



# Training and checking system

Key information for Part 119 and 138  
operators implementing a training and  
checking system



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## Summary

Many current AOC holders conducting air transport and aerial work activities have elected to defer the introduction of training and checking systems, and compliance with the new training and checking event requirements in the respective MOS, by taking advantage of the exemptions contained in CASA EX87/21.

This guide discusses the process for operators to exit from the exemption and addresses various issues for which operators may need guidance when planning how their training and checking will be conducted under the new rules.



## Key person – Head of training and checking (HOTC)

All Part 119 operators will require an individual to fulfil the responsibilities of the HOTC as detailed in regulation 119.150 of CASR. This individual must meet the requirements in regulation 119.145 of CASR.

All Part 138 operators will require an individual to fulfil the responsibilities of the HOTC as detailed in regulation 138.105 of CASR. This individual must meet the requirements in regulation 138.100 of CASR.

An operator conducting both Part 119 and Part 138 operations can have a single person as the combined 119 and 138 HOTC provided that this person meets both sets of regulatory requirements.

In organisations where the expected workload of the HOTC will not be substantial, operators could nominate an individual who occupies another key position to be the HOTC as well, such as the CEO (if qualified) or HOFO/HOO. If an operator chooses to nominate the existing HOFO/HOO or CEO as the HOTC, CASA may choose to conduct an abbreviated assessment process to confirm that management of the operator's training and checking system can be effectively carried out by the individual in addition to their other duties.

It is preferable for the HOTC to be qualified to act as a training and/or checking pilot on at least one of the operators' major types and operations, but this is not a regulatory requirement. However, the HOTC must be capable of effective supervision of the operation of all the activities of the training and checking system.

## Part-time HOTC

Operators who only conduct a limited number of training and checking events per annum, and those who choose to cluster training and checking events around the availability of contract training and checking pilots, may not need a HOTC to be on duty at all times. For instance, if a VFR operation has 5 pilots who only require one FCMPC (flight crew member proficiency check) and GEC (general emergency check) per annum, these could be planned in one compressed time frame and, provided suitable systems exist, the HOTC responsibility of managing the training and checking of the operator would only need to be fulfilled around this time frame. If new pilots were engaged or pilots needed remedial training outside these time periods, the HOTC would need to be available.

Operators with consistent training and checking events occurring throughout the year will most likely require a HOTC at all times.

## Training and checking flights – process

Training and checking may be carried out on air transport and aerial work flights provided the exposition supports the activity and no abnormal or emergency situation simulations are carried out. The trainer or checker will need to act as pilot-in-command and will need to satisfy operator entry control, training and checking, and recency requirements such as non-command seat training requirements.

For flights involving abnormal or emergency situation simulations, these flights are operated under Part 91 and no passengers are to be carried. Specific limitations on these simulations are specified in Division 91.D.11 of CASR (regulations 91.715 through 91.775 inclusive) and must be complied with. Some exemptions apply to these regulations – see sections 16, 17 and 18 of CASA EX81/21 and also Part 4 of CASA EX81/21.



Operators are free to determine how training and checking flights are carried out. For instance, conversion training may take place over more than one flight, with more than one training pilot. Flight crew member proficiency checks could be carried out over more than one flight, at different locations. Check flight profiles could be designed to separate into normal operations from abnormal and emergency operations check items, according to the qualifications or availability of the check pilot assigned to the flight.

Proficiency checks may not need to be carried out in each type of aircraft the pilot will operate provided the operators' processes satisfactorily ensure competence in all types. This can allow competencies demonstrated in one type to be considered as demonstrating competency in a similar type.

The operator's exposition will need to explain how a training or check event conducted on more than 1 date will be accounted for in the operator's record of when the event was conducted. The exposition would also need to explain which competencies in one type apply to other types if this concept was used by the operator.

