



Civil Aviation Order 40.0 (as amended)

made under regulations 5.11 and 303 of the *Civil Aviation Regulations 1988*.

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Section 40.0

Conditions — flight crew licences

1 Definitions

1.1 In this section, unless the contrary intention appears:

active participation see *participation*.

command aeroplane instrument rating means an instrument rating of 1 of the following grades:

- (a) command (multi-engine aeroplane);
- (b) command (single engine aeroplane).

hold short runway means a runway used for LAHSO, being a runway that has aerodrome signs, runway markings and lighting requirements in accordance with the applicable standards.

hold short line means a line on a hold short runway beyond which the pilot in command of a landing aircraft, following his or her active participation, is instructed not to proceed.

instrument flying means controlling an aircraft's attitude during flight solely by reference to the aircraft's flight instruments.

LAHSO means a Land and Hold Short Operation, being an operation in which the pilot in command of an aircraft has accepted a requirement to land on a hold short runway and hold short of the hold short line.

participation, in relation to LAHSO, has the following meanings:

active participation means accepting a requirement to hold short of a hold short line, after receiving an alert about aircraft on a crossing runway.

passive participation means having unrestricted use of a full runway but acknowledging an alert about a LAHSO on a crossing runway.

spinning training means training in the aeronautical skills and aeronautical knowledge necessary to safely recover an aeroplane from an upright spin, or an inverted spin.

visual flying means controlling an aircraft's attitude during flight by reference to features outside the aircraft.

- 1.2 A reference in this section to a regulation or subregulation identified by a numerical code (for example, 5.25 or 5.22 (1)) is a reference to a regulation or subregulation in the *Civil Aviation Regulations 1988* identified by that code.

2 Conditions on aeroplane pilot licences

- 2.1 For the purposes of regulation 5.11, it is a condition of each aeroplane pilot licence that the holder of the licence must comply with the requirements of this subsection.
- 2.2 The holder of an aeroplane pilot licence must not, while flying an aeroplane as pilot in command, or co-pilot, deliberately put the aeroplane into an upright spin unless:
 - (a) an authorised flight instructor who gave the holder spinning training is satisfied that the holder can safely recover an aeroplane from a fully developed upright spin; and
 - (b) the instructor has made an entry to that effect in the holder's personal log book.
- 2.3 The holder of an aeroplane pilot licence must not, while flying an aeroplane as pilot in command, or co-pilot, deliberately put the aeroplane into an inverted spin unless:
 - (a) an authorised flight instructor who gave the holder spinning training is satisfied that the holder can safely recover an aeroplane from a fully developed inverted spin; and

- (b) the instructor has made an entry to that effect in the holder's personal log book.
- 2.4 Subject to paragraph 2.5, the holder of an aeroplane pilot licence must not, while flying an aeroplane as pilot in command, carry out acrobatic flight unless:
- (a) an entry mentioned in subparagraph 2.2 (b) has been made in the holder's personal log book; and
 - (b) an authorised flight instructor, or an approved person, who gave the holder training in acrobatic flight is satisfied the holder can safely carry out acrobatic flight; and
 - (c) the instructor, or person, has made an entry to that effect in the holder's personal log book; and
 - (d) an entry mentioned in subparagraph 2.5 (g) has been made in the holder's personal log book in relation to each manoeuvre mentioned in paragraph 2.5.
- 2.5 The holder of an aeroplane pilot licence may carry out:
- (a) a barrel roll; or
 - (b) a loop; or
 - (c) a slow roll; or
 - (d) a roll off the top; or
 - (e) a stall turn;
- if an authorised flight instructor, or an approved person, who gave the holder flying training in the manoeuvre:
- (f) is satisfied that the holder can safely perform the manoeuvre; and
 - (g) makes an entry to that effect in the holder's personal log book.
- Note* If a pilot is approved to carry out more than 1 of these manoeuvres, he or she may carry out combinations of those manoeuvres.
- 2.6 CASA may approve a person for the purposes of paragraph 2.4 and 2.5.
- 2.7 The holder of an aeroplane pilot licence must not practice instrument flying in an aeroplane while the aeroplane is flying under the V.F.R. unless:
- (a) either:
 - (i) the holder also holds a command aeroplane instrument rating that is appropriate to the aeroplane; and
 - (ii) the aeroplane is equipped with the flight instruments required by CASA under subregulation 177 (1); and
 - (iii) the aeroplane is equipped with fully functioning dual controls; and
 - (iv) the other control seat is occupied by a person who holds a pilot licence, other than a student pilot licence, and a type or class endorsement for the aeroplane; and

- (v) the person has sufficient vision from the aeroplane to enable him or her to safely fly the aeroplane in visual flying; or
- (b) the holder is accompanied by an authorised flight instructor.

