorded on their most recent Fitness Report.
- (3) The rating applicant must:
 - (a) on request of an authorised CASA officer — produce their Aviation Medical Certificate (Basic Class 2) for inspection by the officer; and
 - (b) within 48 hours of a request of an authorised CASA officer — produce a copy of their most recent Fitness Report for inspection by the officer.

15A Exemption — flight examiners of certain rating applicants

A flight examiner is exempt from compliance with subregulation 61.1300(5) of CASR, in relation to a flight test conducted in an aircraft, if:

- (a) the flight test is for the grant of an aircraft class rating or a pilot type rating to the holder of a pilot licence; and
- (b) the applicant for the rating holds a current Aviation Medical Certificate (Basic Class 2).

Note Under subregulation 61.1300(5) of CASR, a flight examiner commits an offence if:

- (a) the examiner conducts a flight test for a rating on a pilot licence in an aircraft; and
- (b) when the test begins, the examiner is not satisfied that the applicant holds: a current class 1 or 2 medical certificate or recreational aviation medical practitioner's certificate; or a medical exemption for the exercise of the privileges of the rating.

16 Exemptions — certain private pilot licence holders

- (1) This section applies to a person (the *private pilot licence holder*) who:
 - (a) holds:
 - (i) a private pilot licence; and
 - (ii) a current Aviation Medical Certificate (Basic Class 2); and
 - (b) exercises the privileges of the licence in an aircraft that is certificated for single-pilot operation.
- (2) The private pilot licence holder is exempt from compliance with subregulation 61.065(1) of CASR, to the extent that the subregulation requires that, to be authorised under Part 61 of CASR to exercise the privileges of the licence, the holder must meet the requirement mentioned in subregulation 61.410(1) of CASR.

Note Subregulation 61.410(1) of CASR imposes a limitation on the exercise of the privileges of a private pilot licence. Under that subregulation, the holder of a private pilot licence is authorised to exercise the privileges of the licence only if the holder also holds:

- (a) a current class 1 or 2 medical certificate; or
 - (b) a medical exemption for the exercise of the privileges of the licence.
- (3) The exemption in subsection (2) is subject to the conditions mentioned in sections 17 and 18.

17 Conditions — conduct of flights and exercise of privileges: certain private pilot licence holders

- (1) A private pilot licence holder mentioned in subsection 16(1) must not commence a flight unless the holder carries, during the flight, their current Aviation Medical Certificate (Basic Class 2).
- (2) The private pilot licence holder must not commence a flight after the recommended date of next review against the medical standard basic class 2, recorded on their most recent Fitness Report.
- (3) Subject to subsection (5), the private pilot licence holder must not, for a flight in an aircraft:
 - (a) pilot the aircraft if it is carrying more than 5 passengers; or
 - (b) exercise the privileges of the licence in conjunction with:
 - (i) a flight activity endorsement; or
 - (ii) an operational rating.

- (4) Subject to subsection (5), the private pilot licence holder may exercise the privileges of their licence for a flight only if the flight is conducted:
 - (a) by day under the VFR; and
 - (b) below an altitude of 10 000 feet; and
 - (c) within Australian territory; and
 - (d) in a piston-engined aircraft with a maximum take-off weight less than 8 618 kg.
- (5) Subsections (3) and (4) do not limit the exercise of the privileges of the private pilot licence holder's licence in an aircraft that is certificated for single-pilot operation if a flight control seat on the aircraft in which the flight is conducted is occupied by a person who:
 - (a) is authorised under the regulations to conduct the flight as pilot in command; and
 - (b) holds a current class 1 or 2 medical certificate.
- (6) The private pilot licence holder must:
 - (a) on request of an authorised CASA officer — produce their Aviation Medical Certificate (Basic Class 2) for inspection by the officer; and
 - (b) within 48 hours of a request of an authorised CASA officer — produce a copy of their most recent Fitness Report for inspection by the officer.

