



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA 59/21

I, CHRISTOPHER PAUL MONAHAN, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.056, 61.040 and 141.035 of the *Civil Aviation Safety Regulations 1998*.

**[Signed Chris Monahan]**

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Executive Manager, National Operations & Standards

31 August 2021

### **CASA 59/21 — Flight Training and Flight Tests (Miscellaneous) Approvals 2021**

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#### **Contents**

	Page
Part 1 — Preliminary .....	2
1 Name .....	2
2 Duration .....	2
3 Definitions .....	2
Part 2 — Approval to conduct flight training for grant of aeroplane firefighting endorsement .....	2
4 Definitions .....	2
5 Application .....	3
6 Approval .....	3
7 Conditions — general .....	3
8 Conditions — recognition of prior learning for aeronautical knowledge training .....	5
Part 3 — Approval to conduct flight training for grant of helicopter firefighting endorsement .....	5
9 Definitions .....	5

10	Application .....	5
11	Approval .....	6
12	Conditions .....	6
Part 4 — Approval to conduct flight training (approved pilots under CAO 29.10) .....		8
13	Definitions .....	8
14	Approval .....	8
Part 5 — Approvals to conduct flight tests and grant certain endorsements (approved persons or pilots under CAOs 29.6, 29.10 and 29.11) .....		9
15	Definitions .....	9
16	Application .....	9
17	Approvals .....	9
Schedule 1 Flight training for grant of aeroplane firefighting endorsement (Part 2) ..		10
Schedule 2 Flight training for grant of helicopter firefighting endorsement (Part 3) ..		11

## Part 1 — Preliminary

### 1 Name

This instrument is *CASA 59/21 — Flight Training and Flight Tests (Miscellaneous) Approvals 2021*.

### 2 Duration

- (1) This instrument:
  - (a) commences on 1 September 2021; and
  - (b) is repealed at the end of 31 August 2024.
- (2) Despite paragraph (1) (b):
  - (a) subsections 7 (8) and 12 (8) continue in force until the end of 31 August 2027 as if the instrument had not been repealed; and
  - (b) subsection 14 (3) continues in force until the end of 31 August 2031 as if the instrument had not been repealed.

### 3 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: *AOC*, *ARN* and *flight training*.

In this instrument:

*aerial application operation* has the meaning given by regulation 137.010 of CASR.

*aerial application rating flight test endorsement*: see section 15.

*aeroplane firefighting endorsement*: see section 4.

**CAO 29.5** means Civil Aviation Order 29.5.

**CAO 29.6** means Civil Aviation Order 29.6.

**CAO 29.10** means Civil Aviation Order 29.10.

**helicopter firefighting endorsement**: see section 9.

**HFO**, of an operator, means the head of flying operations of the operator.

**nominated senior pilot**:

(a) for the purposes of Part 2 — see subsection 7 (1).

(b) for the purposes of Part 3 — see subsection 12 (1).

**Part 61 MOS** means the *Part 61 Manual of Standards Instrument 2014*.

**PICUS** means pilot in command under supervision.

**State or Territory fire control authority** means a public authority concerned with fire control in a State or Territory, and includes a parks, wildlife or forestry authority.

## **Part 2 — Approval to conduct flight training for grant of aeroplane firefighting endorsement**

*Note* This Part is made under regulations 11.056 and 141.035 of CASR.

### **4 Definitions**

In this Part:

**aeroplane firefighting endorsement**: see table 61.1120, item 4 of CASR.

**aeroplane firefighting operation** means a firefighting operation, conducted in an aeroplane, that is also an aerial application operation.

### **5 Application**

This Part applies in relation to an operator who, for the previous 3 or more years:

- (a) held an AOC authorising the person to undertake aerial application operations in an aeroplane; and
- (b) had an operations manual containing procedures for aeroplane firefighting operations; and
- (c) had annually conducted aeroplane firefighting operations under the written authorisation of the National Aerial Firefighting Centre or of a State or Territory fire control authority.

### **6 Approval**

- (1) An operator to whom this Part applies is approved to conduct flight training for the grant of an aeroplane firefighting endorsement.
- (2) The approval of an operator under subsection (1) is subject to the conditions mentioned in this Part.