Note 1 It is an offence under the Civil Aviation Act 1988 for a person to fly an aeroplane under the I.F.R. unless he or she holds an instrument rating or a private I.F.R. rating, or is receiving training in flying under the I.F.R. from a person who is approved by CASA to give the training.

Note 2 The flight instruments required by CASA under subregulation 177 (1) are set out in CAO 20.18.

2A Consolidation on multi-crew pilot (aeroplane) licences

- 2A.1 For regulation 5.11, it is a condition on each multi-crew pilot (aeroplane) licence (**MP(A)L**) that the holder must comply with the requirements of this subsection, unless CASA approves otherwise in writing.
- 2A.2 If the MP(A)L issued to the holder is endorsed with a type endorsement (the **initial type endorsement**), the MP(A)L may not be endorsed with another type endorsement until the holder has complied with paragraph 2A.3.
- 2A.3 The MP(A)L holder must use the initial type endorsement to accumulate the following co-pilot flight experience with the same operator:
 - (a) 250 hours of flight in:
 - (i) charter operations; or
 - (ii) regular public transport (**RPT**) operations; or
 - (iii) charter operations and RPT operations; or
 - (b) 150 separate sector flights in:
 - (i) charter operations; or
 - (ii) RPT operations; or
 - (iii) charter operations and RPT operations.
- 2A.4 Paragraphs 2A.2 and 2A.3 cease to apply to the holder of a MP(A)L if he or she has accumulated the flight experience mentioned in paragraph 2A.3 using the MP(A)L with the initial type endorsement.
- 2A.5 Paragraphs 2A.2 and 2A.3 do not apply to a person who becomes the holder of a MP(A)L by relying on a current or previous overseas pilot licence (**MP(A)L equivalent**), provided that the person has accumulated the co-pilot flight experience mentioned in subparagraph 2A.3 (a) or (b):
 - (a) with the same operator; and
 - (b) using the MP(A)L equivalent and an overseas type endorsement.
- 2A.6 In this subsection:

overseas type endorsement means an endorsement or similar authorisation issued by a NAA that is at least equivalent to a type endorsement issued by CASA.

sector flight for an aeroplane means an operation that comprises take-off from an aerodrome, followed by a period of flight, followed by landing at a different aerodrome.

type endorsement means a type endorsement for a multi-engine turbine-powered aeroplane certificated for operation with a minimum crew of at least 2 pilots.

3 Conditions on private pilot licences

- 3.1 For the purposes of regulation 5.11, it is a condition of each private pilot licence that the holder of the licence must comply with the requirements of this subsection.
- 3.2 The holder of a private pilot licence must not fly an aircraft as pilot in command in controlled airspace that is:
- (a) a control area; or
 - (b) a control zone for which there is a radar service; or
 - (c) a control zone for which there is no radar service;
- unless:
- (e) the holder has received training in the aeronautical knowledge needed to safely fly an aircraft in the kind of airspace concerned; and
 - (f) an authorised flight instructor, or CASA, is satisfied that the holder can safely fly an aircraft in the kind of airspace concerned; and
 - (g) the instructor, or CASA, has made an entry to that effect in the holder's personal log book.
- 3.3 If, immediately before 3 June 2010, the holder of a private pilot licence had a personal log book endorsement to fly an aircraft as pilot in command in controlled airspace that was a control zone at a GAAP aerodrome then, on and after 3 June 2010, he or she is:
- (a) deemed to be in compliance with subparagraphs 3.2 (e), (f) and (g) for flight under subparagraph 3.2 (c) in a control zone for which there is no radar service; and
 - (b) eligible to have an entry to that effect made in his or her personal log book.

Note The former **GAAP** aerodromes had general aviation aerodrome procedures. Effective on 3 June 2010, subparagraph 3.2 (d) of Civil Aviation Order 40.0, dealing with control zones at GAAP aerodromes, is repealed because GAAP aerodromes no longer exist as such. However, if, immediately before 3 June 2010, a private pilot licence holder was endorsed to fly an aircraft as pilot in command in controlled airspace at a GAAP aerodrome then, on and after 3 June 2010, he or she may fly in a control zone for which there is no radar service, and is eligible to receive a log book endorsement to that effect.

