



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX162/21

I, ANTHONY ALFRED STANTON, Branch Manager, Sport & Recreation Aviation, Stakeholder Engagement Division, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed A.A. Stanton]

Anthony A. Stanton
Branch Manager, Sport & Recreation Aviation
Stakeholder Engagement Division

21 December 2021

CASA EX162/21 — Flight of Relevant CAO 95.55 Aeroplanes in Class C Airspace at Canberra Aerodrome (Learn 2 Fly Canberra) Instrument 2021

1 Name

This instrument is *CASA EX162/21 — Flight of Relevant CAO 95.55 Aeroplanes in Class C Airspace at Canberra Aerodrome (Learn 2 Fly Canberra) Instrument 2021*.

2 Duration

This instrument:

- (a) commences on the day after it is signed; and
- (b) is repealed at the earlier of:
 - (i) the end of the period of 5 years following the repeal of CAO 95.55; and
 - (ii) the end of 30 November 2029.

Note For regulation 11.250 of CASR:

- (a) the directions in sections 7, 9 and 10 cease to be in force at the end of 30 November 2024; and
- (b) the directions in section 12 continue to be in force until the repeal of this instrument.

3 Definitions

Note In this instrument:

- certain terms and expressions, including *controlled aerodrome*, *control zone*, *medical certificate* and *pilot certificate*, have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations
- the terms *conduct*, *recreational aviation medical practitioner's certificate* and *solo* have the meaning as defined in regulation 61.010 of CASR.

In this instrument:

aerodrome traffic circuit means the path that a relevant CAO 95.55 aeroplane must fly when entering, flying in, or leaving the traffic circuit at Canberra aerodrome.

applicable CTA.1 performance criteria means the performance criteria for a CTA.1 element mentioned in subclause 2.1.1 of section 3 of Schedule 2 to the Part 61 MOS, to the extent that the performance criteria for the CTA.1 element apply to a relevant solo training flight, flown in a control zone at Canberra aerodrome.

Aviation Medical Certificate (basic class 2) means a certificate issued by CASA to a person, under a legislative instrument made by CASA, on the basis that the person meets the medical standard basic class 2, as the medical standard exists at the time CASA issues the certificate.

Note At the time of making this instrument, an Aviation Medical Certificate (basic class 2) is issued under *CASA EX69/21 — Medical Certification (Private Pilot Licence Holders with Basic Class 2 Medical Certificate) Exemption 2021* (freely available to view or download at <https://www.legislation.gov.au/Details/F2021L00867>).

Canberra aerodrome means Canberra aerodrome (YSCB), CASA.ADCERT.0015.

Canberra Airport means Canberra Airport Pty Limited, ARN 557150, in its capacity as the aerodrome operator of Canberra aerodrome.

C3 elements means the elements of the competency requirements for a flight radio endorsement mentioned under the following headings in section 2 of Schedule 2 to the Part 61 MOS:

- (a) “C3.1 – Operate radio equipment” in subclause 2.1;
- (b) “C3.2 – Manage R/T equipment malfunctions” in subclause 2.2;
- (c) “C3.3 – Operate transponder” in subclause 2.3.

C3 performance criteria means the performance criteria for a C3 element, mentioned in the following subclauses of section 2 of Schedule 2 to the Part 61 MOS:

- (a) for a C3 element mentioned under the heading “C3.1 – Operate radio equipment” — subclause 2.1;
- (b) for a C3 element mentioned under the heading “C3.2 – Manage R/T equipment malfunctions” — subclause 2.2;
- (c) for a C3 element mentioned under the heading “C3.3 – Operate transponder” — subclause 2.3.

CAO 95.55 means:

- (a) *Civil Aviation Order 95.55 (Exemptions from CAR and CASR — Certain Light Sport Aircraft, Lightweight Aeroplanes and Ultralight Aeroplanes) Instrument 2021*, as in force from time to time; and
- (b) any instrument, expressed to reissue the instrument mentioned in paragraph (a), as in force from time to time.

CFI means the person who performs the duties and responsibilities of the chief flying instructor of Learn 2 Fly Canberra.

controlled aerodrome endorsement has the same meaning as in Division 61.G.2 of CASR.

controlled airspace endorsement has the same meaning as in Division 61.G.2 of CASR.

Cross Country Endorsement has the same meaning as in the RAAus Operations Manual.