### **7 Conditions — general**

- (1) The operator must ensure that flight training for the grant of an aeroplane firefighting endorsement is delivered only by the operator's HFO or a senior pilot of the operator nominated by the HFO (a **nominated senior pilot**).
- (2) If the flight training is delivered by an HFO, the operator must ensure that, at the time of delivering the flight training:

- (a) the HFO is authorised under regulation 61.1125 of CASR to exercise the privileges of the aeroplane firefighting endorsement; and
  - (b) a record exists in the HFO's logbook stating that the HFO has aeronautical experience in the conduct of aeroplane firefighting operations that is of such a nature and extent as to satisfy the HFO of the HFO's competency to conduct such operations.
- (3) If the flight training is delivered by a nominated senior pilot, the operator must ensure that, at the time of delivering the flight training:
  - (a) the pilot is authorised under regulation 61.1125 of CASR to exercise the privileges of the aeroplane firefighting endorsement; and
  - (b) a record exists in the pilot's logbook stating that the pilot has aeronautical experience in the conduct of aeroplane firefighting operations that is of such a nature and extent as to satisfy the operator's HFO of the pilot's competency to conduct such operations; and
  - (c) either:
    - (i) an additional record exists in the pilot's logbook stating that the pilot has aeronautical experience as a pilot conducting flight training in an aeroplane that is of such a nature and extent as to satisfy the operator's HFO of the pilot's competency to conduct flight training; or
    - (ii) the pilot conducts the flight training under the supervision of the operator's HFO.
- (4) The operator must ensure that the flight training is delivered only to a trainee who has:
  - (a) a commercial pilot licence with an aeroplane category rating under Part 61 of CASR; and
  - (b) an aeroplane aerial application endorsement under Part 61 of CASR; and
  - (c) 250 hours of experience conducting aerial application operations in aeroplanes.
- (5) The operator must ensure that the flight training is delivered in accordance with a course of training prepared by the operator that:
  - (a) covers the matters mentioned in Schedule 1; and
  - (b) includes appropriate information about the pass standards for the aeronautical knowledge assessments, the practical flying assessment and the overall assessment.
- (6) The operator must ensure that:
  - (a) the aeronautical knowledge training, the practical flight training, and the assessments comply with the requirements set out in Schedule 1; and
  - (b) both the theoretical and practical components of the flight training are conducted in a suitable ground environment and airspace, with appropriate facilities and training resources; and
  - (c) the aeroplane used for the flight training is airworthy and suitable for the training; and
  - (d) each person conducting the flight training (including assessment) is competent to do so.
- (7) The operator must issue a trainee who successfully completes the flight training with a certificate of completion which:

- (a) identifies the operator and the trainee; and
  - (b) records the trainee's marks for each of the aeronautical knowledge assessments, the practical flying assessment and the overall assessment.
- (8) The operator must prepare as soon as practicable, and retain in safe custody for at least 3 years from their creation, the following records for each trainee:
- (a) the trainee's name, ARN, and dates of commencement and ending of training;
  - (b) for each flight training activity for the grant of an aeroplane firefighting endorsement, and each practical flying assessment, details of the following:
    - (i) the location;
    - (ii) the date;
    - (iii) the aircraft type, and nationality and registration marks;
    - (iv) the name and ARN of the instructor conducting the flight training activity;
    - (v) the name and ARN of the person conducting the practical flying assessment;
    - (vi) the flight time, and whether the flight was dual, solo or PICUS;
    - (vii) the record and results of the trainee's performance against the relevant competencies mentioned at Unit AA4 – Aeroplane firefighting operation, under Aerial Application Rating in Schedule 2 of the Part 61 MOS;
  - (c) the results for each of the aeronautical knowledge assessments;
  - (d) a copy of the certificate of completion for the relevant training mentioned in subsection (7).

## **8 Conditions — recognition of prior learning for aeronautical knowledge training**

- (1) Despite section 7, the operator may pass a trainee for the aeronautical knowledge training mentioned in clauses 1 to 3 of Schedule 1, for the purposes of clauses 9 and 10 of the Schedule, if:
- (a) on or after 1 September 2014, the trainee has successfully completed a fire awareness training course for firefighting pilots (a *prior learning course*) conducted by:
    - (i) a State or Territory fire control authority; or
    - (ii) the Aerial Application Association of Australia; and
  - (b) the trainee provides the operator with a certified true copy of a certificate of completion of the prior learning course which identifies the training organisation and shows the date of completion of the course; and
  - (c) the operator is satisfied, on the basis of reasonable inquiry and evidence, that the prior learning course included training that covered the course subject matters mentioned in clauses 1 and 2 of Schedule 1; and
  - (d) the operator is satisfied with the trainee's aeronautical knowledge on the basis of 2 aeronautical knowledge assessments that are:
    - (i) comparable and consistent with the aeronautical knowledge assessments mentioned in clause 3 of Schedule 1; and
    - (ii) conducted under the supervision of the operator's HFO.