4 Participation in LAHSO operations

- 4.1 For the purposes of regulation 5.11, it is a condition on a private pilot licence, a commercial pilot licence, an air transport pilot licence and a multi-crew pilot (aeroplane) licence that the holder must not, while operating an aeroplane, actively participate in LAHSO unless the holder:
- (a) carries out the operation in the course of the holder's duties as an employee of an operator who has a training and checking organisation approved under regulation 217 and has been assessed by an appropriate person in that organisation, in accordance with the check and training manual, as competent in those matters specified in Appendixes 1 and 2; or
 - (b) is certified in the holder's personal logbook by an appropriate person as being competent in those matters specified in Appendixes 1 and 2 and able to actively participate in LAHSO; or
 - (c) is being instructed or assessed by an appropriate person for the purpose of enabling the person to determine the holder's competence in those matters specified in Appendixes 1 and 2.
- 4.2 For the purposes of regulation 5.11, it is a condition on a student pilot licence that the holder must not, while operating an aeroplane as pilot in command, actively participate in LAHSO.
- 4.3 For the issue of a log book endorsement under subparagraph 4.1 (b), a pilot must be shown to have met the requirements of the Achievement Record as set out in Appendix 2. For that purpose, the Achievement Record must be signed by the pilot and an appropriate person before being submitted to CASA.
- 4.4 For the purposes of subparagraphs 4.1 (a), (b) and (c) and paragraph 4.3, an appropriate person is:
- (a) a CASA flying operations inspector; or
 - (b) the holder of a grade 1, 2 or 3 flight instructor rating (aeroplanes) who has the log book certification referred to in subparagraph 4.1 (b); or
 - (c) any other person approved by CASA; or
 - (d) for a person referred to in subparagraph 4.1 (a) — a person approved by the operator to provide training and checking in accordance with the operator's check and training manual.
- 4.5 A logbook certification referred to in subparagraph 4.1 (b) must be in the following form:

(Name of pilot and ARN) has been instructed in and found competent to actively participate in Land and Hold Short Operations (LAHSO) in accordance with subsection 4, and Appendixes 1 and 2, of section 40.0 of the Civil Aviation Orders, on (Date).

Signed: (LAHSO instructor)

ARN: (of LAHSO instructor)

Flying Training Organisation: (Name, if applicable)

5 ACAS requirements

5.1 For regulation 5.11, it is a condition of each private pilot licence, commercial pilot licence, air transport pilot licence and multi-crew pilot (aeroplane) licence that its holder may act as the pilot in command of an Australian aircraft with an activated ACAS only if:

- (a) the holder is an employee:
 - (i) who is acting in the course of his or her duties for an operator who has a training and checking organisation (*TCO*) approved under regulation 217; and
 - (ii) who has been assessed by an appropriate person in the TCO, in accordance with its training and checking manual (the *T&C manual*), as meeting the competency standards mentioned in the ACAS syllabus (the *competency standards*); and
 - (iii) whose assessment is current under the terms of the T&C manual; or
- (b) not earlier than 24 months before acting — an appropriate person has:
 - (i) certified in the holder's personal logbook that he or she meets the competency standards; and
 - (ii) signed the holder's achievement record to this effect; or

Note The form of the achievement record is set out in the competency standards.

- (c) an appropriate person is instructing or assessing the holder to determine whether he or she meets the competency standards.

5.2 In this subsection:

ACAS means an approved TCAS II within the meaning given by regulation 262AB of the *Civil Aviation Regulations 1988 (CAR 1988)*.

ACAS syllabus means the syllabus prepared and published by CASA under paragraph 5.59 (h) of CAR 1988.

appropriate person means:

- (a) a CASA flying operations inspector; or
- (b) the holder of a grade 1, grade 2 or grade 3 flight instructor rating whose personal log book is certified in accordance with subparagraph 5.1 (b); or
- (c) a person approved by CASA; or
- (d) for sub-subparagraph 5.1 (a) (ii) — a person approved by the operator to provide training and checking in accordance with the operator's T&C manual.

certified means certified in accordance with the competency standards.

Note The form for certification is set out in the competency standards.

6 English language proficiency

For subsections 7, 8, 9, 10 and 11 of this Order:

domestic operation means a flight that is not classifiable as an international operation.