CTA.1 elements means the elements of the competency requirements for a controlled airspace endorsement, mentioned under the heading “CTA.1 – Operate aircraft in controlled airspace” in subclause 2.1.1 of section 3 of Schedule 2 to the Part 61 MOS.

flight radio endorsement has the same meaning as in Division 61.G.2 of CASR.

Learn 2 Fly Canberra means Indi Flight Pty Ltd, ARN 1142664, registered to the business name of Learn 2 Fly Canberra.

medical standard basic class 2 means the commercial vehicle driver medical standards that apply to drivers of heavy vehicles, public passenger vehicles or vehicles carrying dangerous goods, published by Austroads, without conditions or restrictions other than a requirement to wear glasses or a hearing aid.

Note At the time of making this instrument, the commercial vehicle driver medical standards mentioned in the definition of **medical standard basic class 2** are included in the publication titled *Assessing Fitness to Drive for commercial and private vehicle drivers*, 5th edition, 2016 (as amended up to August 2017). That publication is freely available to view or download by searching for the publication title on the Austroads Publications page, located at <https://austroads.com.au/publications>.

Part 61 MOS means the *Part 61 Manual of Standards Instrument 2014*, as in force from time to time.

RAAus means Recreational Aviation Australia Limited, ARN 224806.

RAAus Operations Manual means the document titled *Recreational Aviation Australia Flight Operations Manual*, issue 7.1.1, dated 31 March 2021.

Note At the time of making this instrument, the RAAus Operations Manual is freely available to view or download at <https://www.raa.asn.au/storage/raaus-flight-operations-manual-issue-711.pdf>.

RAAus restricted pilot means a person who:

- (a) holds a student pilot certificate, a converting pilot certificate or a pilot certificate issued by, or under the delegated authority of, RAAus; and
- (b) is authorised by Learn 2 Fly Canberra to fly a relevant solo training flight.

relevant CAO 95.55 aeroplane means an aeroplane:

- (a) of a kind mentioned in subsection 4 of CAO 95.55; and
- (b) available for use by Learn 2 Fly Canberra for flight training purposes at Canberra aerodrome; and
- (c) maintained by a person authorised by Learn 2 Fly Canberra.

relevant solo training flight means a solo flight that is conducted:

- (a) by Learn 2 Fly Canberra; and
- (b) in a relevant CAO 95.55 aeroplane operated by Learn 2 Fly Canberra; and
- (c) in Class C airspace at Canberra aerodrome, at a maximum height of 4 500 feet above mean sea level; and
- (d) for the purpose of assessing if an RAAus restricted pilot qualifies for the issue of:
 - (i) a pilot certificate; or
 - (ii) a Cross Country Endorsement on a pilot certificate.

Note Class C airspace at Canberra aerodrome is determined from time to time in a legislative instrument made under regulation 5 of the *Airspace Regulations 2007*. At the time of making this instrument, the legislative instrument is *CASA OAR 064/21 — Determination of Airspace and Controlled Aerodromes Etc. (Designated Airspace Handbook) Instrument 2021* (available to freely view or download at <https://www.legislation.gov.au/Details/F2021L01618>).

senior instructor means a person who performs the duties and responsibilities of a senior instructor of Learn 2 Fly Canberra.

4 Exemption

- (1) Each of the following is exempt from complying with subparagraphs 9.2 (d) and (e) of CAO 95.55 in relation to a relevant solo training flight:
 - (a) Learn 2 Fly Canberra;
 - (b) an RAAus restricted pilot who is flying the relevant solo training flight.
- (2) The exemption in subsection (1) is subject to the conditions mentioned in sections 5, 6, 8 and 11.
- (3) The exemption in subsection (1) ceases to be in force at the end of 30 November 2024.

5 Conditions – RAAus restricted pilots – certificates and documents

An RAAus restricted pilot must not fly a relevant CAO 95.55 aeroplane for a relevant solo training flight at Canberra aerodrome unless the RAAus restricted pilot:

- (a) holds a current certificate of one of the following kinds:
 - (i) an Aviation Medical Certificate (basic class 2);
 - (ii) a class 1 medical certificate;
 - (iii) a class 2 medical certificate;
 - (iv) a recreational aviation medical practitioner’s certificate; and
- (b) holds a current document of one of the following kinds:
 - (i) a flight radiotelephone operator licence;
 - (ii) a radio operator endorsement issued by, or under the delegated authority of, RAAus.

