
[Signed C. Martin]
Craig Martin
Acting Executive Manager, Regulatory Services & Surveillance
30 November 2018

CASA EX166/18 — Training and Checking (Foreign Aircraft Operations Conducted by Pays Helicopters) Instrument 2018

1 Name
This instrument is CASA EX166/18 — Training and Checking (Foreign Aircraft Operations Conducted by Pays Helicopters) Instrument 2018.

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. Aerial application operation is defined in regulation 137.010 of CASR. Technical data is defined in regulation 21.008 of CASR. Operating crew is defined in regulation 2 of CAR.

In this instrument:
CTM means a CASA Certificate Team Manager.
foreign helicopter means a Sikorsky UH-60A model aircraft.
foreign helicopter operation means an operation conducted by Pays Helicopters, using a foreign helicopter crewed by employees of Timberline Helicopters, that involves:
(a) a sling load operation; or
(b) fire fighting under the direction of an emergency control authority; or
(c) training for an operation mentioned in paragraph (b); or
(d) the repositioning of the aircraft for the purpose of the aircraft conducting, or being available for, an operation mentioned in paragraph (a), (b) or (c), or for the purpose of maintenance being performed on the aircraft.
Pays Helicopters means Pays Helicopters Pty Ltd, ARN 592128.
Timberline Helicopters means Timberline Helicopters Inc of 1926 Industrial Dr, Sandpoint, Idaho, United States of America.

4 Exemption
(1) Pays Helicopters is exempt from compliance with regulation 217 of CAR in relation to the conduct of a foreign helicopter operation.
(2) The exemption is subject to the conditions in sections 5 and 6.
5  Conditions — operating crew requirements

(1) Before Pays Helicopters commences each foreign helicopter operation, it must ensure that the person performing the duties of chief pilot for Pays Helicopters:

(a) verifies that each member of the operating crew of the foreign helicopter:

(i) meets the requirements for crew members mentioned in the paragraphs of subsection (3); and

(ii) has been given a copy of this instrument; and

(b) sights and verifies the currency of the following documents for each member of the operating crew of the foreign helicopter:

(i) licence;

(ii) endorsements and ratings for the aircraft that are required for the operation;

(iii) medical certificate;

(iv) annual proficiency check on the aircraft.

(2) Pays Helicopters must not permit a person to act as a member of the operating crew for a foreign helicopter operation unless a CTM or a CASA flying operations inspector has:

(a) sighted the documents mentioned in paragraph (1) (b) for the crew member; and

(b) documented the currency of the documents for the period covering the operation.

(3) Pays Helicopters must not permit a person to be a member of the operating crew for a foreign helicopter operation unless the person:

(a) holds the FAA authorisations that would be required for the crew member if the operation was conducted by Timberline Helicopters in the United States of America (USA); and

(b) has undergone the proficiency checking required to permit the crew member to perform their duties, in the USA, in operations in the nature of the operation; and

(c) for an operation mentioned in paragraph (b) of the definition of foreign helicopter operation — has been briefed on command, communications, operational requirements and other matters relevant to operating in coordination with the emergency control authority responsible for the fire fighting; and

(d) has been briefed on the operation, including details that are specific to Australian conditions and the particular local circumstances of the operation; and

(e) is familiar with the crew member’s obligations under the Civil Aviation Act 1988 in relation to the operation.

Note Those obligations include the requirements under CAR and CASR. The pilot in command of an aircraft has particular obligations in relation to the safety of the aircraft and its occupants under regulation 224 of CAR.

(4) Pays Helicopters must ensure that, for the duration of each operation mentioned in paragraphs (a) and (b) of the definition of foreign helicopter operation, a support employee is contactable by the crew of the foreign helicopter to provide ground-based support of the operation in the interests of safety.

(5) In subsection (4), support employee means an employee of Pays Helicopters appointed, by the Pays Helicopter chief pilot, to support a foreign helicopter operation.

6  Conditions — operations manual

(1) Pays Helicopters must ensure that a foreign helicopter operation is conducted in accordance with its operations manual, as the manual exists on the day this instrument is signed.
(2) Pays Helicopters must give CASA 14 days’ prior written notice of any proposed amendment to its operations manual that affects the conduct of a foreign helicopter operation.

Note In accordance with section 46AA of the Acts Interpretation Act 1901, this instrument incorporates the requirements of the Pays Helicopters operations manual only as the manual exists on the day this instrument is signed. CASA will consider a request to reissue this instrument to incorporate an amended version of the manual.

7 Direction — operations manual
For subregulation 215 (3) of CAR, Pays Helicopters is directed to ensure that its operations manual contains a flight check system for the foreign helicopter that has been assessed for consistency with the technical data for the helicopter.

8 Repeal
This instrument is repealed at the end of 30 June 2019.