## Training and checking pilots

There are no restrictions on the employment arrangements between an operator and training and checking personnel. Personnel may be permanent employees of the operator, part-time or casual, or engaged under temporary arrangement for many activities, just one activity or part of an activity. This gives operators flexibility to use contract or freelance training and checking pilots instead of, or in conjunction with, full-time staff in any combination.

For Part 121 proficiency checks, these may only be carried out by individuals who meet the relevant regulation 121.580 requirements which are that they must hold a flight examiner rating for an aircraft of the kind being checked, or hold an approval under regulation 121.010 to conduct a Part 121 proficiency check for an aircraft of the kind being checked, or hold an old Check Pilot approval that is still valid in accordance with the requirements of CASA EX161/21. The individual must also have successfully completed training in human factors principles and non-technical skills.

For Part 121 training and checks relating to safety or emergency equipment, these training and checking events may only be carried out by individuals who hold the relevant regulation 121.010 approval or hold an old CAO 20.11 approval that is still valid in accordance with the requirements within CASA EX161/21.

For Part 133, 135 or 138 training and checking, or Part 121 training and checking other than the events mentioned above, the events may only be carried out by individuals who meet the exposition (operations manual for Part 138) requirements for the particular task and are nominated in the exposition (operations manual for Part 138). These requirements involve the minimum experience and entry control requirements, any training required, and any recency or proficiency requirements in relation to the proposed training or checking activity. Operators could specify different requirements for different training or checking tasks if desired.

For instance, an air transport operator may only require a certain individual to conduct the sections of the FCMPC involving simulation of abnormal or emergency procedures. As this flight is not an air transport operation, the exposition / operations manual requirements for the nomination of a check pilot to carry out this narrow scope of activities would only relate to the procedures for carrying out the check and its associated documentation. The check pilot would not necessarily have to meet exposition / operations manual entry control and training and checking requirements to be a line pilot since the check pilot in this instance they are not the pilot in command carrying out an air transport flight.

In this circumstance they may not necessarily need to have carried out the operator's conversion training, line training and line check, FCMPC, or recurrent training and checking.



In this instance, the operator may only require the check pilot to possess a current FIR, FER or check pilot approval, be recent, and have sufficient knowledge and access to the operator's exposition / operations manual content relating to conduct of the check, the forms and documentation, and any other exposition / operations manual requirements unique to the task.

If a check pilot is utilised for a line check, this check is likely to be carried out on an air transport flight. In this instance the check pilot would need to be fully integrated into the operators' training and checking system as a pilot in command authorised to carry out the flight. Due to this circumstance operators would more commonly use staff on some kind of regular arrangement to carry out this sort of check.

## **Contract or freelance training and checking pilots working for multiple operators**

It is understood that there are only a certain number of individuals available that are qualified to carry out checks involving abnormal or emergency procedures in particular types of aircraft. Not every operator would have a person with these qualifications on staff and may not need access to these individuals at all times. For these reasons it is expected that operators may make use of contract pilots who might work for other operators, or may work for multiple operators, or just offer their services on the open market for work of this nature.

These individuals do not need to operate under a Part 142 AOC as this use of an individual to do this training and checking is not a Part 142 activity. However, the individual could have associations with, or may be employed by Part 142 organisations and may be permitted or offered for use by the air operator by their Part 142 employer. A "labour hire" arrangement is not a Part 142 training and checking activity.

Operator expositions / operations manuals will need to specify what entry, training, recency and proficiency requirements would need to be fulfilled for each external individual, or class of individuals, to carry out a training and checking event. What this means is that operators could set standard criteria for a person to carry out a certain training and checking event.

For instance, operators could specify that the sort of external person needed to carry out a particular training and checking event needed to hold a Part 61 FIR for the class, have a current FPC, have been trained in the process for carrying out the training event or check for the operator, have access to the exposition and forms for the event, and be recent on the aircraft type.