Note Other conditions that apply in relation to:

- (a) a relevant CAO 95.55 aeroplane include, but may not be limited to, the general conditions in subsection 8 of CAO 95.55; and
- (b) a person operating a relevant CAO 95.55 aeroplane include, but may not be limited to, the flight conditions in subsection 9 of CAO 95.55 (other than the conditions in subparagraphs 9.2 (d) and (e)).

6 Condition – Learn 2 Fly Canberra – certificates and documents

Learn 2 Fly Canberra must ensure that an RAAus restricted pilot, in relation to a relevant solo training flight, complies with the requirements to hold certificates and documents mentioned in section 5.

7 Directions – CFI – authorising relevant solo training flights

Assessment and related records — controlled aerodrome competence

- (1) The CFI must not authorise an RAAus restricted pilot to fly a relevant solo training flight within an aerodrome traffic circuit unless:
 - (a) the CFI or a senior instructor has assessed that the RAAus restricted pilot for the relevant solo training flight has demonstrated each element of the competency requirements for a controlled aerodrome endorsement:
 - (i) mentioned in column 1 of an item in the following table; and
 - (ii) according to the performance criteria, for the element, mentioned in column 2 of the table; and

- (b) the CFI or a senior instructor who makes an assessment of an RAAus restricted pilot mentioned in paragraph (a) has, in relation to each element of the competency requirements for a controlled aerodrome endorsement mentioned in column 1 of the following table, entered, in writing, in Learn 2 Fly Canberra's records:
- (i) that the CFI or the senior instructor assessed the RAAus restricted pilot according to the performance criteria, for each element, mentioned in column 2 of the table; and
 - (ii) for each of the performance criteria — that the CFI or the senior instructor assessed the RAAus restricted pilot as competent; and
 - (iii) if a senior instructor has made an assessment mentioned in paragraph (a) — that the CFI is satisfied, on reasonable grounds, that the RAAus restricted pilot has demonstrated each element of the competency requirements mentioned in column 1 of the table.

Table Elements of competency requirements and performance criteria — controlled aerodrome endorsement

Item	Element of competency requirement (column 1)	Performance criteria for the element (column 2)
1	CTR.1 — Controlled aerodrome pre-flight preparation	The performance criteria mentioned, for the element, in each paragraph of subclause 2.1 of section 3 of Schedule 2 to the Part 61 MOS
2	CTR.2 — Taxi aircraft at a controlled aerodrome	The performance criteria mentioned, for the element, in each paragraph of subclause 2.2 of section 3 of Schedule 2 to the Part 61 MOS
3	CTR.3 — Perform departure from controlled aerodrome	The performance criteria mentioned, for the element, in each paragraph of subclause 2.3 of section 3 of Schedule 2 to the Part 61 MOS, other than paragraphs (f) and (i)
4	CTR.4 — Perform arrival and landing at controlled aerodrome	The performance criteria mentioned, for the element, in each paragraph of subclause 2.4 of section 3 of Schedule 2 to the Part 61 MOS, other than paragraphs (a) and (c)

Assessment and related records — controlled airspace competence

- (2) The CFI must not authorise an RAAus restricted pilot to fly a relevant solo training flight within an aerodrome traffic circuit unless:
- (a) the CFI or a senior instructor has assessed that the RAAus restricted pilot for the relevant solo training flight has demonstrated the CTA.1 elements according to the applicable CTA.1 performance criteria; and
 - (b) the CFI or a senior instructor who makes an assessment mentioned in paragraph (a) has, in relation to each CTA.1 element, entered the following, in writing, in Learn 2 Fly Canberra's records:
 - (i) that the CFI or the senior instructor assessed the RAAus restricted pilot according to the applicable CTA.1 performance criteria;
 - (ii) for the applicable CTA.1 performance criteria — that the CFI or the senior instructor assessed the RAAus restricted pilot as competent;
 - (iii) if a senior instructor has made an assessment mentioned in paragraph (a) — that the CFI is satisfied, on reasonable grounds, that the RAAus restricted pilot demonstrated each CTA.1 element.