18 Conditions — flights carrying passengers: certain private pilot licence holders

- (1) If a passenger is carried on a flight piloted by a private pilot licence holder mentioned in subsection 16(1), the private pilot licence holder must:
 - (a) carry during the flight:
 - (i) their current Aviation Medical Certificate (Basic Class 2); and
 - (ii) a copy of the conditions mentioned in section 17; and
 - (b) before commencing the flight, inform the following persons of the matters mentioned in subsection (2):
 - (i) for each passenger who has a legal guardian — the passenger's legal guardian;
 - (ii) each other passenger.
- (2) For paragraph (1)(b), the matters are that the private pilot licence holder:
 - (a) does not hold a standard medical certificate required for private pilots; and
 - (b) holds an Aviation Medical Certificate (Basic Class 2) which:
 - (i) is assessed against the Austroads commercial vehicle driver medical standards; and
 - (ii) permits use of their private pilot licence, subject to conditions; and
 - (c) is carrying the following, for inspection by a passenger or a legal guardian of a passenger:
 - (i) their current Aviation Medical Certificate (Basic Class 2);
 - (ii) a copy of the conditions mentioned in section 17.

19 Exemptions — certain recreational pilot licence holders

- (1) This section applies to a person (the *recreational pilot licence holder*) who holds:
 - (a) a recreational pilot licence; and
 - (b) a current Aviation Medical Certificate (Basic Class 2).
- (2) The recreational pilot licence holder is exempt from compliance with subregulation 61.065(1) of CASR, to the extent that the subregulation requires that, to be authorised under Part 61 of CASR to exercise the privileges of the licence, the holder must meet the requirement mentioned in subregulation 61.405(1) of CASR to also hold:
 - (a) a current class 1 or 2 medical certificate; or
 - (b) a current recreational aviation medical practitioner's certificate; or
 - (c) a medical exemption for the exercise of the privileges of the licence.

Note Subregulation 61.405(1) of CASR imposes a limitation on the exercise of the privileges of a recreational pilot licence. Under that subregulation, the holder of a recreational pilot licence is authorised to exercise the privileges of the licence only if the holder also holds, relevantly:

 - (a) under paragraph 61.405(1)(a) — a current class 1 or 2 medical certificate; or
 - (b) under subparagraph 61.405(b)(i) — a current recreational aviation medical practitioner's certificate; or
 - (c) under paragraph 61.405(1)(c) — a medical exemption for the exercise of the privileges of the licence.
- (3) The recreational pilot licence holder is exempt from compliance with subregulation 61.065(1) of CASR, to the extent that the subregulation requires that, to be authorised under Part 61 of CASR to exercise the privileges of the licence, the holder must also meet the requirement mentioned in subregulation 61.465(2) of CASR.

Note Subregulation 61.465(2) of CASR imposes a limitation on the exercise of the privileges of a recreational pilot licence. Under that subregulation, the holder of a recreational pilot licence is authorised to pilot an aircraft carrying more than one passenger only if the holder:

 - (a) also holds a current class 1 or 2 medical certificate; or
 - (b) is accompanied by another pilot who:
 - (i) holds a current class 1 or 2 medical certificate; and
 - (ii) occupies a flight control seat in the aircraft; and
 - (iii) is authorised to pilot the aircraft.
- (4) The exemptions in subsections (2) and (3) are subject to the conditions mentioned in sections 20 and 21.

20 Conditions — conduct of flights and exercise of privileges: certain recreational pilot licence holders

- (1) A recreational pilot licence holder mentioned in subsection 19(1) must not commence a flight unless the holder carries, during the flight, their current Aviation Medical Certificate (Basic Class 2).
- (2) The recreational pilot licence holder must not commence a flight after the recommended date of next review against the medical standard basic class 2, recorded on their most recent Fitness Report.
- (3) Subject to subsection (5), the recreational pilot licence holder must not, for a flight in an aircraft:
 - (a) pilot the aircraft if it is carrying more than 5 passengers; or

(b) exercise the privileges of the licence in conjunction with:

- (i) a flight activity endorsement; or
- (ii) an operational rating.