## **Nomination in the exposition/operations manual (for Parts 133, 135 and 138)**

CASA has no regulatory requirement to individually assess every nominee for training and checking roles in every operator. CASA may also choose not to assess the suitability of a training and checking pilot nominated to do similar checks for a number of operators, for each operator. For instance, a qualified FE holder in a certain class of aircraft and operation, could be nominated to do checks for 2 or more operators who utilise the same aircraft type. CASA is unlikely to do individual assessments of this person for each operator, if any assessment was to be carried out at all.

Operators may choose to nominate permanent employees in the exposition / operations manual that meet the operators' requirements to be a training and check pilot. However, operators could "pre-authorise" contract trainers and checkers by carrying out the exposition / operations manual processes in advance and nominate them beforehand to reduce possible delay if CASA chooses to assess a nominee.



The head of operations of a Part 138 operator who does not require a training and checking system can carry out certain training and checking events without being nominated in the operations manual in accordance with the provisions in the Part 138 MOS.

## **The location, the check pilot and the aircraft used for a proficiency check**

Prior to the ending of the training and checking exemption, flight reviews and IPC's may have been carried out in any location, in any suitable aircraft, and by any qualified person. These flights simply assess the competency of the individual in the type or class of aircraft used for the check, in accordance with the standards published in the Part 61 MOS. The location of the flight, the check pilot identity and the aircraft type is not relevant to the outcome of the check.

In the same manner, an air transport or operator flight crew member proficiency check (FCMPC) is a check of competency of the individual in the aircraft used for the check, in accordance with the standards published in the operator's exposition. The location of the flight and the check pilot identity is not relevant to the conduct of the check, so operators are free to use whatever check pilot they have nominated in their exposition for the task, in whatever location may suit the conduct of the check.

However, the aircraft type used for the check would need to be the same or substantially similar to the aircraft type the pilot will operate, for the check to be considered valid for that aircraft in accordance with exposition processes.

## **Proficiency checks - guidance for air transport and Part 138 operators employing pilots who are required to fly multiple types**

After 2 March 2023, if an operator wishes to assign an FCM to a different aircraft type from that in which the FCM was initially determined to be competent by the operator, then the operator will need to determine the FCMs competency in the new aircraft type. This might require, but might not require, the completion of an additional FCMPC.

Under the new rules, operators develop their own FCMPC content, and the processes used to carry out FCMPCs and publish this content and processes in their exposition. This offers operators flexibility in how they manage the conduct of these checks, but any process must ensure competence is checked in every item required for the aircraft that the FCM will fly in the air transport or aerial work operation.

Operators have two broad options, namely:

- Carry out a full FCMPC in each aircraft type; or
- Carry out general elements of the FCMPC in one or more types and the aircraft type-specific elements in each type or sufficiently different type.

CASA has updated the AC [Multi-Part AC 119-11 and AC 138-02 - Version 3.0 - Training and checking systems \(casa.gov.au\)](#) to include guidance on this topic – operators should review section 13.1 of this AC.

This guidance is useful for operators choosing to improve efficiency or reduce resource utilisation in some circumstances by reducing the number of individual full FCMPC's done on FCM's flying more than one type.

The guidance outlines how operators could consider some general check competencies demonstrated in one aircraft type to be equivalent to a corresponding general competency in another type. If an operator chooses to follow this kind of training and competency pathway,





the critical principle to be considered is that the HOTC of an air operator must be satisfied that every FCM has satisfactorily demonstrated competence in every aspect required by the exposition in each aircraft type they are assigned to operate. Any system designed to improve efficiency must not result in a reduction of safety standards.

If an operator does not use this kind of training and competency pathway as part of their 2 September submission, but reconsider and decide to use it after 2 March 2023, they would use their exposition change assessment process to determine whether such changes are significant changes and either submit a significant change approval request or notify CASA of a non-significant change at the appropriate time in accordance with their exposition change processes.

## **Operators using external providers for flight reviews and IPC's – can they now carry out proficiency checks for 119 and 138 operators?**

Geographically dispersed or remote area operators have had the issue that suitable flight instructors or flight examiners were not available when or where they are required for pilot flight reviews or IPC's. Often the pilot needed to travel for the activity, often to major centres where a wider choice of instructors and flight examiners existed.

