



**Australian Government**  
**Civil Aviation Safety Authority**

Instrument number CASA EX70/25

I, DANIEL BERNARD O'HAGAN, Section Manager Drafting, Legal, International & Regulatory Affairs Division, a delegate of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998*.

**[Signed D.B. O'Hagan]**

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29 July 2025

**CASA EX70/25 — Multi-Engine Helicopters Exemption 2025**

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## Part 1 — Preliminary

### 1 Name

This instrument is *CASA EX70/25 — Multi-Engine Helicopters Exemption 2025*.

### 2 Duration

This instrument:

- (a) commences on 1 August 2025; and
- (b) is repealed at the end of 31 July 2028.

### 3 Interpretation

- (1) In this instrument:

***authorised*** to pilot a model of multi-engine helicopter: see section 4.

***cell***, for a column of the table in Schedule 1, means each individual, undivided unit (regardless of its size) into which the column is subdivided.

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

***pilot type rating*** has the same meaning as in Division 61.L.5 of CASR.

***relevant helicopter*** means a model of multi-engine helicopter mentioned in a cell in column 2 of the table in Schedule 1.

***relevant unit of competency*** means a unit of competency mentioned in clause 3 of Appendix L of Schedule 7 of the Part 61 Manual of Standards.

***type rating flight test endorsement*** means a flight test endorsement of that kind mentioned in column 1 of item 5 in table 61.1310 of CASR.

***type rating training endorsement*** means a training endorsement of that kind mentioned in column 1 of item 5 in table 61.1235 of CASR.

- (2) Column 1 of the table in Schedule 1 contains general information only and is not intended to qualify, or otherwise affect, the meaning or operation of anything else in Schedule 1.

#### **4 Meaning of *authorised* to pilot a model of multi-engine helicopter**

A person is *authorised* to pilot a model of multi-engine helicopter mentioned in a cell in column 2 of the table in Schedule 1 if:

- (a) the person holds the pilot type rating, relating to the helicopter, mentioned in the corresponding cell in column 3 of the table; or
- (b) the exemption under section 5 applies to the person in relation to the helicopter.

### **Part 2 — Pilot**

#### **5 Exemption — authority to exercise privileges of pilot licence**

- (1) This section applies to the holder of a pilot licence (the *licence holder*) who:
- (a) holds the pilot type rating, relating to a model of helicopter (the *first helicopter*) mentioned in a cell in column 2 of the table in Schedule 1, mentioned in the corresponding cell in column 3 of the table but not in relation to another relevant helicopter (the *second helicopter*); and
  - (b) has completed the training, relating to the piloting of the second helicopter, mentioned in subsection (2); and
  - (c) has been assessed as competent to pilot the second helicopter, having regard to the competency standards for a flight review, for the pilot type rating relating to the second helicopter, mentioned in section 14 of the Part 61 Manual of Standards; and
  - (d) at intervals of not more than 24 months:
    - (i) has a valid flight review for the pilot type rating in relation to another multi-engine helicopter for which the licence holder holds the rating; or
    - (ii) has been assessed as competent to pilot a relevant helicopter, having regard to the competency standards for a flight review, for the pilot type rating relating to the helicopter, mentioned in section 14 of the Part 61 Manual of Standards.
- (2) For paragraph (1)(b), the licence holder completes training, relating to the piloting of the second helicopter, if:
- (a) the licence holder has received training in all the units of competency mentioned in the Part 61 Manual of Standards for the pilot type rating in relation to the helicopter; and
  - (b) the training is conducted by:
    - (i) an instructor for a Part 141 operator that is authorised to conduct the training; or
    - (ii) the holder of an approval under regulation 141.035 of CASR to conduct the training; and
  - (c) the training is conducted in accordance with subsection (3); and

- (d) the instructor, or holder of the approval, is satisfied the licence holder meets the competency standards mentioned in the Part 61 Manual of Standards for the pilot type rating in relation to the helicopter.
- (3) For paragraph (2)(c), the training must not be conducted in a relevant helicopter with a maximum certificated passenger seating capacity of more than 9 if there is an approved flight simulator for the training available in Australia.
- (4) For paragraph (1)(c) or subparagraph (1)(d)(ii), the assessment requires demonstration to a person mentioned in subsection (5) that the licence holder has the competency required of the licence holder under subsection 14.6 of the Part 61 Manual of Standards by each relevant unit of competency for the pilot type rating in relation to the second helicopter.
- (5) For subsection (4), the persons are as follows:
  - (a) CASA;
  - (b) the holder of an approval under regulation 61.040 of CASR for regulation 61.400 of CASR;
  - (c) a pilot instructor who is authorised to conduct a flight review for the pilot type rating in relation to the second helicopter.
- (6) The assessment must be conducted in:
  - (a) the second helicopter; or
  - (b) an approved flight simulator for the assessment.
- (7) The licence holder is exempt from compliance with regulation 61.065 of CASR to the extent that the licence holder is not authorised to exercise the privileges of the licence, relating to the second helicopter, under paragraph 61.375(5)(b) of CASR.
 

*Note* The effect of the exemption is that the licence holder is authorised, under paragraph 61.375(5)(b) of CASR, to conduct the activity the subject of the exemption while piloting the second helicopter, despite not holding the pilot type rating in relation to the helicopter.
- (8) In this section:
 

**available**, for the training, means able to be used for the training.

**instructor** has the meaning given by regulation 141.030 of CASR.

## 6 Exemptions — valid flight review

- (1) Subsection (2) applies to the holder of a pilot licence (the **licence holder**):
  - (a) who holds the pilot type rating in relation to a model of helicopter (the **first helicopter**) but not in relation to a relevant helicopter (the **second helicopter**); and
  - (b) to whom the exemption under section 5 applies in relation to the second helicopter.
- (2) The licence holder is exempt from compliance with subregulation 61.800(1) of CASR to the extent that the licence holder is not authorised to exercise the privileges of the pilot type rating, relating to the first helicopter, as the pilot in command of the first helicopter.
 

*Note* The effect of the exemption is that the licence holder is authorised, under subregulation 61.800(1) of CASR, to conduct the activity the subject of the exemption, as the pilot in command of the first helicopter, despite not having a valid flight review for the pilot type rating in relation to the helicopter.

