



## **ANNEX TO PRINCIPLE (DEL.08)**

# **Annex O to Principle (DEL.08) CASR 91.875(2)(f) and (e)(ii) – Authorise flight of experimental aircraft**

December 2024



### Acknowledgement of Country

The Civil Aviation Safety Authority (CASA) respectfully acknowledges the Traditional Custodians of the lands on which our offices are located and the places to which we travel for work. We also acknowledge the Traditional Custodians' continuing connection to land, water and community. We pay our respects to Elders, past and present.

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# 1. CASR 91.875(2)(f) and (e)(ii) – Authorise flight of experimental aircraft

## 1.1 Purpose

This annex describes the specific scope of the provision and supporting appointment criteria to appoint an applicant as an authorised person to approve an experimental aircraft to operate over the built up area of a city or town (i.e. populous area) under paragraph 91.875(2)(f) and operate other than by day and under visual flight rules (VFR) under subparagraph 91.875(2)(e)(ii) of the *Civil Aviation Safety Regulations 1998* (CASR).

**Note:** Annex O is an annex to [Principle \(DEL.08\) Managing airworthiness-related external delegates and authorised persons](#), and is supported by Worksheet (DEL.08) Annex O – CASR 91.875(2)(f) and (e)(ii) – Authorise flight of experimental aircraft.

## 1.2 Scope

An instrument of appointment (IOA) will only allow the person to authorise an experimental aircraft operate over the built-up area of a city or town and/or operate other than by day and under VFR where the person is authorised to issue the experimental certificate.

## 1.3 Qualifications

For initial issue, the applicant must be the holder of an IOA for regulation 21.195A of CASR to issue an experimental certificate.

## 1.4 Knowledge

The applicant must obtain a written declaration that they have suitable underpinning and specific knowledge to authorise an experimental aircraft from a:

- person authorised to issue an experimental certificate for the same purpose under regulation 21.191 of CASR, and to authorise an aircraft operate over the built-up area of a city or town and/or operate other than by day and under VFR or
- recognised representative organisation such as Sport Aircraft Association of Australia (SAAA) and Recreational Aviation Australia (RA Aus) etc.

## 1.5 Experience

The applicant must obtain a declaration of competence to authorise an experimental aircraft to operate over the built-up area of a city or town under paragraph 91.875(2)(f) of CASR and operate other than by day and under VFR under subparagraph 91.875(2)(e)(ii) of CASR from a:

- person authorised to issue an experimental certificate for the same purpose under regulation 21.191 of CASR, and to authorise an aircraft operate over the built-up area of a city or town and/or operate other than by day and under VFR or
- recognised representative organisation (SAAA, RA Aus etc.).

## 1.6 Procedures manual - Specific criteria

In addition to the criteria listed at Appendix A in [Principle \(DEL.08\) Managing airworthiness-related external delegates and authorised persons](#), the applicant will be required to include the following in their procedures manual.

### 1.6.1 Reporting

Details of a register to record the following information about each approval issued, stating the:

- name of the holder of the certificate of registration holder
- manufacturer, type, model, and serial number of the aircraft
- registration marking
- date of issue, and date of expiry (if applicable) or each certificate
- details of each change to an approval

A procedure to ensure that all documents relating to the approval are sent to the CASA Civil Aircraft Register.

### 1.6.2 Application procedures

- Statement regarding acceptable applicants
- Form of application described
- Information needed in support of application (specific to this instrument)
- Determine eligibility of proposed aircraft for authorisation.

### 1.6.3 Application procedure assessment

- Description of the assessment process (e.g. flow charts, work sheets etc.)
- Raising work/assessment package
- Inspection of aircraft
- Inspection of aircraft records
- Placards and markings requirements
- Description of the process for considering applications for multiple purposes
- Technical matters to be considered during assessment stated
- Risk assessment and risk management procedures to consider all the following items to ensure relevant conditions and operational limitations are applied to the approval.