After 2 March 2023, operators could still use these flight instructors or examiners to do operator proficiency checks if this is still their preferred option. The person selected to carry out the check would need to be nominated in the operator exposition after following the processes detailed in the MOS for the use of individuals to conduct training and checking events. This process is discussed earlier in this document.

Operator expositions would need to detail the differences in content between a Part 61 flight review/IPC and an operator and aircraft type specific proficiency check, and the HOTC would need to confirm that the appropriate additional content is assessed.

## **Part 119 and 138 checks and their relevance for flights under Part 91**

Checks conducted in a Part 119 training and checking system and under part 138 can meet the requirements for Part 61 flight reviews and IPC's (under certain circumstances).

### **For VFR operations:**

A flight crew member proficiency check carried out by an air transport or Part 138 operator could be designed to also meet the requirements for a flight review in an aircraft of that class (61.475) or type (61.800) if the check pilot who carries out the check also meets the requirements to conduct a flight review. The proficiency check would need to include all the elements of the flight review as required by the Part 61 MOS.

For a VFR air transport or Part 138 operation, the proficiency check would have a 12-month validity period, however for a Part 91 operation, this check satisfies the flight review requirement for 24 months.

### **For IFR operations:**

A flight crew member proficiency check carried out by an air transport or Part 138 operator could be designed to also meet the requirements for an IPC if the check pilot who carries out the check also meets the requirements to conduct an IPC. The proficiency check would need to include all the elements of the IPC as required by the Part 61 MOS.





For an IFR air transport or Part 138 operation, the proficiency check has a 6-month validity period, however for a Part 91 operation, this check satisfies the IPC requirement for 12 months.

## **Transitional arrangements for proficiency checks after 2 March 2023**

This section introduces details of transition arrangements for existing pilots that create a staggered timeline for the conduct of the new Part 133, 135 and 138 flight crew member proficiency checks (FCMPC), and Part 121 line and proficiency checks, after 2 March 2023.

Operators emerging from the exemption period for training and checking systems on 2 March 2023 will then need to carry out flight crew member proficiency checks (FCMPC) by a date that is in accordance with the staggered transition scheme.

The staggered transition scheme only applies to the aircraft types being flown by existing FCMs for the operator before 2 March 2023. The formal instrument authorising the use of this arrangement will be published shortly.



## General emergency training and check of competency

**Pilots already employed by an operator** who have completed the CAO 20.11 Emergency Procedures test before 2 March 2023, do not have to carry out the general emergency training and check of competency under the training and checking system on the implementation date of 2 March 2023 unless the operator chooses to. The CAO 20.11 test can be considered equivalent to the general emergency training and check of competency until the original CAO 20.11 test has expired (12-month validity).

Pilots not employed by the operator before 2 March 2023, or who were employed before 2 March 2023 but had not yet conducted a CAO 20.11 test, will have to complete the new general emergency training and check of competency prior to commencing unsupervised air transport or aerial work operations.

The diagram below illustrates this provision for pilots employed as of 2 March 2023 with a completed CAO 20:11 Emergency Procedures test. If the CAO 20.11 test expires, the pilot must carry out the new general emergency training and check of competency prior to commencing unsupervised air transport or aerial work operations.