- (3) Subsection (4) applies to the holder of a pilot licence (the *licence holder*):
- (a) who holds a single-engine helicopter class rating in relation to a model of single-engine helicopter (the *third helicopter*); and
  - (b) who holds the pilot type rating, relating to a model of multi-engine helicopter mentioned in a cell in column 2 of the table in Schedule 1, mentioned in column 3 of the corresponding cell in the table but not in relation to another relevant helicopter (the *fourth helicopter*); and
  - (c) to whom the exemption under section 5 applies in relation to the fourth helicopter.
- (4) The licence holder is exempt from compliance with subregulation 61.745(1) of CASR to the extent that the licence holder is not authorised to exercise the privileges of the single-engine helicopter class rating in relation to the third helicopter.

*Note* The effect of the exemption is that the licence holder is authorised, under subregulation 61.745(1) of CASR, to conduct the activity the subject of the exemption in relation to the third helicopter, despite not having a valid flight review for the single-engine helicopter class rating in relation to the helicopter.

## **7 Exemption — valid instrument proficiency check**

- (1) This section applies to the holder of a pilot licence (the *licence holder*):
- (a) who holds the pilot type rating, relating to a model of multi-engine helicopter (the *first helicopter*) mentioned in a cell in column 2 of the table in Schedule 1, mentioned in the corresponding cell in column 3 of the table but not in relation to another relevant helicopter (the *second helicopter*); and
  - (b) to whom the exemption under section 5 applies in relation to the second helicopter; and
  - (c) who holds a valid instrument proficiency check for the second helicopter.
- (2) The licence holder is exempt from compliance with subregulation 61.805(1) of CASR to the extent that the licence holder is not authorised to exercise the privileges of the pilot type rating under the IFR in relation to the first helicopter.

*Note* The effect of the exemption is that the licence holder is authorised, under subregulation 61.805(1) of CASR, to conduct the activity the subject of the exemption in relation to the first helicopter, despite not having a valid instrument proficiency check for the helicopter type covered by the pilot type rating in relation to the helicopter.

- (3) In this section:
- instrument proficiency check* has the meaning given by regulation 61.010 of CASR.

## **Part 3 — Flight instructor**

### **8 Exemptions**

- (1) This section applies to a flight instructor who:
- (a) holds the type rating training endorsement for the type of multi-engine helicopter that includes a model of multi-engine helicopter (the *first*

- helicopter*) mentioned in a cell in column 2 of the table in Schedule 1 but not for another relevant helicopter (the *second helicopter*); and
- (b) holds the pilot type rating, relating to the first helicopter, mentioned in the corresponding cell in column 3 of the table; and
  - (c) is authorised to pilot the second helicopter; and
  - (d) has at least 25 hours of flight time as pilot in command of the second helicopter.
- (2) The flight instructor is exempt from compliance with regulation 61.065 of CASR to the extent that the flight instructor is not authorised to conduct flight training for the pilot type rating, relating to the second helicopter, under subregulation 61.1175(1) of CASR.
- Note* The effect of the exemption is that the flight instructor is authorised, under subregulation 61.1175(1) of CASR, to conduct the activity the subject of the exemption, in relation to the second helicopter, despite not holding the type rating training endorsement for the type of multi-engine helicopter that includes the helicopter.
- (3) The flight instructor is exempt from compliance with regulation 61.065 of CASR to the extent that the flight instructor is not authorised to conduct differences training for a variant of the second helicopter, under subregulation 61.1175(2) of CASR.
- Note* The effect of the exemption is that the flight instructor is authorised, under subregulation 61.1175(2) of CASR, to conduct the activity the subject of the exemption, for a variant of the second helicopter, despite not holding the type rating training endorsement for the type of multi-engine helicopter that includes the helicopter.
- (4) The flight instructor is exempt from compliance with regulation 61.065 of CASR to the extent that the flight instructor is not authorised to conduct training to meet the general competency requirement stated in regulation 61.385 of CASR, in relation to the second helicopter, under subregulation 61.1175(3) of CASR.
- Note* The effect of the exemption is that the flight instructor is authorised, under subregulation 61.1175(3) of CASR, to conduct the activity the subject of the exemption, in relation to the second helicopter, despite not holding the type rating training endorsement for the type of multi-engine helicopter that includes the helicopter.
- (5) The flight instructor is exempt from compliance with regulation 61.065 of CASR to the extent that the flight instructor is not authorised to conduct a flight review for the pilot type rating, relating to the second helicopter, under subregulation 61.1175(6) of CASR.
- Note* The effect of the exemption is that the flight instructor is authorised, under subregulation 61.1175(6) of CASR, to conduct the activity the subject of the exemption, in relation to the second helicopter, despite not holding one of the training endorsements mentioned in subregulation 61.1175(6).
- (6) The flight instructor is exempt from compliance with regulation 61.065 of CASR to the extent that the flight instructor is not authorised to conduct the activity mentioned in subsection (2) or (3), relating to the second helicopter, under paragraph 61.1240(1)(a) of CASR.
- Note* The effect of the exemption is that the flight instructor is authorised, under paragraph 61.1240(1)(a) of CASR, to conduct the activity the subject of the exemption, in relation to the second helicopter, despite not holding the type rating training endorsement for the type of multi-engine helicopter that includes the helicopter.

## Part 4 — Flight examiner

### 9 Exemption

- (1) This section applies to a flight examiner who:
  - (a) holds the type rating flight test endorsement for the type of multi-engine helicopter that includes a model of multi-engine helicopter (the ***first helicopter***) mentioned in a cell in column 2 of the table in Schedule 1 but not for another relevant helicopter (the ***second helicopter***); and
  - (b) holds the pilot type rating, relating to the first helicopter, mentioned in the corresponding cell in column 3 of the table; and
  - (c) either:
    - (i) holds the type rating training endorsement for the type of multi-engine helicopter that includes the second helicopter; or
    - (ii) is authorised to conduct flight training for the pilot type rating, relating to the second helicopter, under Part 3.
- (2) The flight examiner is exempt from compliance with regulation 61.065 of CASR to the extent that the flight examiner is not authorised to conduct a flight test for the pilot type rating, relating to the second helicopter, under paragraph 61.1255(a), subregulation 61.1265(1) and regulation 61.1315 of CASR.

