I, WARREN CRAIG MARTIN, Executive Manager, Regulatory Services & Surveillance, a delegate of CASA, make this instrument under regulation 11.160 of the Civil Aviation Safety Regulations 1998.

Craig Martin
Executive Manager, Regulatory Services & Surveillance

28 February 2020

CASA EX47/20 – Training and Checking (Virgin Australia International Airlines – B737) Exemption 2020

1 Name
This instrument is CASA EX47/20 – Training and Checking (Virgin Australia International Airlines – B737) Exemption 2020.

2 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: flight crew member.

In this instrument:
CAO 20.11 means Civil Aviation Order 20.11.
CAO 82.5 means Civil Aviation Order 82.5.
common training manual means the Virgin Australia Group Operations Manual, Volume D1, Training – Flight Crew, as existing at the time this instrument commences.

training and checking organisation has the same meaning as in regulation 217 of CAR.

VAA means Virgin Australia Airlines Pty Ltd, ARN 567591.

VAIA means Virgin Australia International Airlines Pty Ltd, ARN 768593.

3 Exemption — subregulation 217 (2) of CAR
VAIA is exempt from compliance with subregulation 217 (2) of CAR to the extent mentioned in Schedule 1.

4 Exemption — paragraph 3.3, and paragraphs 1.1 and 2.4 of Appendix 2, of CAO 82.5
VAIA is exempt from compliance with paragraph 3.3, and paragraphs 1.1 and 2.4 of Appendix 2, of CAO 82.5 to the extent mentioned in Schedule 2.
5 Repeal
This instrument is repealed at the end of 31 January 2023.

Schedule 1 VAIA exemption from subregulation 217 (2) of CAR
This exemption applies so that training or a check carried out by the VAA training and checking organisation in accordance with the common training manual is taken to be training or a check carried out by the VAIA training and checking organisation if:
(a) the training was of a VAA or VAIA flight crew member, who is subsequently engaged as a member of a VAIA flight crew; and
(b) the check was carried out to test the competency of the VAA or VAIA flight crew member in operations carried out in a B737 aircraft.

Schedule 2 VAIA exemption from paragraph 3.3, and paragraphs 1.1 and 2.4 of Appendix 2, of CAO 82.5
1 A flight crew member who has participated in training programs or undergone proficiency checks, in accordance with the common training manual, within the VAA training and checking organisation may act as a flight crew member in a B737 aircraft operated by VAIA, if:
(a) the training participated in, or checks undergone, by the flight crew member are the same as those that the crew member would undertake if conducted by the VAIA training and checking organisation under the common training manual; and
(b) a check pilot:
   (i) in the VAA training and checking organisation has subsequently certified that the flight crew member is competent to act as a VAA flight crew member in operations carried out in a B737 aircraft operated by VAA; or
   (ii) in the VAIA training and checking organisation has subsequently certified that the flight crew member is competent to act as a VAIA flight crew member in operations carried out in a B737 aircraft operated by VAIA; and
(c) there is a current certificate issued to VAIA, under paragraph 12.4 of CAO 20.11, to the effect that the flight crew member has passed the relevant proficiency test.
2 This exemption only applies to a VAA flight crew member when the crew member is engaged in operations carried out in a B737 aircraft operated by VAIA.