



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX49/22

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998*.

Pip Spence
Director of Aviation Safety

[DATE]

CASA EX49/22 — Multi-Engine Helicopters Exemption 2022

Part 1 — Preliminary

1 Name

This instrument is *CASA EX49/22 — Multi-Engine Helicopters Exemption 2022*.

2 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) is repealed at the end of 30 June 2025.

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.

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 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; and
 - (b) does not hold the pilot type rating, relating to another model of helicopter (the *second 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; and
 - (c) has completed the flight training, for the second helicopter, mentioned in subsection (2); and
 - (d) 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.
- (2) For paragraph (1) (c), the licence holder completes flight training for the second helicopter only 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 second helicopter; and
 - (b) the flight training is conducted by:
 - (i) an instructor for a Part 141 operator that is authorised to conduct the flight training; or
 - (ii) the holder of an approval under regulation 141.035 of CASR to conduct the flight training; and
 - (c) the flight 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 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.
- (3) For paragraph (2) (c), the flight training must not be conducted in a relevant helicopter with a maximum certificated passenger seating capacity of more than 9 if:
 - (a) there is an approved flight simulator for the training available in Australia; or

- (b) for the pilot type rating that relates to a relevant helicopter with a maximum certificated passenger seating capacity of more than 19 or a maximum certificated take-off weight of more than 8 618 kg — there is an approved flight simulator for the training available outside Australia.
- (4) For paragraph (1) (d), 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 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, in relation 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.

- (8) In this section:
 - available*, for training, means able to be used for the training.
 - maximum certificated take-off weight* has the meaning given by regulation 61.010 of CASR.

6 Exemptions — valid flight review

- (1) Subsection (2) applies to the holder of a pilot licence (the *licence holder*) who:
 - (a) holds the pilot type rating in relation to a model of helicopter (the *first helicopter*); and
 - (b) does not hold the pilot type rating, relating to a model of multi-engine helicopter (the *second 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; and
 - (c) the exemption under section 5 applies to the licence holder in relation to the second helicopter; and
 - (d) 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 in relation to the second helicopter, mentioned in section 14 of the Part 61 Manual of Standards.
- (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, unless the licence holder has a valid flight review for the pilot type rating.

- (3) Subsection (4) applies to the holder of a pilot licence (the *licence holder*) who:
 - (a) holds a single-engine helicopter class rating relating to a model of single-engine helicopter (the *third helicopter*); and
 - (b) 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; and
 - (c) does not hold the pilot type rating, relating to another model of multi-engine helicopter (the *fourth 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; and
 - (d) has been assessed as competent to pilot the fourth helicopter, having regard to the competency standards for a flight review, for the pilot type rating in relation to the fourth helicopter, mentioned in section 14 of the Part 61 Manual of Standards.
- (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, relating to the third helicopter, unless the licence holder has a valid flight review for the single-engine helicopter class rating in accordance with regulation 61.745.
- (5) For paragraph (1) (d) or (3) (d), the assessment requires demonstration to a person mentioned in subsection (6) 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 or fourth helicopter.
- (6) For subsection (5), 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 or fourth helicopter.
- (7) The assessment must be conducted in:
 - (a) the second helicopter for paragraph (1) (d), or the fourth helicopter for paragraph (3) (d); or
 - (b) an approved flight simulator for the assessment.

7 Exemptions — 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, other than a multi-crew 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; and
 - (b) who does not hold the pilot type rating, relating to another model of multi-engine helicopter (the *second 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; and

- (c) to whom the exemption under section 5 applies in relation to the second helicopter; and
 - (d) 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 in relation to the first helicopter, unless the licence holder has a valid instrument proficiency check for the helicopter type covered by the pilot type rating.
 - (3) The licence holder is exempt from compliance with subregulation 61.880 (2) of CASR to the extent that the licence holder is not authorised to exercise the privileges of an instrument rating, relating to the first helicopter, unless the licence holder has a valid instrument proficiency check for multi-engine helicopters.
 - (4) In this section:
multi-crew type rating 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 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 completed 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 mentioned in column 2 of item 5 in table 61.1235 of CASR, in relation to the second helicopter, under subregulation 61.1175 (1) of CASR, unless the flight instructor also holds the endorsement mentioned in column 1 of the item.
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 while acting as a flight instructor in relation to the second 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, unless the flight instructor also holds the type rating training endorsement for the second helicopter.
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 while acting as a flight instructor in relation to the second 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, unless the flight instructor holds a training endorsement that authorises the instructor to conduct flight training for the kind of aircraft.