*Note* The effect of the exemption is that the flight examiner is authorised, under paragraph 61.1255(a), subregulation 61.1265(1) and regulation 61.1315 of CASR, to conduct the activity the subject of the exemption, in relation to the second helicopter, despite not holding the type rating flight test endorsement for the type of multi-engine helicopter that includes the helicopter.

## Part 5 — Australian air transport operator

### 10 Exemptions

- (1) Subsections (2) and (3) apply if:
  - (a) the head of flying operations of an Australian air transport operator does not hold the pilot type rating in relation to a relevant helicopter; and
  - (b) the helicopter is used to conduct a significant proportion of the operator's Australian air transport operations; and
  - (c) the exemption under section 5 applies to the head of flying operations in relation to the helicopter.
- (2) The Australian air transport operator is exempt from compliance with regulation 119.060 of CASR to the extent that the head of flying operations does not hold the pilot type rating in relation to the relevant helicopter, which otherwise would be a breach of the condition of the operator's Australian air transport AOC mentioned in subparagraph 119.080(1)(b)(i) of CASR.
- (3) The Australian air transport operator is exempt from compliance with subparagraph 119.205(1)(e)(i) of CASR to the extent that the operator's exposition does not state that the head of flying operations holds the pilot type rating in relation to the relevant helicopter, which is a qualification required to be held by the head of flying operations under paragraph 119.135(1)(b) of CASR.

- (4) Subsection (5) applies if:
  - (a) an Australian air transport operator makes a significant change that is the permanent appointment, or acting appointment, of a person as the head of flying operations of the operator under paragraph 119.090(2)(a) of CASR; and
  - (b) the operator applies to CASA for approval of the change under subregulation 119.090(3) of CASR; and
  - (c) the person does not hold the pilot type rating in relation to a relevant helicopter; and
  - (d) the helicopter is used to conduct a significant proportion of the operator's Australian air transport operations; and
  - (e) the exemption under section 5 applies to the person in relation to the helicopter.
- (5) The Australian air transport operator is exempt from compliance with subregulation 119.090(2) of CASR to the extent that the copy of the part of the operator's exposition affected by the change, which accompanies the application, does not state that the person holds the pilot type rating in relation to the relevant helicopter, which is a qualification required to be held by the head of flying operations under paragraph 119.135(1)(b) of CASR.
- (6) Subsections (7) and (8) apply if:
  - (a) the head of training and checking of an Australian air transport operator does not hold the pilot type rating in relation to a relevant helicopter; and
  - (b) the helicopter is used to conduct a significant proportion of the operator's Australian air transport operations; and
  - (c) the exemption under section 5 applies to the head of training and checking in relation to the helicopter.
- (7) The Australian air transport operator is exempt from compliance with regulation 119.060 of CASR to the extent that the head of training and checking does not hold the pilot type rating in relation to the relevant helicopter, which otherwise would be a breach of the condition of the operator's Australian air transport AOC mentioned in subparagraph 119.080(1)(b)(i) of CASR.
- (8) The Australian air transport operator is exempt from compliance with subparagraph 119.205(1)(e)(i) of CASR to the extent that the operator's exposition does not state that the head of training and checking holds the pilot type rating in relation to the relevant helicopter, which is a qualification required to be held by the head of training and checking under paragraph 119.145(1)(b) of CASR.
- (9) Subsection (10) applies if:
  - (a) an Australian air transport operator makes a significant change that is the permanent appointment, or acting appointment, of a person as the head of training and checking of the operator under paragraph 119.090(2)(a) of CASR; and
  - (b) the operator applies to CASA for approval of the change under subregulation 119.090(3) of CASR; and
  - (c) the person does not hold the pilot type rating in relation to a relevant helicopter; and



- (d) the helicopter is used to conduct a significant proportion of the operator's Australian air transport operations; and
  - (e) the exemption under section 5 applies to the person in relation to the helicopter.
- (10) The Australian air transport operator is exempt from compliance with subregulation 119.090(2) of CASR to the extent that the copy of the part of the operator's exposition affected by the change, which accompanies the application, does not state that the person holds the pilot type rating in relation to the relevant helicopter, which is a qualification required to be held by the head of training and checking under paragraph 119.145(1)(b) of CASR.
- (11) Subsection (12) applies if:
  - (a) an Australian air transport operator has a contract with a Part 142 operator for the Part 142 operator to conduct training for the operator's flight crew in relation to a relevant helicopter; and
  - (b) a person who conducts the training is not authorised under Part 61 of CASR to conduct the activities involved in the training because the person does not hold the type rating training endorsement for the type of helicopter that includes the helicopter; and
  - (c) an exemption under section 8 applies to the person in relation to the helicopter.
- (12) The Australian air transport operator is exempt from compliance with regulation 119.060 of CASR, in relation to the condition of the Australian air transport AOC issued to the operator mentioned in subparagraph 119.080(1)(b)(i) of CASR, to the extent that the head of training and checking of the operator does not comply with the responsibility stated in subparagraph 119.150(2)(d)(i) of CASR because the person does not hold the type rating training endorsement for the type of helicopter that includes the relevant helicopter.
- (13) Subsection (14) applies if:
  - (a) an Australian air transport operator has a contract with a Part 142 operator for the Part 142 operator to conduct checking for the operator's flight crew in relation to a relevant helicopter; and
  - (b) a flight examiner who conducts the checking is not authorised under Part 61 of CASR to conduct the activities involved in the checking because the flight examiner does not hold the type rating flight test endorsement for the type of helicopter that includes the helicopter; and
  - (c) the exemption under section 9 applies to the flight examiner in relation to the helicopter.
- (14) The Australian air transport operator is exempt from compliance with regulation 119.060 of CASR, in relation to the condition of the Australian air transport AOC issued to the operator mentioned in subparagraph 119.080(1)(b)(i) of CASR, to the extent that the head of training and checking of the operator does not comply with the responsibility stated in subparagraph 119.150(2)(d)(i) of CASR because the flight examiner does not hold the type rating flight test endorsement for the type of helicopter that includes the relevant helicopter.