Assessment and related records — flight radio competence

- (3) The CFI must not authorise a relevant solo training flight that is flown by an RAAus restricted pilot within an aerodrome traffic circuit unless:
- (a) the CFI or a senior instructor has assessed that the RAAus restricted pilot for the relevant solo training flight has demonstrated the C3 elements according to the C3 performance criteria; and
 - (b) the CFI or a senior instructor who makes an assessment of an RAAus restricted pilot mentioned in paragraph (a) has, in relation to each C3 element, entered the following, in writing, in Learn 2 Fly Canberra's records:
 - (i) that the CFI or the senior instructor has assessed the RAAus restricted pilot according to the C3 performance criteria for the C3 element;
 - (ii) for each C3 performance criteria — that the CFI or the senior instructor assessed the RAAus restricted pilot as competent;
 - (iii) if a senior instructor has made an assessment mentioned in paragraph (a) — that the CFI is satisfied, on reasonable grounds, that the RAAus restricted pilot has demonstrated the C3 elements.

8 Condition – Learn 2 Fly Canberra – permitting relevant solo training flights

Learn 2 Fly Canberra must not permit an RAAus restricted pilot to commence a relevant solo training flight unless the CFI has:

- (a) authorised the RAAus restricted pilot, in writing, to fly the relevant solo training flight; and
- (b) recorded the authorisation in accordance with section 9.

Note Other conditions that apply in relation to:

- (a) a relevant CAO 95.55 aeroplane include, but may not be limited to, the general conditions in subsection 8 of CAO 95.55; and
- (b) a person operating a relevant CAO 95.55 aeroplane include, but may not be limited to, the flight conditions in subsection 9 of CAO 95.55 (other than the conditions in subparagraphs 9.2 (d) and (e)).

9 Directions – CFI – recording authorisations

The CFI must record, in writing, the authorisation mentioned in paragraph 8 (a):

- (a) for an RAAus restricted pilot's first relevant solo training flight — in the RAAus restricted pilot's logbook; and
- (b) for any other relevant solo training flight by an RAAus restricted pilot — in Learn 2 Fly Canberra's records.

10 Directions – CFI – authorising relevant solo training flights involving airspace transitions

Assessment and related records — controlled aerodrome competence

- (1) The CFI must not authorise an RAAus restricted pilot to fly a relevant solo training flight involving one or more transitions between Class C and Class G airspace unless:
 - (a) the CFI or a senior instructor has assessed that the RAAus restricted pilot for the relevant solo training flight has demonstrated the competency requirements mentioned in the Part 61 MOS for a controlled aerodrome endorsement; and
 - (b) the CFI or a senior instructor who makes an assessment of an RAAus restricted pilot mentioned in paragraph (a) has, in relation to each element of the competency requirements for a controlled aerodrome endorsement mentioned in column 1 of the following table, entered, in writing, in Learn 2 Fly Canberra's records:
 - (i) that the CFI or the senior instructor assessed the RAAus restricted pilot according to the performance criteria, for each element, mentioned in column 2 of the table; and
 - (ii) for each of the performance criteria — that the CFI or the senior instructor assessed the RAAus restricted pilot as competent; and
 - (iii) if a senior instructor has made an assessment mentioned in paragraph (a) — that the CFI is satisfied, on reasonable grounds, that the RAAus restricted pilot for the relevant solo training flight has demonstrated each element of the competency requirements mentioned in column 1 of the table.

Table Elements of competency requirements and performance criteria — controlled aerodrome endorsement

Item	Element of competency requirement (column 1)	Performance criteria for the element (column 2)
1	CTR.1 — Controlled aerodrome pre-flight preparation	The performance criteria mentioned, for the element, in each paragraph of subclause 2.1 of section 3 of Schedule 2 to the Part 61 MOS
2	CTR.2 — Taxi aircraft at a controlled aerodrome	The performance criteria mentioned, for the element, in each paragraph of subclause 2.2 of section 3 of Schedule 2 to the Part 61 MOS
3	CTR.3 — Perform departure from controlled aerodrome	The performance criteria mentioned, for the element, in each paragraph of subclause 2.3 of section 3 of Schedule 2 to the Part 61 MOS

Item	Element of competency requirement (column 1)	Performance criteria for the element (column 2)
4	CTR.4 — Perform arrival and landing at controlled aerodrome	The performance criteria mentioned, for the element, in each paragraph of subclause 2.4 of section 3 of Schedule 2 to the Part 61 MOS

Assessment and related records — controlled airspace and flight radio competence

- (2) The CFI must not authorise an RAAus restricted pilot to fly a relevant solo training flight involving one or more transitions between Class C and Class G airspace unless the requirements mentioned in subsections 7 (2) and 7 (3) have been met in relation to the RAAus restricted pilot.

