

CONSULTATION DRAFT



Australian Government

Civil Aviation Safety Authority

Instrument number CASA XX/19

I, SHANE PATRICK CARMODY, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.068 of the *Civil Aviation Regulations Safety Regulations 1998*.

Shane Carmody [*DRAFT ONLY NOT FOR SIGNATURE*]
Director of Aviation Safety

XX XXX 2019

CASA XX/19 — Civil Aviation (Community Service Flights—Conditions on Pilot Licences) Instrument 2019

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1 Name

This instrument is *CASA XX/19 — Civil Aviation (Community Service Flights—Conditions on Pilot Licences) Instrument 2019*.

2 Duration

- (1) This instrument commences on the later of:
 - (a) [*date to be determined*]; and
 - (b) the day after this instrument is registered.
- (2) This instrument is repealed on [*date 3 years after date mentioned in (1)(a).*]

3 Definitions

Note A number of expressions used in this instrument are defined in the *Civil Aviation Safety Regulations 1998* or the *Civil Aviation Regulations 1988*, including the following:

- (a) Class A aircraft;
- (b) flight time;
- (c) IFR;
- (d) pilot (used as a verb);
- (e) pilot licence;
- (f) standard certificate of airworthiness;
- (g) VFR.

In this instrument:

AD/ENG/4 means CASA Airworthiness Directive 1/2009, *Piston Engine Continuing Airworthiness Requirements*, as in force from time to time.

AD/ENG/5 means CASA Airworthiness Directive 10/2004, *Turbine Engine Continuing Airworthiness Requirements*, as in force from time to time.

community service flight: see section 6.

4 Application

This instrument applies in relation to a flight in an aircraft conducted as a private operation.

5 Conditions on pilot licences for community service flights

For the purposes of regulation 11.068 of CASR, this instrument imposes conditions on pilot licences.

6 Definition of *community service flight*

- (1) A *community service flight* is a flight that is:
 - (a) conducted only for the transport of one or more individuals for the purpose of each such individual (a *patient*) receiving non-emergency medical treatment or services; and
 - (b) provided to a patient and any other passengers accompanying a patient without a charge being made to any of those persons for their carriage.
- (2) Transporting an individual includes transport of the individual after he or she has received the medical treatment or services.
- (3) A flight is not a community service flight if medical treatment or services are provided on board during the flight.

7 General conditions

- (1) Each of the following is a condition on a pilot licence used in connection with a community service flight:
 - (a) the licence must be one of the following:
 - (i) a private pilot licence; or
 - (ii) a commercial pilot licence; or
 - (iii) an air transport pilot licence; and
 - (b) a community service flight may only be conducted in an aeroplane that has been issued a standard certificate of airworthiness; and

(c) the holder of the licence must hold a class 1 or 2 medical certificate.

Note Subpart 67.C of CASR provides for the requirements relating to medical certificates.

- (2) To avoid doubt, the provisions of *CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018* do not apply to the holder of a pilot licence who operates an aeroplane for a community service flight.

Note An *Aviation Medical Certificate (Basic Class 2)* issued by CASA under *CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018* is not a class 1 or class 2 medical certificate.

8 Aeronautical experience requirements

General requirements

- (1) Subsection (2) sets out general aeronautical experience requirements that apply if the holder of a pilot licence pilots an aeroplane operated for a community service flight.
- (2) It is a condition on the pilot licence that the holder must have aeronautical experience that includes:
- (a) a landing, within the previous 30 days, in:
 - (i) if the community service flight is conducted in an aeroplane that is class rated – an aeroplane of that class; or
 - (ii) if the community service flight is conducted in an aeroplane that is type rated – that type of aeroplane; and
 - (b) for a flight that is conducted under the VFR—at least 10 hours of flight time in an aeroplane of the same type as the aeroplane used for the community service flight; and
 - (c) for a flight that is conducted under the IFR—at least 20 hours of flight time in an aeroplane of the same type as the aeroplane used for the community service flight.

Additional requirements for private pilots

- (3) Subsection (4) applies if the holder of a private pilot licence pilots an aeroplane operated for a community service flight, unless the holder also holds a commercial pilot licence or an air transport pilot licence.
- (4) It is a condition on the pilot licence that the holder must have aeronautical experience that includes:
- (a) at least 400 hours of flight time conducted in an aeroplane or a helicopter; and
 - (b) at least 250 hours of flight time as pilot in command of an aeroplane or a helicopter; and
 - (c) for a flight that is conducted in a multi-engine aeroplane—at least 100 hours of flight time as pilot in command of a multi-engine aeroplane.

Note 1 The term *pilot* used as a verb, has the meaning given by regulation 61.010 of CASR.

Note 2 For the meaning of *flight time* as a pilot in command: see regulation 61.090 of CASR.

9 Operational and notification requirements

Each of the following is a condition on a pilot licence if the holder pilots an aeroplane for a community service flight:

- (a) the aeroplane must not carry more than 5 passengers (including any individual being transported for the purpose of receiving medical treatment or services);
- (b) the pilot must not operate the aeroplane at night under the VFR;
- (c) the pilot must issue a flight notification to Airservices Australia that identifies the flight as a community service flight;
- (d) the pilot must, in addition to the requirements in regulation 61.350 of CASR to record information about flights in a personal logbook, record that the flight is a community service flight in the logbook.

Note The flight notification mentioned in paragraph (c) can be either “full flight details”, “flight note” or “SARTIME” – see AIP ENR 1.10 for details of how these products may be communicated to Airservices Australia.

10 Aeroplane maintenance requirements

If the holder of a pilot licence pilots an aeroplane that is not a class A aircraft for a community service flight, it is a condition on the pilot licence that the aeroplane may only be operated if either:

- (a) the aeroplane has been maintained in accordance with an approved system of maintenance; or
- (b) the aeroplane has undergone a maintenance release inspection at the earlier of 100 flight hours or 12 months before the date of the flight, and all engines are maintained in accordance with:
 - (i) for piston engines — requirement 2 of AD/ENG/4; and
 - (ii) for turbine engines — requirement 1 of AD/ENG/5.