



Australian Government
Civil Aviation Safety Authority

Instrument number CASA 09/19

I, SHANE PATRICK CARMODY, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.068 of the *Civil Aviation Safety Regulations 1998*.

[Signed S. Carmody]
 Shane Carmody
 Director of Aviation Safety

12 February 2019

CASA 09/19 — Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Instrument 2019

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1 Name

This instrument is *CASA 09/19 — Civil Aviation (Community Service Flights — Conditions on Flight Crew Licences) Instrument 2019*.

2 Duration

This instrument:

- (a) commences on 19 March 2019; and
- (b) is repealed at the end of 18 March 2022.

3 Definitions

Note A number of expressions used in this instrument are defined in CASR or CAR, including the following:

- (a) AIP;
- (b) amateur-built aircraft;

- (c) Amateur Built Aircraft Acceptance, or ABAA;
- (d) approved system of maintenance;
- (e) CASA maintenance schedule;
- (f) certificate of airworthiness;
- (g) class B aircraft;
- (h) experimental certificate;
- (i) flight time;
- (j) I.F.R.;
- (k) limited category aircraft;
- (l) maintenance schedule;
- (m) operating crew;
- (n) pilot (used as a verb);
- (o) registered;
- (p) type (for an aircraft);
- (q) V.F.R.

In this instrument:

community service flight: see section 6.

periodic inspection has the meaning given by paragraph 2.1 of Part 2 of Schedule 5 to CAR (containing the CASA maintenance schedule).

4 Application

This instrument applies in relation to a flight in an aircraft conducted as a private operation.

5 Conditions on flight crew licences for community service flights

For the purposes of regulation 11.068 of CASR, this instrument imposes conditions on flight crew licences.

Note See Part 1 of the Dictionary to CASR for the definition of ***flight crew licence***.

6 Community service flights

- (1) A flight is a ***community service flight*** if it meets the description in subsections (2) to (5).
- (2) The flight involves:
 - (a) the transport of one or more individuals (a ***patient***) to a destination for the purpose of each such individual receiving non-emergency medical treatment or services at the destination; or
 - (b) the transport of a patient from a destination mentioned in paragraph (a) (the ***treatment destination***) to another treatment destination; or
 - (c) the transport of a patient from a treatment destination:
 - (i) back to a place from which the patient departed for a treatment destination; or
 - (ii) to a destination at which the patient resides.
- (3) The flight is provided to a patient, and any person who accompanies the patient to provide support and assistance, without a charge being made to any of those persons for their carriage.
- (4) Medical treatment is not provided on board the aircraft for the flight, other than the administering of medication or in response to an unexpected medical emergency.

- (5) The flight is coordinated, arranged or facilitated by an entity for a charitable purpose or community service purpose.

Note Section 2B of the *Acts Interpretation Act 1901* defines **charitable purpose** as having the meaning given by Part 3 of the *Charities Act 2013*.

7 General requirements

- (1) It is a condition on a flight crew licence that its holder must not operate an aircraft for a community service flight unless:
- (a) the licence is a private pilot licence, commercial pilot licence or air transport pilot licence; and
 - (b) the flight is conducted in an aeroplane; and
 - (c) the aeroplane does not carry on board any persons other than:
 - (i) a patient mentioned in paragraph 6 (2) (a), and any other passenger who accompanies a patient to provide support and assistance; and
 - (ii) the operating crew; and
 - (d) the holder holds a current class 1 or 2 medical certificate.

Note Subpart 67.C of CASR provides for the requirements relating to medical certificates.

- (2) To avoid doubt, the provisions of *CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018* do not apply to the holder of a flight crew licence who operates an aeroplane for a community service flight.

Note An *Aviation Medical Certificate (Basic Class 2)* issued by CASA under *CASA EX65/18 — Private Pilot Licence Medical Certification (Basic Class 2 Medical Certificate) Exemption 2018* is not a class 1 or class 2 medical certificate.

8 Excluded aeroplanes

- (1) It is a condition on a flight crew licence that its holder must not pilot an aeroplane operated for a community service flight if the aeroplane is excluded under subsection (2).
- (2) For subsection (1), an aeroplane is excluded if:
- (a) the aeroplane is:
 - (i) an amateur-built aircraft accepted under an Amateur Built Aircraft Acceptance; or
 - (ii) an aircraft in the limited category; or
 - (b) there is an experimental certificate in force for the aeroplane; or
 - (c) the aeroplane is not registered.

9 Aeronautical experience requirements

General requirements

- (1) It is a condition on a flight crew licence that its holder must not pilot an aeroplane operated for a community service flight unless the holder has aeronautical experience that includes:
- (a) a landing, within the previous 30 days, in:
 - (i) if the community service flight is conducted in an aeroplane that is class rated — an aeroplane of that class; or
 - (ii) if the community service flight is conducted in an aeroplane that is type rated — that type of aeroplane; and

- (b) for a flight that is conducted under the V.F.R. — at least 10 hours of flight time in an aeroplane of the same type as the aeroplane used for the community service flight; and
- (c) for a flight that is conducted under the I.F.R. — at least 20 hours of flight time in an aeroplane of the same type as the aeroplane used for the community service flight; and
- (d) for a flight that is conducted in a multi-engine aeroplane — at least 25 hours of flight time as pilot in command of a multi-engine aeroplane.

Note See Part 1 of the Dictionary to CASR for the definition of *type*.

Additional requirements for private pilots

- (2) Subsection (3) applies if the holder of a private pilot licence does not also hold a commercial pilot licence or an air transport pilot licence.
- (3) It is a condition on the private pilot licence that its holder must not pilot an aeroplane operated for a community service flight unless the holder has aeronautical experience that includes:
 - (a) at least 400 hours of flight time conducted in an aeroplane or a helicopter; and
 - (b) at least 250 hours of flight time as pilot in command of an aeroplane or a helicopter.

Note 1 The term *pilot*, used as a verb, has the meaning given by regulation 61.010 of CASR.

Note 2 For the meaning of *flight time* as a pilot in command: see regulation 61.090 of CASR.

10 Operational and notification requirements

It is a condition on a flight crew licence that its holder must not pilot an aeroplane operated for a community service flight unless:

- (a) the aeroplane carries no more than 5 passengers (including any patient mentioned in paragraph 6 (2) (a)); and
- (b) the aeroplane is not operated under the V.F.R. at night; and
- (c) the holder submits a flight notification (within the meaning given by the AIP) to Airservices Australia that:
 - (i) identifies the flight as a community service flight using the acronym “CSF”; and
 - (ii) is either “full flight details” or “SARTIME”; and
- (d) the holder, in addition to the requirements in regulation 61.350 of CASR to record information about flights in a personal logbook, records that the flight is a community service flight in the logbook.

Note For paragraph (c), the flight can be identified by entering the acronym in the “remarks” section of the flight notification: see AIP ENR 1.10.

11 Aeroplane maintenance requirements

- (1) Subsection (2) applies if there is an election in force under regulation 42B of CAR for an aeroplane to use the CASA maintenance schedule for the aircraft’s maintenance.
- (2) It is a condition on a flight crew licence that its holder must not pilot the aeroplane for a community service flight unless:
 - (a) the aeroplane has undergone a periodic inspection:
 - (i) within the last 100 hours of service of the aeroplane; or

- (ii) if the aeroplane has been in service for less than 100 hours in the immediately preceding 12 months — within the 12 months; or
 - (b) both of the following apply:
 - (i) the aeroplane was issued its current certificate of airworthiness less than 12 months before the flight;
 - (ii) the aeroplane has been in service for less than 100 hours since the certificate was issued.
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