English language proficiency level means the level in the International Civil Aviation Organization Language Proficiency Scale mentioned in Appendix 4.

flight crew licence means any 1 of the following:

- (a) air transport pilot licence (ATPL);
- (aa) multi-crew pilot (aeroplane) licence (MP(A)L);
- (b) commercial pilot licence (CPL);
- (c) unrestricted private pilot licence (PPL);
- (d) flight engineer who is required by flight crew duties to conduct radiotelephone communications with Air Traffic Control (ATC);
- (e) special pilot licence;
- (f) certificate of validation.

International operations means a flight which passes through the territory of more than 1 country.

specified country means any of the following countries:

- (a) United Kingdom;
- (b) Republic of Ireland;
- (c) United States of America;
- (d) New Zealand;
- (e) Canada.

Note For Canada, proof of English language proficiency may still be required.

7 English language proficiency requirements

- 7.1 For regulation 5.09, a person who applies to CASA, on the commencement of this Order, for a flight crew licence must provide to CASA evidence that he or she has at least an English language proficiency level 4 before the licence can be issued.
- 7.2 For regulation 5.09, the holder of a flight crew licence issued before 5 March 2008 who, on the commencement of this Order, applies for the issue of a new type of flight crew licence must demonstrate that he or she has an English language proficiency of at least level 4 before the new type of licence can be issued.
- 7.3 The holder of a flight crew licence who has demonstrated to CASA that he or she meets the requirements of a level of English proficiency may apply to CASA for the level of English proficiency to be entered on his or her licence.
- 7.4 The holder of a flight crew licence who performs international operations must have English language proficiency of at least level 4.

Note The proficiency level must be entered on the licence before commencement of international operations.

8 Student Pilots

A person who applies for a student pilot licence must satisfy the Chief Flying Instructor of the flying school that:

- (a) he or she has English language proficiency at a level that will enable him or her to safely conduct flying operations; and
- (b) he or she meets 1 of the following requirements:
 - (i) he or she has completed a secondary education in an Australian or New Zealand educational institution;
 - (ii) he or she has completed at least the equivalent of an Australian secondary education in an educational institution in a country where 1 of the principal mediums of instructions was English;
 - (iii) he or she is receiving secondary education in an Australian or New Zealand educational institution and the language of instruction is English;
 - (iv) he or she has been working in Australia or New Zealand for at least 3 of the 5 years immediately before applying for the student pilot licence;
 - (v) he or she has been working in a specified country for at least 3 of the 5 years immediately before applying for the student pilot licence;
 - (vi) he or she has successfully completed 1 of the English language proficiency tests in Appendix 3.
 - (vii) he or she has successfully completed a CASA approved General English Language Course and has obtained a grade of at least 75% in the speaking and listening components of the General English Language Course;
 - (viii) he or she has been assessed by a CASA approved general English language proficiency assessor as meeting the requirements mentioned in Appendix 5.

9 Assessment of English language proficiency

- 9.1 CASA may by instrument in writing approve an organisation or a person as an English language proficiency assessor, at a level mentioned in Appendix 4, to assess the English language proficiency of applicants for the issue of a flight crew licence.
- 9.2 CASA may by instrument in writing revoke an approval referred to in paragraph 9.1.
- 9.3 CASA may accept an assessment of English language proficiency of at least level 4 as meeting the requirements for the issue of a flight crew licence if the assessment has been done by an approved English language proficiency assessor or organisation.
- 9.4 CASA may by notice in writing require the holder of a flight crew licence with English language proficiency level entered on the licence to undertake an English language proficiency assessment if CASA has reason to believe the

holder's English language proficiency may affect the safe exercise of the privileges of the licence.

- 9.5 If the holder of a flight crew licence fails to maintain English language proficiency of at least level 4, CASA may suspend the licence until such time as the person is able to satisfy the minimum requirement of level 4 proficiency.

9A Assessment of general English language proficiency

CASA may by instrument in writing approve a person as a general English language proficiency assessor if he or she meets the requirements mentioned in Appendix 6.

10 How to obtain an English language proficiency assessment

A person may apply to an approved English language proficiency assessor or organisation for an English language proficiency assessment at a level mentioned in Appendix 4.