## Part 6 — Aerial work operator and pilot

### 11 Exemptions

- (1) Subsections (2) and (3) apply if:
  - (a) the head of operations of an aerial work operator does not hold the pilot type rating in relation to a relevant helicopter; and
  - (b) the helicopter is used to conduct the greatest proportion of the operator's aerial work operations; and
  - (c) the exemption under section 5 applies to the head of operations in relation to the helicopter.
- (2) The aerial work operator is exempt from compliance with regulation 138.055 of CASR to the extent that the head of operations does not hold the pilot type rating in relation to the relevant helicopter, which otherwise would be a breach of the condition of an aerial work certificate issued to the operator mentioned in subparagraph 138.050(1)(b)(i) of CASR.
- (3) The aerial work operator is exempt from compliance with subparagraph 138.155(1)(e)(i) of CASR to the extent that the operator's operations manual does not state that the head of operations holds the pilot type rating in relation to the relevant helicopter, which is a qualification required to be held by the head of operations under paragraph 138.090(1)(b) of CASR.
- (4) Subsection (5) applies if:
  - (a) an aerial work operator makes a significant change that is the permanent appointment, or acting appointment, of a person as the head of operations of the operator under paragraph 138.062(2)(a) or (3)(a) of CASR; and
  - (b) the operator applies to CASA for approval of the change under subregulation 138.062(4) of CASR; and
  - (c) the person does not hold the pilot type rating in relation to a relevant helicopter; and
  - (d) the helicopter is used to conduct the greatest proportion of the operator's aerial work operations; and
  - (e) the exemption under section 5 applies to the person in relation to the helicopter.
- (5) The aerial work operator is exempt from compliance with subregulation 138.062(2) or (3) of CASR, as applicable, to the extent that the copy of the part of the operator's exposition affected by the change, which accompanies the application, does not state that the person holds the pilot type rating in relation to the relevant helicopter, which is a qualification required to be held by the head of operations under paragraph 138.090(1)(b) of CASR.
- (6) Subsections (7) and (8) apply if:
  - (a) the head of training and checking of an aerial work operator does not hold the pilot type rating in relation to a relevant helicopter; and
  - (b) the helicopter is used to conduct the greatest proportion of the operator's aerial work operations; and

- (c) the exemption under section 5 applies to the head of training and checking.
- (7) The aerial work operator is exempt from compliance with regulation 138.055 of CASR to the extent that the head of training and checking does not hold the pilot type rating in relation to the relevant helicopter, which otherwise would be a breach of the condition of an aerial work certificate issued to the operator mentioned in subparagraph 138.050(1)(b)(i) of CASR.
- (8) The aerial work operator is exempt from compliance with subparagraph 138.155(1)(e)(i) of CASR to the extent that the operator's operations manual does not state that the head of training and checking holds the pilot type rating in relation to the relevant helicopter, which is a qualification required to be held by the head of training and checking under paragraph 138.100(2)(b) of CASR.
- (9) Subsection (10) applies if:
  - (a) an aerial work operator makes a significant change that is the permanent appointment, or acting appointment, of a person as the head of training and checking of the operator under paragraph 138.062(2)(a) or (3)(a) of CASR; and
  - (b) the operator applies to CASA for approval of the change under subregulation 138.062(4) of CASR; and
  - (c) the person does not hold the pilot type rating in relation to a relevant helicopter; and
  - (d) the helicopter is used to conduct the greatest proportion of the operator's aerial work operations; and
  - (e) the exemption under section 5 applies to the person in relation to the helicopter.
- (10) The aerial work operator is exempt from compliance with subregulation 138.062(2) or (3) of CASR, as applicable, to the extent that the copy of the part of the operator's exposition affected by the change, which accompanies the application, does not state that the person holds the pilot type rating in relation to the relevant helicopter, which is a qualification required to be held by the head of training and checking under paragraph 138.100(2)(b) of CASR.
- (11) Subsection (12) applies if when a flight of a relevant helicopter involving an aerial work operation begins:
  - (a) a flight crew member for the flight is not authorised under Part 61 of CASR to pilot the helicopter during the flight because the flight crew member does not hold the pilot type rating in relation to the helicopter; and
  - (b) the exemption under section 5 applies to the flight crew member in relation to the helicopter.
- (12) The aerial work operator is exempt from compliance with subregulation 138.475(1) of CASR to the extent that the flight crew member does not meet the requirement stated in subparagraph 138.475(2)(c)(i) of CASR because the flight crew member does not hold the pilot type rating in relation to the relevant helicopter.

- (13) Subsection (14) applies if:
- (a) an aerial work operator is required by regulation 138.125 of CASR to have a training and checking system; and
  - (b) the operator has a contract with a Part 142 operator for the Part 142 operator to conduct training for the operator's flight crew in relation to a relevant helicopter; and
  - (c) a person who conducts the training is not authorised under Part 61 of CASR to conduct the training because the person does not hold the type rating training endorsement for the type of helicopter that includes the helicopter; and
  - (d) an exemption under section 8 applies to the person in relation to the helicopter.
- (14) The aerial work operator is exempt from compliance with regulation 138.055 of CASR, in relation to the condition of an aerial work certificate issued to the operator mentioned in subparagraph 138.050(1)(b)(i) of CASR, to the extent that the head of training and checking for the operator does not comply with the responsibility stated in subparagraph 138.105(3)(d)(i) of CASR because the person does not hold the type rating training endorsement for the type of helicopter that includes the relevant helicopter.
- (15) Subsection (16) applies if:
- (a) an aerial work operator is required by regulation 138.125 of CASR to have a training and checking system; and
  - (b) the operator has a contract with a Part 142 operator for the Part 142 operator to conduct checking for the operator's flight crew in relation to a relevant helicopter; and
  - (c) a flight examiner who conducts the checking is not authorised under Part 61 of CASR to conduct the checking because the flight examiner does not hold the type rating flight test endorsement for the type of helicopter that includes the helicopter; and
  - (d) the exemption under section 9 applies to the flight examiner in relation to the helicopter.
- (16) The aerial work operator is exempt from compliance with regulation 138.055 of CASR, in relation to the condition of an aerial work certificate issued to the operator mentioned in subparagraph 138.050(1)(b)(i) of CASR to the extent that the head of training and checking for the operator does not comply with the responsibility stated in subparagraph 138.105(3)(d)(i) of CASR because the flight examiner does not hold the type rating flight test endorsement for the type of helicopter that includes the relevant helicopter.
- (17) Subsection (18) applies if:
- (a) a pilot performs a duty as pilot in command of a relevant helicopter for a flight involving an aerial work operation; and
  - (b) the pilot is not qualified, under subparagraph 138.500(1)(a)(i) of CASR, as pilot in command for the flight because the pilot does not hold the pilot type rating in relation to the helicopter; and
  - (c) the exemption under section 5 applies to the pilot in relation to the helicopter.