Note See regulation 61.460 of CASR for the privileges of recreational pilot licences. Those privileges include, but are not limited to, that the holder of a recreational pilot licence is authorised to pilot a single-engine aircraft as pilot in command or co-pilot if the flight is conducted by day under the VFR and if the aircraft:

- (a) is certificated for single-pilot operation; and
 - (b) has a maximum certificated take-off weight of not more than 1 500 kg; and
 - (c) is not rocket-powered or turbine-powered.
- (4) Subject to subsection (5), the recreational pilot licence holder may exercise the privileges of their licence for a flight only if the flight is conducted within Australian territory.
- (5) Subsections (3) and (4) do not limit the exercise of the privileges of the recreational pilot licence holder's licence if a flight control seat on the aircraft in which the flight is conducted is occupied by a person who:
- (a) is authorised under the regulations to conduct the flight as pilot in command; and
 - (b) holds a current class 1 or 2 medical certificate.
- (6) The recreational pilot licence holder must:
- (a) on request of an authorised CASA officer — produce their Aviation Medical Certificate (Basic Class 2) for inspection by the officer; and
 - (b) within 48 hours of a request of an authorised CASA officer — produce a copy of their most recent Fitness Report for inspection by the officer.

21 Conditions — flights carrying passengers: certain recreational pilot licence holders

- (1) If a passenger is carried on a flight piloted by a recreational pilot licence holder mentioned in subsection 19(1), the recreational pilot licence holder must:
- (a) carry during the flight:
 - (i) their current Aviation Medical Certificate (Basic Class 2); and
 - (ii) a copy of the conditions mentioned in section 20; and
 - (b) before commencing the flight, inform the following persons of the matters mentioned in subsection (2):
 - (i) for each passenger who has a legal guardian — the passenger's legal guardian;
 - (ii) each other passenger.
- (2) For paragraph (1)(b), the matters are that the recreational pilot licence holder:
- (a) does not hold a standard medical certificate required for recreational pilots; and
 - (b) holds an Aviation Medical Certificate (Basic Class 2) which:
 - (i) is assessed against the Austroads commercial vehicle driver medical standards; and
 - (ii) permits use of their recreational pilot licence, subject to conditions; and

- (c) is carrying the following, for inspection by a passenger or a legal guardian of a passenger:
 - (i) their current Aviation Medical Certificate (Basic Class 2);
 - (ii) a copy of the conditions mentioned in section 20.

22 Exemptions — Part 141 operators and heads of operations

Flight test eligibility

- (1) Subsection (2) applies if a Part 141 operator conducts authorised Part 141 flight training for:
 - (a) the grant of a private pilot licence, or an additional aircraft category rating for an existing private pilot licence, to an applicant mentioned in subsection 8(1); or
 - (b) the grant of a recreational pilot licence, or an additional aircraft category rating for an existing recreational pilot licence, to an applicant mentioned in subsection 11(1); or
 - (c) the grant to a rating applicant mentioned in subsection 14(1) of:
 - (i) an aircraft class rating; or
 - (ii) a pilot type rating.
- (2) The Part 141 operator is exempt from compliance with subregulation 141.210(1) of CASR, to the extent that the subregulation requires the Part 141 operator to ensure that the applicant for the licence or rating is eligible under paragraph 61.235(2)(c) or (4)(b) (whichever applies) of CASR to undertake a flight test.

Note See also sections 8, 11 and 14. Those sections also include exemptions from particular provisions of regulation 61.235 of CASR for applicants described in those sections.
- (3) Subsection (4) applies to the head of operations of a Part 141 operator who is providing authorised Part 141 flight training to a person mentioned in subsection (1).
- (4) The head of operations is exempt from compliance with subregulation 141.210(1) of CASR, to the extent that the subregulation requires the head of operations to ensure that the person is eligible under paragraph 61.235(2)(c) or (4)(b) (whichever applies) of CASR to undertake a flight test.