11 How long does an English Language proficiency assessment remain in force

An English language proficiency assessment provided by an approved assessor or organisation remains in force as follows:

- (a) for proficiency level 4 (operational), 3 years from the date of issue;
- (b) for proficiency level 5 (extended), 6 years from the date of issue;
- (c) for proficiency level 6 (expert), while the flight crew licence remains in force.

12 CASA approved General English Language Course

- 12.1 CASA may approve an English language course as a General English Language Course if it meets the following requirements:

- (a) the course is taught by a person:
 - (i) who has professional qualifications as a teacher; and
 - (ii) whose area of expertise is English language teaching; and
 - (iii) who has achieved a band score of at least 7 in the Academic Module of IELTS for all 4 components: speaking, reading, listening and writing;
- (b) English is both the subject of the course and the medium of instructions;
- (c) the course is taught using materials suitable for students to achieve a proficiency level of B1 on the Council of Europe's *Common European Framework of Reference for Languages: Learning, teaching, assessment (CEFR)*;
- (d) the course materials are of an appropriate level for the course and include authentic English listening materials, using a variety of accents;
- (e) the course is taught intensively.

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- 12.2 Students who successfully complete the course meet the independent user classification of the CEFR.
- 12.3 For subparagraph 12 (1) (e), a course is taught intensively if it provides the students with a minimum of 25 hours of tuition and practice weekly over a period of approximately 12 weeks (minimum of 300 hours).

Appendix 1

Standards to be met for the LAHSO log book certification

1 Introduction

- 1.1 This Appendix specifies the standards of competency and aeronautical knowledge required for the issue of a LAHSO log book certification. These standards must be satisfied by a combined oral examination and practical check carried out by a person authorised to issue the log book certification.
- 1.2 Before the issue of a LAHSO endorsement, the applicant must demonstrate that the standards of flying competency specified in Schedule 2 have been achieved.
- 1.3 The oral examination must indicate an ability to satisfy each of the items included in the aeronautical knowledge syllabus detailed in subsection 2 of this Schedule.
- 1.4 In the oral examination, candidates may refer to AIP (complete — including En Route Supplement Australia (ERSA) and Aerodrome Directory) and Parts 20 to 99 of the Civil Aviation Orders.
- 1.5 The practical check must be conducted in an aeroplane at an aerodrome at which LAHSO are authorised or in a synthetic flight trainer approved by CASA as suitable for that purpose. LAHSO need not be in use at an aerodrome during the test if the appropriate procedures are simulated by the person conducting the check.

2 Aeronautical knowledge syllabus

- 2.1 Recall the procedures for participation in LAHSO in Australia.
- 2.2 Identify the aerodromes where LAHSO may be conducted in Australia.
- 2.3 Explain the term *active participation*.
- 2.4 Explain the term *passive participation*.
- 2.5 Identify and interpret the aerodrome signs, runway markings and lighting requirements that apply to LAHSO.
- 2.6 Identify the requirements for pilots to participate in LAHSO.
- 2.7 Identify the aircraft performance categories defined for participation in LAHSO.
- 2.8 State the conditions under which LAHSO may be offered by ATC to pilots.
- 2.9 State the methods of notification that LAHSO is in progress.
- 2.10 State the 'read back' requirements for pilots engaged in active participation in LAHSO.
- 2.11 Establish from ERSA the landing distance available for LAHSO.
- 2.12 Calculate the aeroplane landing distance required in dry, wet or downwind conditions, using the procedure set out in AIP.

Appendix 2

Land and hold short operations — LAHSO practical test

Elements	Performance Criteria
1. Determine the landing distance for LAHSO is adequate for the prevailing conditions	<ol style="list-style-type: none"> 1. Consult the aeronautical publication and extract the landing distance available at the destination for LAHSO. 2. Landing distance is calculated in accordance with the manufacturer demonstrated landing distance chart and factored in accordance with runway conditions. 3. LAHSO conditions are assessed in accordance with the procedure set out in AIP, and acceptance notified using appropriate radio communications with ATC.
2. Execute LAHSO	<ol style="list-style-type: none"> 1. Aerodrome signs, runway markings and lighting requirement that apply to LAHSO are identified and complied with. 2. Aeroplane is landed by the nominated touch down point +200 ft (60 metres). 3. Aeroplane is stopped within specified runway distance before hold short line — without the use of maximum reverse thrust. 4. Abnormal runway conditions, such as wet runway or downwind component are identified and appropriate procedures are applied to comply with LAHSO requirements. 5. Appropriate missed approach procedures are demonstrated. 6. Situational awareness is maintained throughout the procedure.