Assessment and related records — practical training in flight

- (3) The CFI must not authorise an RAAus restricted pilot's first relevant solo training flight involving transitions between Class C and Class G airspace unless the CFI has made a record in the RAAus restricted pilot's logbook stating that the CFI is satisfied, on reasonable grounds, that the RAAus restricted pilot has demonstrated:
- (a) the CTA.1 elements mentioned in paragraph 7 (2) (a) according to the applicable CTA.1 performance criteria; and
 - (b) the C3 elements mentioned in paragraph 7 (3) (a) according to the C3 performance criteria; and
 - (c) the competency requirements for a controlled aerodrome endorsement mentioned in paragraph 10 (1) (a).
- (4) The CFI must not authorise an RAAus restricted pilot to fly a relevant solo training flight involving transitions between Class C and Class G airspace unless:
- (a) the CFI has conducted one or more flights with the RAAus restricted pilot that:
 - (i) depart from, and arrive at, Canberra aerodrome; and
 - (ii) involve one or more transitions to Class G airspace; and
 - (iii) involve one or more transitions from Class G airspace; and
 - (b) the RAAus restricted pilot has received practical training in flight on the airspace management procedures for Class C airspace at Canberra aerodrome.
- (5) However, an RAAus restricted pilot is not required to receive the practical training mentioned in paragraph (4) (b) from the CFI if the CFI is satisfied, on reasonable grounds, that the records of another flight training school at Canberra aerodrome demonstrate that the RAAus restricted pilot has received the practical training at the other flight training school.

11 Condition – Learn 2 Fly Canberra – information about accident or incident

If Learn 2 Fly Canberra reports an accident or incident under the *Transport Safety Investigation Act 2003* or the *Transport Safety Investigation Regulations 2021*, in relation to a relevant solo training flight, Learn 2 Fly Canberra must, as soon as

practicable after reporting the accident or incident, provide a copy of the report to SPORT@casa.gov.au.

12 Directions – Learn 2 Fly Canberra – record retention and audit

Record retention

- (1) Learn 2 Fly Canberra must retain the following records for a minimum of 5 years from the date Learn 2 Fly Canberra completes the assessment of an RAAus restricted pilot for the purposes of this instrument:
 - (a) a copy of the certificate held by an RAAus restricted pilot to comply with paragraph 5 (a);
 - (b) a copy of the document held by an RAAus restricted pilot to comply with paragraph 5 (b);
 - (c) the assessment that an RAAus restricted pilot has demonstrated each element of the competency requirements for a controlled aerodrome endorsement mentioned in column 1 of an item of the table in subsection 7 (1) according to the performance criteria mentioned, for the item, in column 2 of the table;
 - (d) a copy of the records, related to an RAAus restricted pilot, mentioned in subparagraphs 7 (1) (b) (i) to (iii);
 - (e) the assessment that an RAAus restricted pilot has demonstrated each CTA.1 element mentioned in paragraph 7 (2) (a) according to the applicable CTA.1 performance criteria;
 - (f) a copy of the records, related to an RAAus restricted pilot, mentioned in subparagraphs 7 (2) (b) (i) to (iii);
 - (g) the assessment that an RAAus restricted pilot has demonstrated the C3 elements mentioned in paragraph 7 (3) (a) according to the C3 performance criteria;
 - (h) a copy of the records, related to an RAAus restricted pilot, mentioned in subparagraphs 7 (3) (b) (i) to (iii);
 - (i) the authorisation, related to an RAAus restricted pilot, mentioned in paragraph 8 (a);
 - (j) a copy of the records, related to an RAAus restricted pilot, mentioned in paragraphs 9 (a) and (b);
 - (k) the assessment that an RAAus restricted pilot has demonstrated the competency requirements for a controlled aerodrome endorsement mentioned in paragraph 10 (1) (a);
 - (l) a copy of the records, related to an RAAus restricted pilot, mentioned in subparagraphs 10 (1) (b) (i) to (iii);
 - (m) a copy of the records, related to an RAAus restricted pilot, mentioned in paragraphs 10 (3) (a), (b) and (c);
 - (n) a copy of the records, related to an RAAus restricted pilot, mentioned in subsection 10 (5).

Audit

- (2) If CASA notifies Learn 2 Fly Canberra, in writing, that it intends to audit Learn 2 Fly Canberra's records and facilities to assess whether this instrument is being, or has been, complied with, and provides reasonable notice of the audit, Learn 2 Fly Canberra must:
- (a) make the records available to CASA; and
 - (b) provide CASA with access to the facilities.
-