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 while acting as a flight instructor in relation to the second 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 model of the second 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 under subregulation 61.1175 (6) of CASR, unless the flight instructor holds:
- (a) a grade 1 training endorsement; or
 - (b) a grade 2 training endorsement; or
 - (c) the training endorsement required to conduct flight training for the pilot type rating.

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 while acting as a flight instructor in relation to the second helicopter.

- (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 activities mentioned in column 2 of item 5 in table 61.1235 of CASR, in relation 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 while acting as a flight instructor in relation to the second helicopter.

Part 4 — Flight examiner

9 Exemption

- (1) This section applies to a flight examiner who:
- (a) holds a type rating flight test endorsement for 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 second helicopter; or
 - (ii) is authorised to conduct flight training mentioned in column 2 of item 5 in table 61.1235 of CASR, in relation 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 mentioned in column 2 of item 5 in table 61.1310 of CASR, in relation 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 while acting as a flight examiner in relation to the second helicopter.

(3) In this section:

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

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.

Part 5 — Australian air transport operator

10 Exemptions

(1) Subsection (2) applies if:

- (a) the head of flying operations of an Australian air transport operator does not hold the pilot type rating that relates to a relevant helicopter; and
- (b) the relevant 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 relevant helicopter.

(2) The 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 for 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.

(3) Subsection (4) applies if:

- (a) the head of training and checking of an Australian air transport operator does not hold the pilot type rating that relates to a relevant helicopter; and
- (b) the relevant 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 relevant helicopter.

(4) The 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 for 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.

Part 6 — Aerial work operator

11 Exemptions

(1) Subsection (2) applies if:

- (a) the head of operations of an aerial work operator does not hold the pilot type rating that relates to a relevant helicopter; and
- (b) the relevant 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 relevant helicopter.
- (2) The 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 for the relevant helicopter, which is a qualification required to be held by the head of operations under paragraph 138.090 (1) (b) of CASR.
- (3) Subsection (4) applies if:
 - (a) the head of training and checking of an aerial work operator does not hold the pilot type rating that relates to a relevant helicopter; and
 - (b) the relevant 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 in relation to the relevant helicopter.
- (4) The 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 for 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.

Schedule 1 Relevant helicopters and pilot type ratings

| Type certificate holder or manufacturer (Column 1) | Helicopter models (Column 2) | Pilot type ratings (Column 3) |
|--|--|--------------------------------------|
| Agusta Westland | A109 (all A and C models) | A109 |
| | A109 E | |
| | A109 K2 | |
| | A109 S | |
| | A109 SP | |
| Agusta Bell Helicopters | BH/AB 212 | BH212/412 |
| | BH/AB 412 | |
| Airbus Helicopters Aerospatiale Eurocopter Kawasaki Messerschmitt Bolkow | AS355 | AS355 |
| | AS355N | |
| | BK117 (all A and B models) | BK117/EC145 |
| | BK117 C-1 | |
| | BK117 C-2 (EC145 models) | |
| | BK 117 D-2 (H145 models) | |
| | EC 135 (excluding H and CPDS models) | EC135 |
| | EC 135 (all CPDS models) | |
| | H 135 (T3H and P3H 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 | |
| | BO105 (all models) | BO105 |
| Bell Helicopters | Bell 206LT | BH206LT |
| | Bell 222 | BH222/430 |
| | Bell 230 | |
| | Bell 430 | |
| | Bell 427 | BH427 |

| Type certificate holder or manufacturer (Column 1) | Helicopter models (Column 2) | Pilot type ratings (Column 3) |
|--|------------------------------|-------------------------------|
| | Bell 429 | BH429 |
| MD Helicopters | MD 900 Explorer | MD900 |
| | MD 902S | |
| Sikorsky | S 76A series | SK76(SP) |
| | S 76B series | |
| | S 76C series | |
| | S 76D series | |