### Pilots employed as of 2 March 2023 with a completed CAO 20:11 Emergency Procedures test

2 March 2023



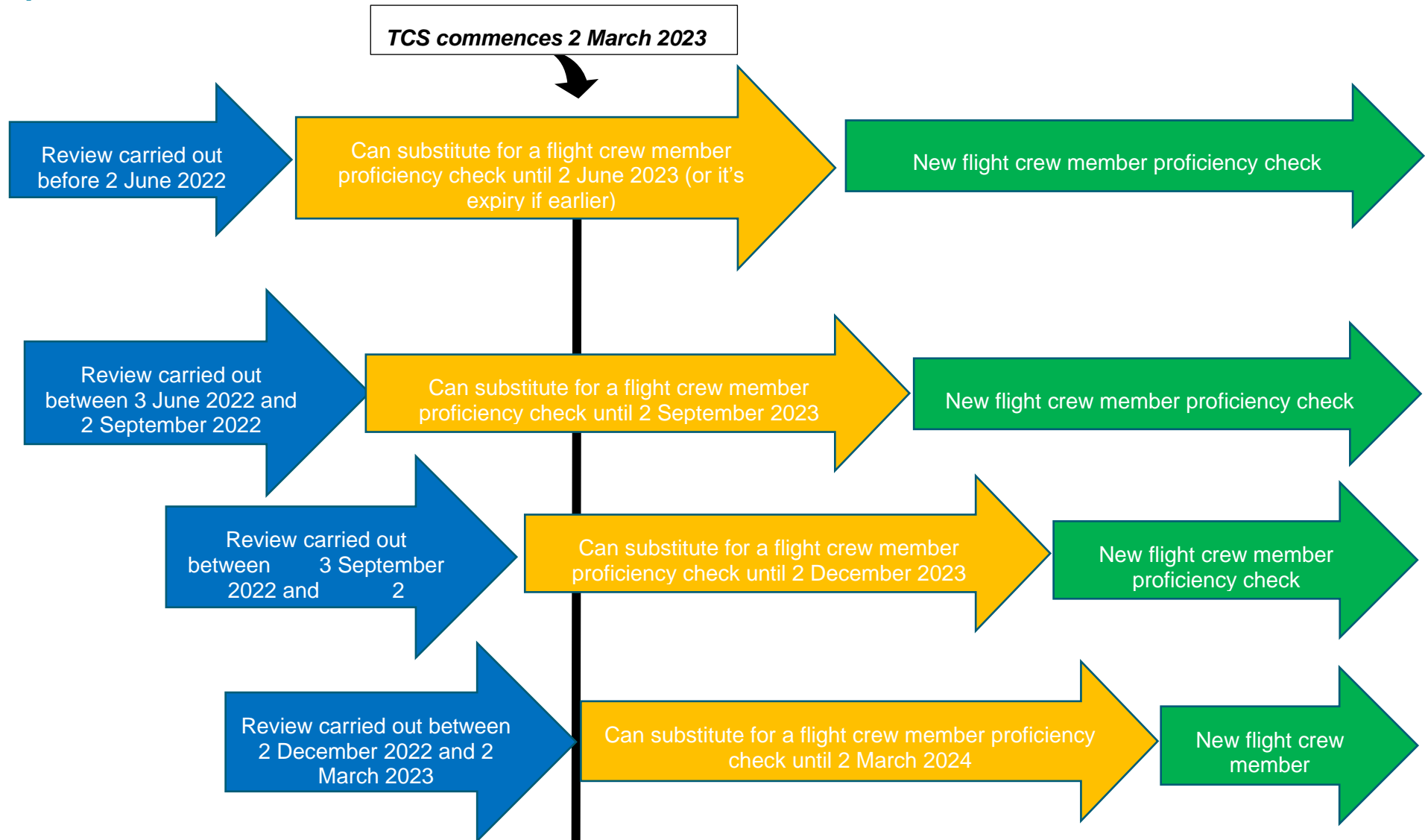
### Proficiency checks

Operators do not have to carry out fresh flight crew member proficiency checks under their training and checking system on the implementation date of 2 March 2023 unless they choose to.

**VFR** For pilots who will be assigned to VFR operations after 2 March 2023, a flight review may substitute for the flight crew member proficiency check for a defined period. The following diagram illustrates the defined periods for VFR pilots.



## VFR Pilots employed as of 2 March 2023 with a valid Flight Review - transitional relief provisions





**IFR** For pilots who will be assigned to IFR flights after 2 March 2023, an Instrument Proficiency Check (IPC) that was valid prior to 2 March 2023 may substitute for the flight crew member proficiency check until the expiry date of the IPC.