



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX21/23

I, DANIEL BERNARD O'HAGAN, Manager, Legislative Drafting, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed D.B. O'Hagan]

Danny O'Hagan
Manager, Legislative Drafting

23 February 2023

CASA EX21/23 — Validation Flight Checks (Airservices Australia) Exemption 2023

1 Name

This instrument is *CASA EX21/23 — Validation Flight Checks (Airservices Australia) Exemption 2023*.

2 Duration

This instrument:

- (a) commences on 1 March 2023; and
- (b) is repealed at the end of 28 February 2026.

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 simulator***, ***terminal instrument flight procedure*** and ***type***.

In this instrument:

Agreement means the contract between CASA and Vee H Aviation Pty Ltd., ARN 204507 (***Vee H Aviation***), titled ***Terminal Instrument Flight Procedure Validation/Revalidation Services***, Reference ID: CASA 21/183, as existing at the time this instrument commences.

Manual of Standards has the meaning given by regulation 173.010 of CASR.

procedure design certificate has the meaning given by regulation 173.020 of CASR.

validation has the same meaning as in Chapter 7 of the Manual of Standards.

validation pilot has the same meaning as in Chapter 7 of the Manual of Standards.

4 Application

This instrument applies to Airservices Australia, ARN 202210 (AA), for the flight validation of a terminal instrument flight procedure designed by AA under its procedure design certificate (an AA *TIFP*).

5 Exemptions

- (1) AA is exempt from compliance with subregulation 173.095(1) of CASR to the extent that the subregulation requires that the person who validates an AA TIFP is an officer of CASA.
- (2) AA is exempt from compliance with subregulation 173.095(1) of CASR to the extent that the subregulation requires AA to ensure that an AA TIFP is validated in accordance with the following provisions of the Manual of Standards:
 - (a) paragraph 6.1.2.4;
 - (b) paragraph 6.1.2.5;
 - (c) paragraph 7.1.5.3.
- (3) The exemptions are subject to the conditions in section 6.

6 Conditions

- (1) AA must ensure that the validation of an AA TIFP is conducted in accordance with the Agreement.
- (2) AA must ensure that an AA TIFP is validated by one or more of the pilots who are Specified Personnel under clause C.A.5 of the Agreement, under an engagement with Vee H Aviation.

Note 1 Under clause C.A.5 of the Agreement, the Specified Personnel are the pilots named in Table 8 in clause C.A.5 and other Specified Personnel added in accordance with the Agreement.

Note 2 A validation pilot must meet the standards set out in paragraph 7.1.24 of the Manual of Standards.

Note 3 Under subregulation 173.095(1) of CASR, the validation must be in accordance with any applicable standards set out in the Manual of Standards.

- (3) For the validation of an AA TIFP, AA must provide an aircraft of a type that is approved by CASA in writing.
 - (4) AA must give CASA at least 14 days' written notice of any proposed activity related to the validation of an AA TIFP, including any proposed use of a flight simulator for purposes related to the validation.
 - (5) If CASA requests AA to allow CASA officers to observe any activity related to the validation of an AA TIFP, AA must comply with the request.
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