**Note:** Assessment checklists must record all relevant information applicable to the aircraft.

- Review of information contained in the aircraft design and construction data, flight test standards, airworthiness limitations, service letters and bulletins, aircraft flight manuals (AFM) and other relevant manufacturers' airworthiness data applicable to the aircraft
- Review of relevant National Aviation Authority (NAA) information relating aircraft design and construction, airworthiness limitations, airworthiness directives (AD) and flight testing
- Review of repair and modification data applicable to the aircraft (aeronautical engineering Subpart 21M of CASR)
- Evaluation and interpretation of structural analysis test data

- Systems evaluation for complexity (e.g. pressurisation, retractable undercarriage, non-certificated engines, piston, turbine or jet engines)
- Criteria to determine the area of operation for each aircraft
- Analysis and determination of safe operation of the aircraft
- Consideration of aircraft's operational safe history
- Consideration of aircraft's nominated pilot(s) qualifications and experience
- Night VFR approval and instrument flight rules (IFR) approval procedures to validate the following:
  - Consideration of required systems, performance and equipment ref AIP and CAO
  - Evaluate what avionics both technical standard order (TSO) and non-TSO are fitted
  - Instrument and avionics layout, general cockpit ergonomic layout
  - Cockpit lighting adequate, practical, glare and reflection consideration
  - Electrical load assessment, circuit loading, back-up power capacity
  - All necessary ADs actioned, in terms of completed and incorporated in the system of maintenance (SOM)
  - Flight manual supplements to suit operations approved
  - Test flight reports, considering systems performance, suitability of the aircraft as an instrument platform for the 'average private IFR pilot' in terms of stability and pilot workload, aircraft performance reports demonstrating its ability to meet the IFR performance requirements
  - A structured (staged) test flight program including consideration of navigation aids' location (with suitable operating conditions to establish the aircraft's operating performance and in turn its operating limitations - if any).

### 1.6.4 Approval

- Completing assessment documentation
- Completion of checklists
- Cross referencing to the experimental certificate
- Description of the process for issuing the authorisation (flow charts etc.).

### 1.6.5 Specific forms

- List and description of each form/checklist used during assessment included
- Description on the use of each form/checklist
- Copy of each form to be used during assessment included.

## 1.7 Surveillance of IOAs

### 1.7.1 Condition – Individual conditions, scope and limitations

Each Instrument of Appointment contains conditions and limitations specific to the individual. Common to these conditions are:

- The scope of the appointment
- Requirement to comply with an approved procedures manual; and
- A requirement to ensure all documents and checklists used in the application, assessment and issue of the certificate, are sent to the Civil Aviation Registrar within 7 days after issue.

For Surveillance activities, these areas may be validated by:

- Reviewing the DMNS and authorisation holders register to ensure tasks are within approved scope.
- Sampling outputs to validate the process has been undertaken in accordance with the approved procedures manual and any relevant AC's as stated in the individual's instrument
- Sampling outputs to verify the authorised person has complied with any condition or limitation specific to their instrument
- Reviewing records to ensure that a certificate authorises an aircraft to be operated other than by day, and under VFR, the amateur aircraft was fabricated and assembled for the sole purpose of a person's own education or recreation
- Reviewing the DMNS and authorisation holders register to ensure tasks are forwarded to CASA within specified timeframes.

### 1.7.2 Condition - Maintaining a register

The delegate must maintain a register containing the following information:

- The name of the registered operator
- The manufacturer, type, model and serial number of the aircraft
- The registration marking
- The category and purpose (as applicable) of each certificate
- The date of issue and date of expiry (if applicable) of each document

During surveillance, the register is validated by reviewing the DMNS records against the register held by the authorisation holder.

### 1.7.3 Condition - Maintaining records

The delegate must maintain copies of all documents associated with the exercise of power for at least 5 years after the date of issue. The inspector may review the following documents to determine whether the records are adequately maintained. Storage conditions and the content maintained should be accessible on site to the inspector. This can be paper based or electronic, however should be consistent with the authorisation holders procedures. If electronic (soft copy) then suitable back up files should be maintained.

### 1.7.4 Condition - Notification to CASA of intent to exercise powers

On engagement by a client, and prior to exercising their powers, the delegate must notify CASA through the Delegate Management Notification System. Compliance with this conditions may be validated by reviewing records within the evidence package to establish a reference point.

### 1.7.5 Condition - Notification of outcomes to CASA

The delegate must record the details of the outcome to CASA into the DMNS within 14 days after a power is exercised. Compliance with this condition may be verified by comparing the DMNS records task completed date against the date identified on the certificate issued.

### 1.7.6 Condition - Availability of records

It is a condition of an authorisation that a delegate must make their register and all documents available to a CASA inspector for inspection. Surveillance should validate that the register contains all the required documentation.

### 1.7.7 Relating a regulatory breach to a delegation

If a breach of a condition is found during a surveillance event, the inspector is to record the deficiency against the relevant condition and use the relate function in EAP to relate the breach to the regulation CASR 91.875. This will enable reporting against that delegation.

## 1.8 Revision history

Table 1. Revision history table

Version No.	Date	Parts / Sections	Details
1.1	November 2024	1.7	Surveillance
1.0	September 2024	All	First issue