Assessment guide

During assessment, the pilot should be observed to perform the following checks and actions as evidence of ability to meet the licensing standards.

The checks and actions detailed in this guide are advisory. Alternative checks and actions in approved checklists, placards, flight manuals, pilots' operating handbooks (POHs), or operations manuals have precedence and must be complied with.

Elements	Evidence
1. Determine the landing distance for LAHSO is adequate for the prevailing conditions	<ul style="list-style-type: none"> • Consult the aeronautical publication and extract the landing distance available for LAHSO at the destination. • Calculate landing distance for LAHSO required in accordance with the manufacturer demonstrated landing distance chart multiplied by at least 1.67 for dry conditions and 1.92 for wet or downwind conditions.

Elements	Evidence
2. Execute LAHSO	<ul style="list-style-type: none"> • Obtain actual conditions with ATIS or ATC and apply method of determining runway length distance available. • Determine that conditions for carrying out LAHSO can be complied with. • Accept LAHSO in accordance with procedures set out in AIP. <p><i>Perform land and hold short operations:</i></p> <ul style="list-style-type: none"> • Aiming point is selected. • Approach speed is maintained (+5 -0 kts) (calculated from take off and landing chart). • Approach path is maintained. • Identify, interpret and comply with aerodrome signs, runway markings and lighting requirements that apply to LAHSO. • Rate of descent is reduced at height above runway suitable for aeroplane type. • Aeroplane is stopped within calculated runway length without the use of maximum braking or reverse thrust. <p><i>Missed Approach:</i></p> <ul style="list-style-type: none"> • Commence a missed approach if conditions for carrying out LAHSO cannot be complied with or a safe landing cannot be achieved. • Maintain obstacle clearance. <p><i>Elements of Airmanship:</i></p> <ul style="list-style-type: none"> • Windssock and other indicators are used to determine wind velocity. • Allowance for wind velocity and turbulence is made during approach and landing. • Situation awareness is maintained. • Lookout is maintained using a systematic scan technique at a rate determined by traffic density, visibility or terrain. • Comply with Air Traffic Control requirements. • Comply with standard LAHSO radio telephony procedures. • Surface conditions are allowed for. • Runway is vacated as soon as practicable. • Local and published noise abatement requirements and curfews are observed. • Conduct a missed approach if conditions for carrying out LAHSO cannot be complied with or a safe landing cannot be achieved.

Achievement record

Name: _____ **ARN:** _____

Land and hold short operations — achievement record

Unit	Element	Certification Instructor/ARN/Date
Land and Hold Short Operations	<ul style="list-style-type: none">• Determine the landing distance for LAHSO is adequate for the prevailing conditions.• Execute LAHSO.	

I have completed the training specified in the elements which have been certified on this Achievement Record.

_____ Pilot (Signature and ARN)

This achievement record must be forwarded to a CASA Area Office to enter this qualification on your pilot licence records.

Note The listed unit and elements of competency must be undertaken and achieved before the achievement record is issued and the log book endorsed. All elements must be certified by the person responsible for the assessment as having been achieved at the specified standard.

Appendix 3

General English language proficiency tests

General or Academic Training Module of the International English Language Testing System (IELTS) with an overall grade of 5.5 on condition that no single test area has a score of less than 5.0.

Test of English for International Communication-Secure Program (TOEIC-Secure Program/Public Testing Centre) with the following minimum test scores:

- (a) listening — 350;
- (b) reading — 300;
- (c) speaking — 160;
- (d) writing — 140.

Test of English as a Foreign Language internet-based test (TOEFL iBT) with a test score of 71.

Test of English as a Foreign Language computer-based test (TOEFL CBT) with a test score of 197.

Test of English as a Foreign Language paper-based test (TOEFL PB) with a test score of 530.

