



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX116/23

I, JOSEPH ANTHONY RULE, Acting Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed J. Rule]

Joe Rule

Acting Executive Manager, National Operations & Standards

4 December 2023

CASA EX116/23 — Flight Simulators for Training and Checking (Aviair Pty Ltd) Exemption 2023

1 Name

- (1) This instrument is *CASA EX116/23 — Flight Simulators for Training and Checking (Aviair Pty Ltd) Exemption 2023*.
- (2) This instrument may also be cited as instrument CASA EX116/23.

2 Application

This instrument applies to Aviair.

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 **EASA** and **flight simulator**.

In this instrument:

Aviair means Aviair Pty Ltd, ARN 417366.

4 Exemption — conduct of flight tests for air transport pilot licences

- (1) For the purposes of regulation 11.160 of CASR, a member of Aviair's personnel who is the holder of a flight crew licence undertaking a flight test for an air transport pilot licence is exempt from compliance with paragraph 61.245(1)(a) of CASR, to the extent that:
 - (a) the flight test for the air transport pilot licence is conducted in the flight simulator for the DHC-8 aeroplane, located in Hyderabad, India and operated by Flight Simulation Techniques Centre Private Limited, which has the simulator serial number FlightSafety/5022; and
 - (b) at the time the flight test for the air transport pilot licence is undertaken, a flight simulation training device qualification certificate issued by EASA for the flight simulator is in force and is valid; and

- (c) a copy of the qualification certificate mentioned in paragraph (c) is included in Aviair's exposition.

Note EASA issued flight simulation training device qualification certificate FSTD No. EU-A0197 for the flight simulator mentioned in paragraph (a) on 13 February 2019. The certificate is subject to conditions mentioned in the certificate.

- (2) The exemption is subject to the conditions mentioned in subsection 7(1).

5 Exemption — conduct of instrument proficiency checks

- (1) For the purposes of regulation 11.160 of CASR, a member of Aviair's personnel for a DHC-8 aeroplane who is the holder of an instrument rating and is undertaking an instrument proficiency check for a DHC-8 aeroplane is exempt from compliance with subregulation 61.805(1), paragraphs 61.805(2)(e) and (f), subregulation 61.805(6), subregulation 61.880(1), paragraphs 61.880(3)(e) and (f) and subregulation 61.880(6) of CASR, to the extent that:
 - (a) the instrument proficiency check is conducted in the flight simulator for the DHC-8 aeroplane, located in Hyderabad, India and operated by Flight Simulation Techniques Centre Private Limited, which has the simulator serial number FlightSafety/5022; and
 - (b) at the time the instrument proficiency check is conducted, a flight simulation training device qualification certificate issued by EASA for the flight simulator is in force and is valid; and
 - (c) a copy of the qualification certificate mentioned in paragraph (c) is included in Aviair's exposition.

Note EASA issued flight simulation training device qualification certificate FSTD No. EU-A0197 for the flight simulator mentioned in paragraph (a) on 13 February 2019. The certificate is subject to conditions mentioned in the certificate.

- (2) The exemption is subject to the conditions mentioned in subsection 7(1).

6 Exemption — use of approved flight simulators for training or checking

- (1) For the purposes of regulation 11.160 of CASR, Aviair is exempt from compliance with subregulation 121.510(2) of CASR, to the extent that:
 - (a) training or checking undertaken by a flight crew member of Aviair's personnel for the purposes of meeting Aviair's obligations under Part 121 of CASR is for a DHC-8 aeroplane; and
 - (b) the training or checking is conducted in the flight simulator for the DHC-8 aeroplane, located in Hyderabad, India and operated by Flight Simulation Techniques Centre Private Limited, which has the simulator serial number FlightSafety/5022; and
 - (c) at the time the training or checking is conducted, a flight simulation training device qualification certificate issued by EASA for the flight simulator is in force and is valid; and
 - (d) a copy of the qualification certificate mentioned in paragraph (c) is included in Aviair's exposition.

Note EASA issued flight simulation training device qualification certificate FSTD No. EU-A0197 for the flight simulator mentioned in paragraph (b) on 13 February 2019. The certificate is subject to conditions mentioned in the certificate.

- (2) The exemption is subject to the conditions mentioned in subsection 7(2).

7 Conditions

- (1) For the purposes of regulation 11.205 of CASR, it is a condition on the exemptions mentioned in sections 4 and 5 that the member of Aviair's personnel must be satisfied that Aviair has procedures in its exposition for the quality assurance of the flight simulator to ensure:
 - (a) that the EASA certification mentioned in paragraphs 4(1)(b), 5(1)(b) and 6(1)(c) is in force for the flight simulator and is valid at the time that a flight crew member undertakes the flight test, instrument proficiency check or training and checking concerned (as applicable); and
 - (b) that, at the time a flight crew member undertakes the flight test, instrument proficiency check or training and checking concerned (as applicable), the flight simulator is suitable for Aviair's Part 121 operations.
- (2) For the purposes of regulation 11.205 of CASR, each of the following is a condition on the exemption mentioned in section 6:
 - (a) Aviair must have procedures in its exposition for the quality assurance of the flight simulator, to ensure:
 - (i) that the EASA certification mentioned in paragraphs 4(1)(b), 5(1)(b) and 6(1)(c) is in force for the flight simulator and is valid at the time that a flight crew member undertakes the flight test, instrument proficiency check or training and checking concerned (as applicable); and
 - (ii) that, at the time a flight crew member undertakes the flight test, instrument proficiency check or training and checking concerned (as applicable), the flight simulator is suitable for Aviair's Part 121 operations;
 - (b) if a new flight simulation training device qualification certificate is issued by EASA for the flight simulator, Aviair must email a copy of the certificate to CASA at regservices@casa.gov.au by the end of 7 days after Aviair becomes aware that the certificate has been issued, and Aviair's email must refer to this instrument and to the condition in this paragraph;
 - (c) if a compliance monitoring system audit is conducted of the flight simulator, Aviair must email a copy of the audit report to CASA at regservices@casa.gov.au by the end of 7 days after Aviair becomes aware that the audit report has been signed, and Aviair's email must refer to this instrument and to the condition in this paragraph.

8 Repeal

This instrument is repealed at the end of 30 November 2026.
