



Civil Aviation Amendment Order (No. 4) 2003

I, MICHAEL ROBERT TOLLER, Director of Aviation Safety, on behalf of CASA, issue the following Civil Aviation Order under regulations 5.22, 5.23, 5.25 and 303 of the *Civil Aviation Regulations 1988*.

A handwritten signature in black ink, appearing to read 'Mick Toller'.

Mick Toller
Director of Aviation Safety

17 April 2003

1 Name of Order

This Order is the Civil Aviation Amendment Order (No. 4) 2003.

2 Commencement

This Order commences on gazettal.

3 Amendment of the Civil Aviation Orders

3.1 Schedule 1 amends section 40.1.0 of the Civil Aviation Orders.

3.2 Schedule 2 amends section 40.3.0 of the Civil Aviation Orders.

4 Transitional and savings

4.1 A pilot who has flown the Antonov AN-2 or PZL-MIEL AN-2 aeroplane before the commencement of this Order, under the authority of the SINGLE-ENGINE AEROPLANES NOT EXCEEDING 5700 KG MAXIMUM TAKE-OFF WEIGHT endorsement, may continue to do so and is taken to have satisfied the requirements to obtain an AN-2 class endorsement.

4.2 A pilot who has flown the Marchetti SM-1019 aircraft before the commencement of this Order, under the authority of the SINGLE-ENGINE AEROPLANES NOT EXCEEDING 5700 KG MAXIMUM TAKE-OFF WEIGHT endorsement, may continue to do so and is taken to have satisfied the requirements to obtain an SM-1019 type endorsement.

4.3 A person who:

- (a) held a Turbo Thrush/Air Tractor class endorsement that was in force at the end of 31 March 1999; and
- (b) qualified for that endorsement in an Ayres Turbo Thrush/Air Tractor (PWC Turbine) aeroplane;

may fly an aircraft covered by an Ayres Turbo (PT 6) class endorsement and is taken to have satisfied the requirements for obtaining that endorsement.

4.4 A person who:

- (a) held a Turbo Thrush/Air Tractor class endorsement that was in force at the end of 31 March 1999; and
- (b) qualified for that endorsement in an Ayres Turbo Thrush/Air Tractor (Garrett Turbine) aeroplane;

may fly an aircraft covered by an Ayres Turbo (TPE 331) class endorsement and is taken to have satisfied the requirements for obtaining that endorsement.

Schedule 1 Amendment of section 40.1.0 of the Civil Aviation Orders

1 **Appendix I, Part 1**

immediately before

P166 PIAGGIO P.166

insert

SM-1019 MARCHETTI SM-1019 (all Allison powered
models)

2 **Appendix I, Part 4, Column 1**

omit

F27-50

insert

FK-50

3 **Appendix I, Part 4**

omit

F-100 FOKKER F-100

4 **Appendix I, Part 5, Column 1**

omit

CO-PILOT F27-50

insert

CO-PILOT FK-50

5 **Appendix I, Part 5**

omit

CO-PILOT F-100 FOKKER F-100

6 **Appendix IA, Part 1**

after

AERO COM

insert

AN-2

7 Appendix IA, Part 1

omit

C401/421

insert

C402/421

8 Appendix IA, Part 5

omit

F27

F28

insert

EMB 135/145

FK-27

FK-28

FK-70/100

9 Appendix IA, Part 6

omit

CO-PILOT F27

CO-PILOT F28

insert

CO-PILOT EMB 135/145

CO-PILOT FK-27

CO-PILOT FK-28

CO-PILOT FK-70/100

10 Appendix IB, new item 3A

after item 3, insert

3A.	AN-2	ANTONOV AN-2 (all models)
		PZL-MIEL AN-2 (all models)

11 Appendix 1B, item 12, column 3

add

BOEING BBJ SERIES

12 Appendix IB, item 41

substitute

41.	EMB 135/145	Embraer 135 (all models)
		Embraer 145 (all models)

13 Appendix IB, Item 42, Column 2

omit

F27

insert

FK-27

14 Appendix IB, new item 43

after item 42, insert

43.

FK-28

FOKKER F28-1000

FOKKER F28-3000

FOKKER F28-4000

15 Appendix IB, item 44

substitute

44.

