



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX73/21

I, DANIEL BERNARD O'HAGAN, Manager, Legislative Drafting, Advisory & Drafting Branch, Legal, International & Regulatory Affairs Division, a delegate of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998*.

[Signed D.B. O'Hagan]

Danny O'Hagan
Manager, Legislative Drafting
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2 July 2021

CASA EX73/21 – Training and Checking (Virgin Australia Airlines – B737) Exemption 2021

1 Name

This instrument is *CASA EX73/21 – Training and Checking (Virgin Australia Airlines – B737) Exemption 2021*.

2 Repeal of instrument CASA EX162/20

Instrument *CASA EX162/20 – Training and Checking (Virgin Australia Airlines – B737) Exemption 2020* is repealed.

3 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.

4 Exemption — subregulation 217 (2) of CAR

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

5 Exemption — paragraph 3.3, and paragraphs 1.1 and 2.4 of Appendix 2, of CAO 82.5

VAA 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.

6 Repeal of this instrument

This instrument is repealed at the end of 31 January 2023.

Schedule 1 VAA exemption from subregulation 217 (2) of CAR

This exemption applies so that training or a check carried out by the VAIA training and checking organisation in accordance with the common training manual is taken to be training or a check carried out by the VAA training and checking organisation if:

- (a) the training was of a VAIA or VAA flight crew member, who is subsequently engaged as a member of a VAA flight crew; and
- (b) the check was carried out to test the competency of the VAIA or VAA flight crew member in operations carried out in a B737 aircraft.

Schedule 2 VAA 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 VAIA training and checking organisation, may act as a flight crew member in a B737 aircraft operated by VAA 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 VAA 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 VAA, 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 VAIA flight crew member when the crew member is engaged in operations carried out in a B737 aircraft operated by VAA.
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