Appendix 4

ICAO Language Proficiency Scale

ICAO Language Proficiency Scale: Expert, Extended and Operational Levels

Level	Pronunciation	Structure	Vocabulary	Fluency	Comprehension	Interactions
	Assumes a dialect and/or accent intelligible to the aeronautical community.	Relevant grammatical structures and sentence patterns are determined by language functions appropriate to the task.				
Expert 6	Pronunciation, stress, rhythm and intonation, though possibly influenced by the first language or regional variation, almost never interfere with ease of understanding.	Both basic and complex grammatical structures and sentence patterns are consistently well controlled.	Vocabulary range and accuracy are sufficient to communicate effectively on a wide variety of familiar and unfamiliar topics. Vocabulary is idiomatic, nuanced and sensitive to register.	Able to speak at length with a natural, effortless flow. Varies speech flow for stylistic effect, e.g. to emphasize a point. Uses appropriate discourse markers and connectors spontaneously.	Comprehension is consistently accurate in nearly all contexts and includes comprehension of linguistic and cultural subtleties.	Interacts with ease in nearly all situations. Is sensitive to verbal and non-verbal cues and responds to them appropriately.
Extended 5	Pronunciation, stress, rhythm and intonation, though influenced by the first language or regional variation, rarely interfere with ease of understanding.	Basic grammatical structures and sentence patterns are consistently well controlled. Complex structures are attempted but with errors which sometimes interfere with meaning.	Vocabulary range and accuracy are sufficient to communicate effectively on common, concrete, and work-related topics. Paraphrases consistently and successfully. Vocabulary is sometimes idiomatic.	Able to speak at length with relative ease on familiar topics but may not vary speech flow as a stylistic device. Can make use of appropriate discourse markers or connectors.	Comprehension is accurate on common, concrete, and work-related topics and mostly accurate when the speaker is confronted with a linguistic or situational complication or an unexpected turn of events. Is able to comprehend a range of speech varieties (dialect and/or accent) or registers.	Responses are usually immediate, appropriate and informative. Initiates and maintains exchanges even when dealing with an unexpected turn of events. Deals adequately with apparent misunderstandings by checking, confirming or clarifying.
Operational 4	Pronunciation, stress, rhythm and intonation are influenced by the first language or	Basic grammatical structures and sentence patterns are used	Vocabulary range and accuracy are usually sufficient to communicate	Produces stretches of language at an appropriate tempo. There may	Comprehension is mostly accurate on common, concrete and work-related topics when the accent or variety	Responses are usually immediate, appropriate and informative. Initiates and

ICAO Language Proficiency Scale: Expert, Extended and Operational Levels

Level	Pronunciation	Structure	Vocabulary	Fluency	Comprehension	Interactions
	regional variation but only sometimes interfere with ease of understanding.	creatively and are usually well controlled. Errors may occur, particularly in unusual or unexpected circumstances, but rarely interfere with meaning.	effectively on common, concrete, and work-related topics. Can often paraphrase successfully when lacking vocabulary in unusual or unexpected circumstances.	be occasional loss of fluency on transition from rehearsed or formulaic speech to spontaneous interaction, but this does not prevent effective communication. Can make limited use of discourse markers or connectors. Fillers are not distracting.	used is sufficiently intelligible for an international community of users. When the speaker is confronted with a linguistic or situational complication or an unexpected turn of events, comprehension may be slower or require clarification strategies.	maintains exchanges even when dealing with an unexpected turn of events. Deals adequately with apparent misunderstandings by checking, confirming or clarifying.

Appendix 5 General English proficiency requirements

Pronunciation	Structure	Vocabulary	Fluency	Comprehension	Interactions
Assumes a dialect and/or accent intelligible to the Australian community. Pronunciation, stress, rhythm and intonation, though possibly influenced by the first language or regional variation, almost never interfere with ease of understanding.	Both basic and complex grammatical structures and sentence patterns are consistently well controlled.	Vocabulary range and accuracy are sufficient to communicate effectively on a wide variety of familiar and unfamiliar topics. Vocabulary is idiomatic, nuanced and sensitive to register.	Able to speak at length with a natural, effortless flow. Varies speech flow for stylistic effect, e.g. to emphasise a point. Uses appropriate discourse markers and connectors spontaneously.	Comprehension is consistently accurate in nearly all contexts and includes comprehension of linguistic and cultural subtleties.	Interacts with ease in nearly all situations. Is sensitive to verbal and non-verbal cues and responds to them appropriately.

Appendix 6 Requirements for approval as a general English language proficiency assessor

To be an approved general English language proficiency assessor, a person must be a person to whom the Director of Aviation Safety has delegated CASA's powers under regulation 5.41 of CAR 1988 to conduct flight tests and who has a current CASA approval as a Level 6 English language proficiency assessor.

Note Under Regulation 2 of CAR 1988, a person to whom the Director of Aviation Safety has delegated CASA's powers under regulation 5.41 of CAR 1988 is described as an Approved Testing Officer (ATO).