- (18) The pilot is exempt from compliance with subregulation 138.500(2) of CASR to the extent that the pilot does not hold the pilot type rating in relation to the relevant helicopter.
- (19) Subsection (20) applies if:
  - (a) the aerial work operator of a relevant helicopter for a flight involving an aerial work operation assigns a pilot to duty as pilot in command of the aircraft for the flight; and
  - (b) the pilot is not qualified, under subparagraph 138.500(1)(a)(i) of CASR, as pilot in command for the flight because the pilot does not hold the pilot type rating in relation to the helicopter; and
  - (c) the exemption under section 5 applies to the pilot in relation to the helicopter.
- (20) The aerial work operator is exempt from compliance with subregulation 138.500(2A) of CASR to the extent that the pilot does not hold the pilot type rating in relation to the relevant helicopter.

## **Part 7 — Part 141 operator**

### **12 Exemptions**

- (1) Subsection (2) applies if:
  - (a) a person flies a relevant helicopter used in a Part 141 operator's authorised Part 141 flight training as pilot in command; and
  - (b) the person is not authorised under Part 61 of CASR to fly the aircraft as pilot in command because the person does not hold the pilot type rating in relation to the helicopter; and
  - (c) the exemption under section 5 applies to the person in relation to the helicopter.
- (2) The Part 141 operator is exempt from compliance with regulation 141.290 of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.
- (3) Subsection (4) applies if:
  - (a) a person flies a relevant helicopter used in a Part 141 operator's authorised Part 141 flight training as pilot in command; and
  - (b) the operator authorises the carriage of a passenger on the flight; and
  - (c) the person is 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 hold the pilot type rating in relation to the helicopter; and
  - (d) the exemption under section 5 applies to the person in relation to the helicopter.
- (4) The Part 141 operator is exempt from compliance with regulation 141.300 of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.
- (5) Subsections (6) and (7) apply if:
  - (a) an instructor for a Part 141 operator who conducts authorised Part 141 flight training for the operator in relation to a relevant helicopter is not authorised under Part 61 of CASR to conduct the training because the

- instructor does not hold the type rating training endorsement for the type of helicopter that includes the helicopter; and
- (b) an exemption under section 8 applies to the instructor in relation to the helicopter.
- (6) The Part 141 operator is exempt from compliance with regulation 141.075 of CASR to the extent that the instructor does not hold the type rating training endorsement for the type of helicopter that includes the relevant helicopter.
  - (7) The Part 141 operator is exempt from compliance with regulation 141.175 of CASR to the extent that the instructor does not hold the type rating training endorsement for the type of helicopter that includes the relevant helicopter.
  - (8) Subsections (9) and (10) apply if:
    - (a) the head of operations of a Part 141 operator does not hold either:
      - (i) a grade 1 training endorsement under Part 61 of CASR; or
      - (ii) the type rating training endorsement for the type of helicopter that includes a relevant helicopter, as required by subparagraph 141.125(1)(a)(ii) of CASR; and
    - (b) an exemption under section 8 applies to the head of operations in relation to the helicopter.
  - (9) The Part 141 operator is exempt from compliance with regulation 141.075 of CASR to the extent that the head of operations does not hold the type rating training endorsement for the type of helicopter that includes the relevant helicopter, which otherwise would be a breach of the condition of a Part 141 certificate issued to the operator mentioned in subparagraph 141.070(b)(i) of CASR.
  - (10) The Part 141 operator is exempt from compliance with regulation 141.265 of CASR to the extent that the head of operations does not hold the type rating training endorsement for the type of helicopter that includes the relevant helicopter, which otherwise would be a breach of the requirement about the content of the operator's operations manual stated in subparagraph 141.260(1)(e)(i) of CASR.
  - (11) Subsection (12) applies if:
    - (a) a Part 141 operator makes a significant change that is the permanent appointment of a person as the head of operations of the operator under paragraph 141.085(2)(a) or (3)(a) of CASR; and
    - (b) the operator applies to CASA for approval of the change under subregulation 141.085(4) of CASR; and
    - (c) the person does not hold either:
      - (i) a grade 1 training endorsement under Part 61 of CASR; or
      - (ii) the type rating training endorsement for the type of helicopter that includes a relevant helicopter used in the authorised Part 141 flight training conducted by the operator; and
    - (d) an exemption under section 8 applies to the person in relation to the helicopter.
  - (12) The Part 141 operator is exempt from compliance with subregulation 141.085(2) or (3) of CASR, as applicable, to the extent that the copy of the part of the operator's operations manual affected by the change, which

accompanies the application, does not state that the person holds the type rating training endorsement for the type of helicopter that includes the relevant helicopter, which is a qualification required to be held by the head of operations under subparagraph 141.125(1)(a)(ii) of CASR.

(13) In this section:

*instructor* has the meaning given by regulation 141.030 of CASR.

