



**Australian Government**  
**Civil Aviation Safety Authority**

Instrument number CASA EX157/15

I, GERARD JOHN CAMPBELL, Executive Manager, Operations Division, a delegate of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998 (CASR 1998)*.

**[Signed G.J. Campbell]**

Gerard J. Campbell  
Executive Manager  
Operations Division

25 September 2015

**Exemption — Fixed-wing firefighting operations (AGAIR)**

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**1 Definitions**

In this instrument:

*CTM* means a CASA Certificate Team Manager or Certificate Management Team Leader.

*FAA* means the Federal Aviation Administration of the United States.

**2 Application**

This instrument applies to:

- (a) AGAIR Pty Ltd, Aviation Reference Number 535068 (the *operator*), as operator of the DC-10-30 aircraft with registration N612AX (the *aircraft*); and
- (b) the pilot in command of the aircraft mentioned in paragraph (a).

**3 Exemptions**

- (1) The operator and the pilot in command of the aircraft are exempt from compliance with regulation 137.025 of CASR 1998.
- (2) The operator is exempt from compliance with regulations 137.235 and 137.240 of CASR 1998.

**4 Conditions**

The exemption is subject to the conditions set out in Schedule 1.

**5 Expiry**

This instrument expires at the end of April 2016, as if it had been revoked by another instrument.

## Schedule 1      Conditions

- 1 The aircraft may only:
  - (a) be operated for firefighting purposes, including firefighting demonstrations and training; and
  - (b) be operated in accordance with the operator's operations manual; and
  - (c) carry persons, including members of the operating crew, that are essential for the safe conduct of the operations.
- 2 The pilot in command of the aircraft must:
  - (a) have undertaken an annual proficiency check in accordance with FAA requirements; and
  - (b) retain currency of the annual proficiency check for the duration of this exemption; and
  - (c) have undergone additional training (if any) that would be required to enable the pilot to carry out aerial application (firefighting) operations in the United States for the duration of this exemption; and
  - (d) hold a current appropriate FAA pilot licence with authorisations that allow the conduct of operations in accordance with this exemption and the operator's operations manual; and
  - (e) meet the minimum experience requirements set out in the operator's operations manual.
- 3 The operator must ensure that a flight engineer of the aircraft:
  - (a) has undertaken an annual proficiency check in accordance with FAA requirements; and
  - (b) retains currency of the annual proficiency check for the duration of this exemption; and
  - (c) has undergone additional training (if any) that would be required to enable the flight engineer to carry out aerial application (firefighting) operations in the United States for the duration of this exemption; and
  - (d) holds a current appropriate FAA flight engineer licence with authorisations that allow the conduct of operations in accordance with this exemption and the operator's operations manual.
- 4 The operator must ensure that the operator's chief pilot has, before a pilot or flight engineer (a *flight crew member*) takes part in operations under this exemption, sighted and verified the currency of that flight crew member's:
  - (a) licence; and
  - (b) aircraft endorsement; and
  - (c) medical certificate; and
  - (d) most recent proficiency check on the aircraft.
- 5 The operator must keep, for 3 years, copies of the documents that the operator's chief pilot has sighted and verified under clause 4.
- 6 The operator must ensure that the aircraft has a valid and current standard certificate of airworthiness.

- 7 The operator must ensure that, before a flight crew member takes part in operations under this exemption, a CTM or a flying operations inspector who is approved by a CTM has:
- (a) sighted and verified the currency of that flight crew member's:
    - (i) licence; and
    - (ii) aircraft endorsement; and
    - (iii) medical certificate; and
    - (iv) most recent proficiency check on the aircraft; and
  - (b) sighted and verified all certificates, manuals, other documents and safety equipment that relate to the safe operation of the aircraft.
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