



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

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**CASA 09/19 — Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Instrument 2019**  
**(as amended)**

made under the *Civil Aviation Safety Regulations 1998*.

This UNOFFICIAL compilation was prepared on ~~27 February 2021~~ **17 MARCH 2022** taking into account amendments up to ~~CASA 15/19/2122~~ — *Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Amendment Instrument 2021/2022*. It is a compilation of *CASA 09/19 — Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Instrument 2019* as amended and in force on 27 February 2021.

~~Prepared by the Advisory & Drafting Branch, Legal, International & Regulatory Affairs Division, Civil Aviation Safety Authority, Canberra.~~

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**1 Name**

This instrument is *CASA 09/19 — Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Instrument 2019*.

**2 Duration**

This instrument:

- (a) commences on 19 March 2019; and
- (b) is repealed at the end of 18 March ~~2022~~**2025**.

### 3 Definitions

*Note* A number of expressions used in this instrument are defined in CASR or CAR, including the following:

- (a) AIP;
- (b) amateur-built aircraft;
- (c) Amateur Built Aircraft Acceptance, or ABAA;
- ~~(d) approved system of maintenance;~~
- ~~(e) CASA maintenance schedule;~~
- ~~(f) certificate of airworthiness;~~
- ~~(g) class B aircraft;~~
- ~~(d) crew member;~~
- (h) experimental certificate;
- (i) flight time;
- (j) ~~I.F.R./IFR;~~
- (k) limited category aircraft;
- ~~(l) maintenance schedule;~~
- ~~(m) operating crew;~~
- (n) pilot (used as a verb);
- (o) registered;
- (p) type (for an aircraft);
- (q) ~~V.F.R./VFR~~

In this instrument:

**community service flight:** see section 6.

~~periodic inspection has the meaning given by paragraph 2.1 of Part 2 of Schedule 5 to CAR (containing the CASA maintenance schedule).~~

### 4 Application

This instrument applies in relation to a flight in an aircraft conducted as a private operation.

### 5 Conditions on flight crew licences for community service flights etc

#### Conditions

For the purposes of regulation 11.068 of CASR, this instrument imposes conditions on flight crew licences.

#### Entity requirements and procedures — approval by CASA

- (2) However, a condition mentioned in section 7, 8 or 9, or paragraph 10 (a) or (b), does not apply to the holder of a flight crew licence who is operating an aircraft for a community service flight, if:
  - (a) the entity that is coordinating, arranging or facilitating the flight has established requirements and procedures for the purpose of the safe conduct of community service flights that it coordinates, arranges or facilitates; and
  - (b) CASA has approved, under subsection (3), a document in which the entity has set out the requirements and procedures mentioned in paragraph (a); and
  - (c) the holder complies with each of the requirements and procedures that apply to the person in relation to the flight.
- (3) For the purposes of paragraph (2) (b), CASA may approve a document setting out the entity's requirements and procedures, if CASA is satisfied that:

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- (a) the entity will make the document available to each person who operates an aircraft for a community service flight that the entity coordinates, arranges or facilitates; and
- (b) compliance with the requirements and procedures by a person operating an aircraft for a community service flight would meet a safety outcome at least equivalent to that which would be met if the person were compliant with the conditions mentioned in sections 7, 8 and 9, and paragraphs 10 (a) and (b).

*Note* See Part 1 of the Dictionary to CASR for the definition of *flight crew licence*.

*Note* See Part 1 of the Dictionary to CASR for the definition of *flight crew licence*.

## 6 Community service flights

- (1) A flight is a *community service flight* if it meets the description in subsections (2) to (5).
- (2) The flight involves:
  - (a) the transport of one or more individuals (a *patient*) to a destination for the purpose of each such individual receiving non-emergency medical treatment or services at the destination; or
  - (b) the transport of a patient from a destination mentioned in paragraph (a) (the *treatment destination*) to another treatment destination; or
  - (c) the transport of a patient from a treatment destination to any other place:
    - ~~(i) back to a place from which the patient departed for a treatment destination; or~~
    - ~~(ii) to a destination at which the patient resides.~~
- (3) The flight is provided to a patient, and any person who accompanies the patient to provide support and assistance, without a charge being made to any of those persons for their carriage.
- (4) Medical treatment is not provided on board the aircraft for the flight, other than the administering of medication or in response to an unexpected medical emergency.
- (5) The flight is coordinated, arranged or facilitated by an entity for a charitable purpose or community service purpose.