## **Part 8 — Part 142 operator**

### **13 Exemptions**

- (1) Subsection (2) applies if:
  - (a) the head of operations of a Part 142 operator does not hold an approval under regulation 142.040 of CASR to be the head of operations for the operator; and
  - (b) the head of operations does not hold the pilot type rating in relation to a relevant helicopter; and
  - (c) the helicopter is used to conduct a significant proportion of the operator's authorised Part 142 activities; and
  - (d) the exemption under section 5 applies to the head of operations in relation to the helicopter.
- (2) The Part 142 operator is exempt from compliance with subparagraph 142.340(1)(e)(i) of CASR to the extent that the operator's exposition does not state that the head of operations is authorised under Part 61 of CASR to pilot the kind of aircraft that includes the relevant helicopter, which is a qualification required to be held by the head of operations under paragraph 142.185(2)(c) of CASR.
- (3) Subsection (4) applies if:
  - (a) an instructor for a Part 142 operator who conducts an authorised Part 142 activity for the operator in relation to a relevant helicopter is not authorised under Part 61 of CASR to conduct the training because the instructor does not hold the type rating training endorsement for the type of helicopter that includes the helicopter; and
  - (b) an exemption under section 8 applies to the instructor in relation to the helicopter.
- (4) The Part 142 operator is exempt from compliance with regulation 142.230 of CASR to the extent that the instructor does not hold the type rating training endorsement for the type of helicopter that includes the relevant helicopter.
- (5) Subsection (6) applies if:
  - (a) an examiner, for a Part 142 operator, who conducts flight tests or contracted checking on behalf of the operator for the pilot type rating in relation to a relevant helicopter is not authorised under Part 61 of CASR to conduct the tests or checking because the instructor does not hold the type rating flight test endorsement for the type of helicopter that includes the helicopter; and
  - (b) the exemption under section 9 applies to the examiner in relation to the helicopter.

- (6) The Part 142 operator is exempt from compliance with regulation 142.230 of CASR to the extent that the examiner does not hold the type rating flight test endorsement for the type of helicopter that includes the relevant helicopter.
- (7) Subsection (8) applies if:
  - (a) a person who flies a relevant helicopter as pilot in command in the conduct of an authorised Part 142 activity for a Part 142 operator is not authorised under Part 61 of CASR to fly the helicopter as pilot in command because the person does not hold the pilot type rating in relation to the helicopter; and
  - (b) the exemption under section 5 applies to the person in relation to the helicopter.
- (8) The Part 142 operator is exempt from compliance with regulation 142.365 of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.
- (9) Subsection (10) applies if:
  - (a) a person flies a relevant helicopter used in an authorised Part 142 activity for a Part 142 operator as pilot in command; and
  - (b) the operator authorises the carriage of a passenger on the flight; and
  - (c) the person is 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 hold the pilot type rating in relation to the helicopter; and
  - (d) the exemption under section 5 applies to the person in relation to the helicopter.
- (10) The Part 142 operator is exempt from compliance with regulation 142.375 of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.
- (11) Subsections (12) and (13) apply if:
  - (a) the head of operations of a Part 142 operator:
    - (i) does not hold an approval under regulation 142.040 of CASR to be the head of operations for the operator; or
    - (ii) is not authorised under Part 61 of CASR to pilot a kind of helicopter that includes a relevant helicopter, which is used to conduct a significant proportion of the operator's authorised Part 142 activities, as required by paragraph 142.185(2)(c) of CASR; and
  - (b) the exemption under section 5 applies to the head of operations in relation to the helicopter.
- (12) The Part 142 operator is exempt from compliance with regulation 142.060 of CASR to the extent that the head of operations is not authorised under Part 61 of CASR to pilot a kind of helicopter that includes a relevant helicopter, which is used to conduct a significant proportion of the operator's authorised Part 142 activities, which otherwise would be a breach of the condition of an AOC issued to the operator that authorises Part 142 activities mentioned in subparagraph 142.100(1)(b)(i) of CASR.
- (13) The Part 142 operator is exempt from compliance with regulation 142.060 of CASR to the extent that the head of operations is not authorised under Part 61 of CASR to pilot a kind of helicopter that includes a relevant helicopter,



which is used to conduct a significant proportion of the operator's authorised Part 142 activities, which otherwise would be a breach of the requirement about the content of the operator's exposition stated in subparagraph 142.340(1)(e)(i) of CASR.

- (14) Subsection (15) applies if:
- (a) a Part 142 operator makes a significant change that is the permanent appointment of a person as the head of operations of the operator under paragraph 142.140(2)(a) or (3)(a) of CASR; and
  - (b) the operator applies to CASA for approval of the change under subregulation 142.140(4); and
  - (c) the person:
    - (i) does not hold an approval under regulation 142.040 of CASR to be the head of operations for the operator; or
    - (ii) is not authorised under Part 61 of CASR to pilot a kind of helicopter that includes a relevant helicopter, which is used to conduct a significant proportion of the operator's authorised Part 142 activities, as required by paragraph 142.185(2)(c) of CASR; and
  - (d) the exemption under section 5 applies to the person in relation to the helicopter.
- (15) The Part 142 operator is exempt from compliance with subregulation 142.140(2) or (3), as applicable, to the extent that the copy of the part of the operator's exposition affected by the change, which accompanies the application, does not state that the person is authorised under Part 61 of CASR to pilot a kind of helicopter that includes the relevant helicopter, which is used to conduct a significant proportion of the operator's authorised Part 142 activities, which is a qualification required to be held by the head of operations under paragraph 142.185(2)(c) of CASR.
- (16) In this section:
- contracted checking*** has the meaning given by regulation 142.035 of CASR.
- examiner*** has the meaning given by regulation 142.035 of CASR.
- instructor*** has the meaning given by regulation 142.035 of CASR.

## **Part 9 — Helicopter operator**

### **14 Exemption**

- (1) This section applies if when a flight of a relevant helicopter begins:
- (a) either:
    - (i) the helicopter's pilot is not authorised under Part 61 of CASR to pilot the helicopter, during the flight, as pilot in command because the pilot does not hold the pilot type rating in relation to the helicopter; or
    - (ii) the pilot is not authorised under Part 61 of CASR to pilot the helicopter, during the flight, as co-pilot because the pilot does not hold the pilot type rating in relation to the helicopter; and
  - (b) the exemption under section 5 applies to the pilot in relation to the helicopter.

- (2) The relevant helicopter's operator is exempt from compliance with paragraph 133.370(2)(d) of CASR to the extent that the pilot is not qualified under subparagraph 133.385(1)(d)(i) or 133.390(1)(a)(i) of CASR, as applicable, to carry out the duties assigned to the pilot by the operator for the flight because the pilot does not hold the pilot type rating in relation to the helicopter.