FK-70/100

FOKKER F28-0070

FOKKER F28-0100

16 Appendix IB, item 48, column 3

omit

GRUMMAN G159

GRUMMAN G159B

insert

GRUMMAN G159 (all models)

17 Appendix IB, item 49, column 3

omit

GRUMMAN G1159

GRUMMAN G1159B

insert

GRUMMAN G1159 (all models)

18 Appendix 1B, new item 63A

after item 63, insert

63A.

METRO 3

FAIRCHILD SA227 (METRO III
AND 23) (all models)

SWEARINGEN SA227 (METRO III
AND 23) (all models)

19 Appendix IB, Item 95, Column 3

before

CAC CA-18 (all models)

insert

CAC CA-17 (all models)

20 Appendix IB, Item 97

substitute

97

SPITFIRE

SUPERMARINE SPITFIRE (Marks
1-25)

SUPERMARINE SEAFIRE (all
models)

Schedule 2 Amendment of section 40.3.0 of the Civil Aviation Orders

1 Appendix II, Paragraph 2

omit

with a maximum take-off weight not exceeding 2750 kg

insert

certificated in the normal category

2 Appendix II, Paragraph 2

omit

with a maximum take-off weight exceeding 2750 kg

insert

certificated in the transport category

3 Appendix II, Paragraph 3

omit

with a maximum take-off weight not exceeding 2750 kg

insert

certificated in the normal category

4 Appendix II, Paragraph 3

omit

with a maximum take-off weight exceeding 2750 kg

insert

certificated in the transport category

5 Appendix V, Part 1, column 1 (new EC-130 class endorsement)

after

AS350

insert

EC-130B

6 Appendix V, Part 1, column 2 (EC-130 class)

after

Eurocopter AS350 (all models)

insert

Eurocopter EC-130B (all models)

EXPLANATORY STATEMENT

CIVIL AVIATION ACT 1988

CIVIL AVIATION REGULATIONS 1988

CIVIL AVIATION ORDERS

AMENDMENT OF SECTIONS 40.1.0 AND 40.3.0

Section 98 of the *Civil Aviation Act 1988* (the Act) empowers the Governor-General to make regulations.

Subregulation 5.22 (1) of the *Civil Aviation Regulations 1988* (CAR 1988) provides that the Civil Aviation Safety Authority (CASA) may give directions in Civil Aviation Orders (the Orders) prescribing the aircraft endorsements that must be held by a licence holder before the holder is permitted to carry out the duties authorised by the licence in a particular type or class of aircraft.

Subregulation 5.22 (2) of CAR 1988 provides that CASA may give directions in the Orders classifying types of aeroplanes into classes.

Subregulation 5.23 (1) of CAR 1988 provides that CASA may give directions in the Orders setting out the requirements for the issue of aircraft endorsements.

Subregulation 5.25 (1) provides that CASA may issue an aircraft endorsement subject to any condition that it thinks necessary in the interests of the safety of air navigation.

Under subregulation 5.25 (2) a condition may be set out in Civil Aviation Orders under regulation 303.

Section 40.1.0 of the Orders prescribes aircraft endorsements for aeroplanes, classifies types of aeroplanes into classes and sets out the requirements for the issue of aircraft endorsements for aeroplanes.

The Order contains various amendments to section 40.1.0 concerning the prescription of aeroplane endorsements. These amendments include creating new type endorsements and including new aeroplane types in existing aeroplane classes.

Under the transitional provisions, previously issued endorsements that cover aeroplane types now included in a new aeroplane type or class will continue to have effect in respect of pilots who have flown under those endorsements.

In Appendix II of section 40.3.0, the former term “with a maximum take-off weight not exceeding 2750 kg” is replaced with the new term “certificated in the normal category” and the term “with a maximum take-off weight exceeding 2750 kg” is replaced with the new term “certificated in the transport category”. These changes make Appendix II consistent with the terminology used elsewhere in the Order.

The Order contains amendments in respect of which the Office of Regulation Review does not require a Regulation Impact Statement.

The amendments have been issued by the Director of Aviation Safety on behalf of CASA in accordance with subsection 84A (2) of the Act.