*Note* Section 2B of the *Acts Interpretation Act 1901* defines *charitable purpose* as having the meaning given by Part 3 of the *Charities Act 2013*.

## 7 General requirements

- (1) It is a condition on a flight crew licence that its holder must not operate an aircraft for a community service flight unless:
  - (a) the licence is a private pilot licence, commercial pilot licence or air transport pilot licence; and
  - (b) the flight is conducted in an aeroplane or a helicopter; and
  - (c) the aircraft does not carry on board any persons other than:
    - (i) a patient mentioned in paragraph 6 (2) (a), and any other passenger who accompanies a patient to provide support and assistance; and
    - (ii) ~~the operating~~ a crew member; and
    - (iii) a person permitted to be carried under section 7A; and

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(d) the holder holds a current class 1 or 2 medical certificate, or a medical exemption under paragraph 61.410 (1) (b) or 61.415 (1) (b) of CASR.

*Note* Subpart 67.C of CASR provides for the requirements relating to medical certificates.

- (2) To avoid doubt, the provisions of ~~CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018~~ CASA EX69/21 — Medical Certification (Private Pilot Licence Holders with Basic Class 2 Medical Certificate) Exemption 2021 do not apply to the holder of a flight crew licence who operates an aircraft for a community service flight.

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*Note* An Aviation Medical Certificate (Basic Class 2) issued by CASA under ~~CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018~~ CASA EX69/21 — Medical Certification (Private Pilot Licence Holders with Basic Class 2 Medical Certificate) Exemption 2021 is not a class 1 or class 2 medical certificate.

## **7A Other persons who may be carried on board**

For subparagraph 7 (1) (c) (iii), a person (other than a crew member) may be carried on board if the person has duties that are demonstrably and directly related to the safe conduct of the flight or of future community service flights, and the person has the ability and experience to perform those duties.

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*Note* The person may include a person who:

- (a) communicates with the patient or other passengers on behalf of the pilot in command; or
- (b) provides guidance, mentoring and advice to the pilot in command about how to conduct a community service flight; or
- (c) is the holder of a pilot licence who proposes to conduct community service flights coordinated, arranged or facilitated by the same entity and is on board as an observer.

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## **8 Excluded aircraft**

- (1) It is a condition on a flight crew licence that its holder must not pilot an aircraft operated for a community service flight if the aircraft is excluded under subsection (2).
- (2) For subsection (1), an aircraft is excluded if:
  - (a) the aircraft is:
    - (i) an amateur-built aircraft accepted under an Amateur Built Aircraft Acceptance; or
    - (ii) an aircraft in the limited category; or
  - (b) there is an experimental certificate in force for the aircraft; or
  - (c) the aircraft is not registered.

## **9 Aeronautical experience requirements**

### *General requirements*

- (1) It is a condition on a flight crew licence that its holder must not pilot an aircraft operated for a community service flight unless the holder has aeronautical experience that includes:
  - (a) a landing, within the ~~previous~~ 30 days ending on the day of the flight, in:
    - (i) if the community service flight is conducted in an aircraft that is class rated — an aircraft of that class; or
    - (ii) if the community service flight is conducted in an aircraft that is type rated — that type of aircraft; and

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- (b) for a flight that is conducted under the ~~V.F.R.VFR~~ — at least 10 hours of flight time in an aircraft of the same type as the aircraft used for the community service flight; and
- (c) for a flight that is conducted under the ~~I.F.R.IFR~~ — at least 20 hours of flight time in an aircraft of the same type as the aircraft used for the community service flight; and
- (d) for a flight that is conducted in a multi-engine aeroplane — at least 25 hours of flight time as pilot in command of a multi-engine aeroplane.

*Note 1* See Part 1 of the Dictionary to CASR for the definition of *type*.

*Note 2* ~~For paragraph 9 (1) (a), a period of time expressed to end on a day includes that day: see subsection 36 (1) of the Acts Interpretation Act 1901.~~

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*Additional requirements for private pilots*

- (2) Subsection (3) applies if the holder of a private pilot licence does not also hold a commercial pilot licence or an air transport pilot licence.
- (3) It is a condition on the private pilot licence that its holder must not pilot an aircraft operated for a community service flight unless the holder has aeronautical experience that includes:
  - (a) at least 400 hours of flight time conducted in an aeroplane or a helicopter; and
  - (b) at least 250 hours of flight time as pilot in command of an aeroplane or a helicopter.