## **Part 10 — Independent maintainer and continuing airworthiness management organisation**

### **15 Exemptions**

- (1) Subsection (2) applies if:
  - (a) an independent maintainer carries out critical control system maintenance on a relevant helicopter or supervises the carrying out of critical control system maintenance on a relevant helicopter by another individual; and
  - (b) the individual who complies with the responsibilities of an independent individual, in relation to the helicopter, under regulation 42.345 of CASR is the holder of a pilot licence (the *licence holder*); and
  - (c) the licence holder is not authorised under Part 61 of CASR to fly the helicopter, as required by subparagraph 42.335(c)(ii) of CASR because the licence holder does not hold the pilot type rating in relation to the helicopter; and
  - (d) the exemption under section 5 applies to the licence holder in relation to the helicopter.
- (2) The independent maintainer is exempt from compliance with subregulation 42.340(2) of CASR to the extent that the licence holder does not hold the pilot type rating in relation to the relevant helicopter.
- (3) Subsection (4) applies if:
  - (a) a continuing airworthiness management organisation issues an authorisation under subregulation 42.630(1) of CASR in relation to a relevant helicopter, which is authorised to operate under an AOC, to the holder of a pilot licence (the *licence holder*); and
  - (b) the licence holder is not authorised under Part 61 of CASR to fly the helicopter, as required by subparagraph 42.630(2)(c)(i) of CASR, because the licence holder does not hold the pilot type rating in relation to the helicopter; and
  - (c) the exemption under section 5 applies to the licence holder in relation to the helicopter.
- (4) The continuing airworthiness management organisation is exempt from compliance with subregulation 42.630(1) of CASR to the extent that the licence holder does not hold the pilot type rating in relation to the relevant helicopter.
- (5) In this section:  
*critical control system maintenance* has the meaning given by subregulation 42.015(1) of CASR.

*independent individual* has the meaning given by subregulation 42.015(1) of CASR.

*independent maintainer* has the meaning given by subregulation 42.015(1) of CASR.

## **Part 11 — Person permitted to carry out maintenance on a relevant helicopter**

### **16 Exemption**

- (1) This section applies if:
  - (a) a person mentioned in column 2 of item 3 or 4 in table 42.300 of CASR carries out maintenance on a relevant helicopter, which is an Australian aircraft:
    - (i) to which Part 42 of CASR applies; and
    - (ii) mentioned in column 3 of the item; and
  - (b) the person is not working for an approved maintenance organisation; and
  - (c) the person is not authorised under Part 61 of CASR to fly the helicopter, as required by column 3 of the item, because the person does not hold the pilot type rating in relation to the helicopter; and
  - (d) the exemption under section 5 applies to the person in relation to the helicopter.
- (2) The person is exempt from compliance with regulation 42.300 of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.

## **Part 12 — Manipulating pilot controls of a relevant helicopter**

### **17 Exemptions**

- (1) Subsection (2) applies if:
  - (a) during a flight of a relevant helicopter, a person manipulates the flight controls of the helicopter; and
  - (b) the person is not authorised to pilot the helicopter under Part 61 of CASR because the person does not hold the pilot type rating in relation to the helicopter; and
  - (c) the exemption under section 5 applies to the person in relation to the helicopter.
- (2) The person is exempt from compliance with subparagraph 91.155(1)(b)(i) of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.
- (3) Subsection (4) applies if:
  - (a) during a flight of a relevant helicopter, the pilot in command of the helicopter permits a person to manipulate the flight controls of the helicopter; and
  - (b) the person is not authorised to pilot the helicopter under Part 61 of CASR because the person does not hold the pilot type rating in relation to the helicopter; and

- (c) the exemption under section 5 applies to the person in relation to the helicopter.
- (4) The person is exempt from compliance with subparagraph 91.155(2)(b)(i) of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.

## **Part 13 — Minimum height rules**

### **18 Exemption**

- (1) This section applies if:
  - (a) a relevant helicopter is flown other than over a populous area or a public gathering; and
  - (b) the pilot in command of the helicopter flies the helicopter below the height mentioned in paragraph 91.267(2)(a) of CASR; and
  - (c) the pilot in command is not authorised to pilot the helicopter under Part 61 of CASR because the pilot in command does not hold the pilot type rating in relation to the helicopter, and does not hold an approval under regulation 91.045 of CASR to fly the helicopter below the height mentioned in paragraph (b); and
  - (d) the exemption under section 5 applies to the person in relation to the helicopter.
- (2) The pilot in command is exempt from compliance with subparagraph 91.267(3)(h)(i) of CASR to the extent that the pilot in command does not hold the pilot type rating in relation to the relevant helicopter.

## **Part 14 — Taxiing an Australian relevant helicopter**

### **19 Exemption**

- (1) This section applies if:
  - (a) a person taxis a relevant helicopter that is an Australian aircraft; and
  - (b) the person is not authorised under Part 61 of CASR to taxi the helicopter because the person does not hold the pilot type rating in relation to the helicopter; and
  - (c) the exemption under section 5 applies to the person in relation to the helicopter.
- (2) The person is exempt from compliance with subparagraph 91.415(1)(b)(ii) of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.

## **Part 15 — Relevant helicopter operating on the ground**

### **20 Exemption**

- (1) This section applies if:
  - (a) a person is operating a relevant helicopter, which is an Australian aircraft, on the ground; and

- (b) the helicopter is being operated other than for maintenance or maintenance training; and
  - (c) the person is not authorised to pilot the helicopter under Part 61 of CASR because the person does not hold the pilot type rating in relation to the helicopter; and
  - (d) the exemption under section 5 applies to the person in relation to the helicopter.
- (2) The person is exempt from compliance with subparagraph 91.430(2)(a)(i) of CASR to the extent that the person does not hold the pilot type rating in relation to the relevant helicopter.