Authorising person to fly as pilot in command, including with a passenger

- (5) Subsections (6) and (7) apply if a person who is undertaking a Part 141 operator's authorised Part 141 flight training flies an aircraft, used by the operator in the training, as pilot in command.
- (6) The Part 141 operator is exempt from compliance with regulation 141.290 of CASR in relation to the flight if the person is:
 - (a) not authorised under Part 61 of CASR to fly the aircraft as pilot in command because the person does not comply with a provision of Part 61; and
 - (b) exempt from compliance with the provision under this instrument.

Note See also sections 5, 8, 11, 14, 16 and 19. Those sections include exemptions from subregulations 61.114(2) and (4), 61.405(1), 61.410(1) and 61.465(2), and paragraphs 61.235(2)(c) and (4)(b), of CASR.

- (7) The Part 141 operator is exempt from compliance with regulation 141.300 of CASR in relation to the flight if the person is:
 - (a) not authorised under Part 61 of CASR to fly the aircraft as pilot in command with a passenger on board because the person does not comply with a provision of Part 61; and
 - (b) exempt from compliance with the provision under this instrument.

23 Exemptions — Part 142 operators and heads of operations

Flight test eligibility

- (1) Subsection (2) applies if:
 - (a) a Part 142 operator conducts a Part 142 activity involving training for:
 - (i) the grant of a private pilot licence, or an additional aircraft category rating for an existing private pilot licence, to an applicant mentioned in subsection 8(1); or
 - (ii) the grant of a pilot type rating to a rating applicant mentioned in subsection 14(1); and
 - (b) the applicant, in undertaking the training, flies an aircraft used by the Part 142 operator for the conduct of the Part 142 activity, as pilot in command.
- (2) The Part 142 operator is exempt from compliance with subregulation 142.245(1) of CASR, to the extent that the subregulation requires the Part 142 operator to ensure that the applicant for the licence or rating is eligible under paragraph 61.235(2)(c) or (4)(b) (whichever applies) of CASR to undertake a flight test.

Note See also sections 8 and 14. Those sections also include exemptions from particular provisions of regulation 61.235 of CASR for applicants described in those sections.
- (3) Subsection (4) applies to the head of operations of a Part 142 operator who is conducting a Part 142 activity involving provision of training to a person mentioned in subsection (1).
- (4) The head of operations is exempt from compliance with subregulation 142.245(1) of CASR, to the extent that the subregulation requires the head of operations to ensure that the person is eligible under paragraph 61.235(2)(c) or (4)(b) (whichever applies) of CASR to undertake a flight test.

Authorising person to fly as pilot in command, including with a passenger

- (5) Subsections (6) and (7) apply if a person who is undertaking training that is an authorised Part 142 activity flies an aircraft, used by a Part 142 operator in the training, as pilot in command.
- (6) The Part 142 operator is exempt from compliance with regulation 142.365 of CASR in relation to the flight if the person is:
 - (a) not authorised under Part 61 of CASR to fly the aircraft as pilot in command because the person does not comply with a provision of Part 61; and
 - (b) exempt from compliance with the provision under this instrument.

Note See also sections 5, 8, 14, 16 and 19. Those sections include exemptions from subregulations 61.114(2) and (4), 61.405(1), 61.410(1) and 61.465(2), and paragraphs 61.235(2)(c) and (4)(b), of CASR.

- (7) The Part 142 operator is exempt from compliance with regulation 142.375 of CASR in relation to the flight if the person is:
- (a) not authorised under Part 61 of CASR to fly the aircraft as pilot in command with a passenger on board because the person does not comply with a provision of Part 61; and
 - (b) exempt from compliance with the provision under this instrument.
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