*Additional requirements for commercial pilots*

- ~~(4) Subsection (5) applies if the holder of a commercial pilot licence does not also hold an air transport pilot licence.~~
- ~~(5) It is a condition on the commercial pilot licence that its holder must not pilot an aircraft operated for a community service flight unless the holder has aeronautical experience that includes at least 150 hours of flight time conducted as pilot in command of an aeroplane or a helicopter.~~

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*Note 1* The term *pilot*, used as a verb, has the meaning given by regulation 61.010 of CASR.  
*Note 2* For the meaning of *flight time* as a pilot in command: see regulation 61.090 of CASR.

**10 Operational and flight notification requirements**

It is a condition on a flight crew licence that its holder must not pilot an aircraft operated for a community service flight unless:

- (a) the aircraft carries no more than 5 passengers (including any patient mentioned in paragraph 6 (2) (a) and persons carried on board under section 7A); and
- (b) the aircraft is not operated under the ~~V.F.R.VFR~~ at night; and
- (c) ~~the flight notification that the holder is required to submit a flight notification (within the meaning given by the AIP) to Airservices Australia under subsection 9.02 (3) of the Part 91 Manual of Standards that:~~
  - ~~(i) is in writing unless the holder cannot submit the notification in writing because they do not have internet access in the place they are located; and~~
  - (ii) identifies the flight as a community service flight using the acronym “CSF”; and

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(iii) is either “full flight details” or “SARTIME”; and

(iv) includes the number of persons on board.

(d) the holder, in addition to the requirements in regulation 61.345 of CASR to record information about flights in a personal logbook, records that the flight is a community service flight in the logbook.

*Note 1* For paragraph (c), the flight can be identified by entering the acronym in the “remarks” section of the flight notification: see AIP ENR 1.10.

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*Note 2* Under the *Electronic Transactions Act 1999*, a requirement under the Commonwealth law to give information in writing can be met in electronic form.

#### **11 — Aeroplane maintenance requirements**

(1) Subsection (2) applies if there is an election in force under regulation 42B of CAR for an aeroplane to use the CASA maintenance schedule for the aircraft’s maintenance.

(2) It is a condition on a flight crew licence that its holder must not pilot the aeroplane for a community service flight unless:

(a) the aeroplane has undergone a periodic inspection:

(i) within the last 100 hours of service of the aeroplane; or

(ii) if the aeroplane has been in service for less than 100 hours in the immediately preceding 12 months — within the 12 months; or

(b) both of the following apply:

(i) the aeroplane was issued its current certificate of airworthiness less than 12 months before the flight;

(ii) the aeroplane has been in service for less than 100 hours since the certificate was issued.

#### **11 Logbook requirements**

(1) Subsection (2) applies if the holder of a flight crew licence pilots an aircraft operated for a community service flight.

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(2) It is a condition on the licence that its holder must, as soon as practicable after the community service flight is completed, and in addition to the requirements in regulation 61.345 of CASR to record information about flights in a personal logbook, record that the flight is a community service flight in the logbook.

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**Notes to CASA 09/19 – Civil Aviation (Community Service Flights – Conditions on Flight Crew Licences) Instrument 2019**

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CASA 09/19 – Civil Aviation (Community Service Flights – Conditions on Flight Crew Licences) Instrument 2019 (in force under the Civil Aviation Safety Regulations 1998) as shown in this compilation is amended as indicated in the Tables below.

**Table of Orders**

Year and number	Date of FRL registration	Date of commencement	Application, saving or transitional provisions
CASA 09/19 Civil Aviation (Community Service Flights – Conditions on Flight Crew Licences) Instrument 2019	14 February 2019 (see F2019L00134)	19 March 2019 (see s. 2)	—
CASA 13/19 Amendment instrument	8 April 2019 (see F2019L00554)	9 April 2019 (see s. 2)	—
CASA 15/21 Amendment instrument	26 February 2021 (see F2021L00161)	27 February 2021 (see s. 2)	—

**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
subs. 7	am. F2019L00554
subs. 8	am. F2019L00554
subs. 9	am. F2019L00554
subs. 10	am. F2019L00554, F2021L00161