## **Part 16 — Causing, or simulating, failure of flight instruments**

### **21 Exemption**

- (1) This section applies if:
- (a) during a flight of a relevant helicopter, a failure of an instrument of the helicopter of any of the kinds mentioned in paragraph 91.715(1)(a) of CASR is caused or simulated; and
  - (b) the pilot in command of the helicopter is not authorised to pilot the helicopter under Part 61 of CASR because the pilot in command does not hold the pilot type rating in relation to the helicopter; and
  - (c) the exemption under section 5 applies to the person in relation to the helicopter.
- (2) The pilot in command is exempt from compliance with paragraph 91.715(2)(c) of CASR to the extent that the pilot in command does not hold the pilot type rating in relation to the relevant helicopter.

## **Part 17 — Simulating IMC flying**

### **22 Exemption**

- (1) This section applies if:
- (a) during a flight of a relevant helicopter, IMC are simulated; and
  - (b) the pilot in command of the helicopter is not authorised to pilot the helicopter under Part 61 of CASR because the pilot in command does not hold the pilot type rating in relation to the helicopter; and
  - (c) the exemption under section 5 applies to the pilot in command in relation to the helicopter.
- (2) The pilot in command is exempt from compliance with subparagraph 91.720(2)(c)(i) of CASR to the extent that the pilot in command does not hold the pilot type rating in relation to the relevant helicopter.

## Part 18 — Training, or a check, mentioned in Subpart 138.N of CASR

### 23 Exemptions

- (1) This section applies if:
  - (a) a flight crew member of the personnel of relevant helicopter's operator undertakes training, or a check, mentioned in Subpart 138.N of CASR; and
  - (b) the training or check is conducted by an individual who is engaged by the operator to conduct the training; and
  - (c) the operator is:
    - (i) an aerial work certificate holder; and
    - (ii) not required to have a training and checking system, under regulation 138.125 of CASR, for an aerial work operation conducted in the helicopter.
- (2) Subsection (3) applies if:
  - (a) the individual is not authorised under Part 61 of CASR to conduct the training, as required by paragraph 23.10(1)(b) of the Part 138 Manual of Standards, because the individual does not hold the type rating training endorsement for the type of helicopter that includes the helicopter; and
  - (b) an exemption under section 8 applies to the person in relation to the helicopter.
- (3) The individual is exempt from compliance with regulation 138.505 of CASR to the extent that the individual does not hold the type rating training endorsement for the type of helicopter that includes the relevant helicopter.
- (4) Subsection (5) applies if:
  - (a) the individual is not authorised under Part 61 of CASR to conduct the check, as required by paragraph 23.10(1)(b) of the Part 138 Manual of Standards, because the individual does not hold the type rating flight test endorsement for the type of helicopter that includes the helicopter; and
  - (b) the exemption under section 9 applies to the person in relation to the helicopter.
- (5) The individual is exempt from compliance with regulation 138.505 of CASR to the extent that the individual does not hold the type rating flight test endorsement for the type of helicopter that includes the relevant helicopter.
- (6) In this section:  
***aerial work certificate holder*** has the meaning given by subsection 1.04(6) of the Part 138 Manual of Standards.

## Part 19 — VFR flight

### 24 Exemption

- (1) This section applies if:
  - (a) a flight of a relevant helicopter is a VFR flight under subregulation 91.280(1) of CASR; and
  - (b) item 2B in table 2.07 (3) of the Part 91 Manual of Standards applies to the flight; and

- (c) an NVIS crew member who conducts the flight is not authorised to conduct an NVIS operation by Part 61 of CASR with the helicopter, as required by subparagraph 2.07(3B)(c)(i) of the Part 91 Manual of Standards, because the NVIS crew member does not hold the pilot type rating in relation to the helicopter; and
  - (d) the exemption under section 5 applies to the NVIS crew member who is not authorised to conduct the NVIS operation by Part 61 of CASR with the helicopter.
- (2) The pilot in command of the relevant helicopter is exempt from compliance with subregulation 91.280(1) of CASR to the extent that the NVIS crew member mentioned in paragraph (1)(d) does not hold the pilot type rating in relation to the helicopter.
- (3) In this section:  
*NVIS crew member* has the meaning given by subsection 3.02(1) of the Part 91 Manual of Standards.  
*NVIS operation* has the meaning given by subsection 1.07(6) of the Part 91 Manual of Standards.

## Schedule 1 Relevant helicopters and pilot type ratings

*Note* See sections 3 and 4, and paragraphs 5(1)(a), 6(3)(b), 7(1)(a), 8(1)(a) and 9(1)(a).

Schedule 1 Table – Relevant helicopters and pilot type ratings		
Column 1 Type certificate holder or manufacturer (see subsection 3(2))	Column 2 Helicopter model	Column 3 Pilot type rating
Agusta Westland or Agusta <i>See</i> Leonardo		
Airbus Helicopters Aerospatiale Eurocopter Kawasaki Messerschmitt Bolkow	BO105 (all models)	BO105
	EC 135 (excluding H and CPDS models)	EC135
	EC 135 (all CPDS models)	
	H 135 (all H models)	
	AS 355	AS355
	AS 355 N	
	MBB-BK117 (all A and B models)	BK117/EC145
	MBB-BK117 (C-1 models)	
	BK117 C-2 (EC145 C-2 models)	
	BK117 C-2e (EC145 C-2e models)	
	BK117 D-2 (H145 D-2 models)	
	BK117 D-3 (H145 D-3 models)	
	SA 365 (excluding all N and N3 models)	AS365/EC155
	SA/AS 365 N models (excluding N3 models)	
	AS 365 N3	
	AS 365 N3+	
	EC 155	



Schedule 1 Table – Relevant helicopters and pilot type ratings		
Column 1 Type certificate holder or manufacturer (see subsection 3(2))	Column 2 Helicopter model	Column 3 Pilot type rating
Bell Helicopter Textron Inc.	Bell 206LT	BH206LT
	Bell 222	BH222/430
	Bell 230	
	Bell 430	
	Bell 427	BH427
	Bell 429	BH429
Bell Helicopter Textron Inc. Leonardo	Bell/AB212	BH212/412
	Bell/AB412	
Leonardo	A 109 (all A and C models)	A109
	A 109 E	
	A 109 K2	
	A 109 S	
	A 109 SP	
MD Helicopters	MD 900 Explorer	MD900
	MD 902S	
Sikorsky	S 76A series	SK76
	S 76B series	
	S 76C series	
	S 76D series	