Notes to Civil Aviation Order 40.0

Note 1

The Civil Aviation Order (in force under the *Civil Aviation Regulations 1988*) as shown in this compilation comprises Civil Aviation Order 40.0 amended as indicated in the Tables below.

Table of Orders

Year and number	Date of notification in <i>Gazette</i> / registration on FRLI	Date of commencement	Application, saving or transitional provisions
CAO 2004 No. R30	8 December 2004	8 December 2004 (see s. 2)	
CAO 40.0 2006 No. 1	FRLI 1 December 2006 (F2006L03912)	2 December 2006 (see s. 2)	
CAO 40.0 2008 No. 1	FRLI 4 March 2008 (F2008L00652)	Ss. 1–4, Schedule 1 (items 1, 2 (cl 6, 7, 9–11) and 3): 5 March 2008 Schedule 1, (item 2 (cl 8)): 1 January 2009	S. 4 (see Table A) Ss. 2(2) am. by CAO 40.0 2008 No. 2, Sch. 1 [item 1])
as amended by			
CAO 40.0 2008 No. 2	FRLI 4 Sept 2008 (F2008L03194)	5 September 2008	
CAO 40.0 2008 No. 2	FRLI 4 Sept 2008 (F2008L03194)	5 September 2008	
CAO 40.0 2008 No. 3	FRLI 22 December 2008 (F2008L04366)	23 December 2008	
CAO 40.0 2009 No. 1	FRLI 6 April 2009 (F2009L01234)	7 April 2009	
CAO 40.0 2010 No. 1	FRLI 27 May 2010 (F2010L01361)	3 June 2010	

Civil Aviation Order 40.0

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
s. 40.2.1	rs. CAO 2004 No. R30
subs. 1	am. CAO 40.0 2008 No. 1
subs. 2A	ad. CAO 40.0 2008 No. 3
subs. 3	am. CAO 40.0 2010 No. 1
subs. 4	ad. CAO 40.0 2008 No. 3
subs. 5	ad. CAO 40.0 2006 No. 1; am. CAO 40.0 2008 No. 3
subs. 6	ad. CAO 40.0 2008 No. 1; am. CAO 40.0 2008 No. 2; CAO 40.0 2008 No. 3; CAO 40.0 2009 No. 1
subs. 7	ad. CAO 40.0 2008 No. 1
subs. 8	ad. CAO 40.0 2008 No. 1 am. CAO 40.0 2009 No. 1
subs. 9	ad. CAO 40.0 2008 No. 1
subs. 9A	ad. CAO 40.0 2009 No. 1
subs. 10	ad. CAO 40.0 2008 No. 1
subs. 11	ad. CAO 40.0 2008 No. 1
subs. 12	ad. CAO 40.0 2009 No. 1
Appendix 3	ad. CAO 40.0 2008 No. 1 am. CAO 40.0 2009 No. 1
Appendix 4	ad. CAO 40.0 2008 No. 1
Appendix 5	ad. CAO 40.0 2009 No. 1
Appendix 6	ad. CAO 40.0 2009 No. 1

Table A

Transitional and savings provisions

The amendment of Civil Aviation Order 40.0, made on 3 March 2008, included the following:

4 Transitional and saving

- (1) The holder of a flight crew licence issued before 5 March 2008 that was in force immediately before the commencement of this Order and who only performs domestic operations is taken to have demonstrated sufficient English language proficiency to exercise the privileges of his or her licence.
- (2) The holder of a flight crew licence issued before 5 March 2008 that was in force immediately before the commencement of this Order and who performs international operations is taken to have met the requirements of English language proficiency level 4 if he or she has, in the 2 years immediately before 5 March 2008, been resident continuously in Australia or New Zealand except for brief periods not exceeding in total 6 months.
- (3) The holder of a flight crew licence issued before 5 March 2008 that was in force immediately before the commencement of this Order and who performs international operations is taken to have met the requirements of English language proficiency level 4 if he or she has, in the 2 years immediately before 5 March 2008, been resident continuously in a specified country except for briefs period not exceeding in total 6 months.
- (4) For subsections 2 and 3, the grant of an English language proficiency level 4 ceases to have effect at the earlier of:
 - (a) the holder applying for the issue of a new licence; or
 - (b) 5 March 2010.

Note The grant of English proficiency level 4 is to be entered on a licence before the commencement of international operations.