

# Civil Aviation Amendment Order (No. R27) 2004

I, WILLIAM BRUCE BYRON, Director of Aviation Safety, on behalf of CASA, issue the following Civil Aviation Order under regulation 37 of the *Civil Aviation Regulations 1988*.

**[Signed Bruce Byron]**

Bruce Byron  
Director of Aviation Safety and  
Chief Executive Officer

2 December 2004

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**1 Name of Order**

This Order is the Civil Aviation Amendment Order (No. R27) 2004.

**2 Commencement**

This Order commences on gazettal.

**3 Replacement of section 29.8 of the Civil Aviation Orders**

Section 29.8 of the Civil Aviation Orders is omitted and a new section substituted as set out in Schedule 1.

# Schedule 1 Substitution of section 29.8 of the Civil Aviation Orders

## SECTION 29.8

### FERRY FLIGHT OF AEROPLANES WITH 1 ENGINE INOPERATIVE

#### 1 PERMISSIBLE UNSERVICEABILITY

- 1.1 Subject to this section, a defect set out in the following table in relation to the class of aircraft specified opposite the defect is approved as a permissible unserviceability:

TABLE

Defect	Class of aircraft
1. 1 engine inoperative	4 engined aeroplane
2. 1 engine inoperative	3 engined aeroplane

- 1.2 The use of an aeroplane included in a class of aircraft referred to in the table in paragraph 1.1 that has a defect of a kind referred to in that table opposite the relevant class is subject to the conditions set out in subsections 3, 4 and 5.

#### 2 INTERPRETATION

- 2.1 In this section:

*defective aeroplane* means an aeroplane included in a class of aircraft referred to in the table in paragraph 1.1 that has a defect of a kind referred to in that table opposite the relevant class.

*ferry flight* means a flight conducted solely for the purpose of moving a defective aeroplane from a licensed aerodrome to another licensed aerodrome so that the aeroplane's inoperative engine can be repaired or replaced.

#### 3 GENERAL CONDITIONS

- 3.1 A defective aeroplane must be used only for the purpose of undertaking a ferry flight or a flight under paragraph 4.4.

- 3.2 Subject to this section, a defective aeroplane must not undertake a ferry flight or a flight under paragraph 4.4 except in accordance with:
- (a) the restrictions, procedures and limitations relating to ferry flights that are:
    - (i) specified in the aeroplane's flight manual; or
    - (ii) approved by CASA and included in the aeroplane's operations manual;being restrictions, procedures and limitations that are not inconsistent with this section; and
  - (b) any limitations relating to ferry flights that are specified in the aeroplane's certificate of airworthiness.
- 3.3 Where a defective aeroplane's flight manual or operations manual does not contain restrictions, procedures or limitations relating to ferry flights other than those specified in paragraphs 4.1 and 4.3, then the aeroplane must not undertake a ferry flight or a flight under paragraph 4.4.

#### **4 CONDITIONS RELATING TO FLIGHT**

- 4.1 Subject to paragraphs 4.2, 4.3, 4.4 and 4.5, a defective aeroplane may undertake a ferry flight only if:
- (a) the aeroplane is capable of complying with the weight and performance limitations set out in section 20.7.1B of the Civil Aviation Orders; and
  - (b) where the aeroplane is propeller-driven — the propeller on the inoperative engine is feathered or removed; and
  - (c) the aeroplane does not carry any persons other than essential flight crew and does not carry any cargo, being cargo carried for hire or reward; and
  - (d) the aeroplane:
    - (i) takes-off; and
    - (ii) makes its approach from 1 500 feet above aerodrome level; and
    - (iii) lands;in visual meteorological conditions;
  - (e) the ferry flight is planned so that the aeroplane does not arrive at the destination aerodrome during a period that would require the aeroplane to carry traffic holding fuel; and
  - (f) the particulars specified in subparagraphs (c) to (e) (inclusive) are included in the aeroplane's operations manual and the particulars specified in subparagraphs (a) and (b) are, where applicable, also included in that manual.

- 4.2 For the purpose of determining whether a defective aeroplane is capable of complying with subparagraph 4.1 (a);
- (a) a 4 engined defective aeroplane is to be taken to be a 3 engined aeroplane; and
  - (b) a 3 engined defective aeroplane is to be taken to be a 2 engined aeroplane.
- 4.3 Where a defective aeroplane is not capable of complying with subparagraph 4.1 (a), the aeroplane may undertake a ferry flight only if:
- (a) it complies with subparagraphs 4.1 (b), (c), (d) and (e); and
  - (b) it takes-off during daylight hours without a tail wind; and
  - (c) it takes-off from a dry runway (unless procedures approved by CASA for engine-inoperative take-offs from wet runways are included in the aeroplane's flight manual or operations manual and the take-off is undertaken in accordance with those procedures); and
  - (d) its initial climb does not take place over a populous area, over an industrial area or over any industrial plant; and
  - (e) the ferry flight is not conducted in icing conditions; and
  - (f) the particulars specified in subparagraphs (a) to (e) (inclusive) are included in the aeroplane's operations manual.
- 4.4 Where a defective aeroplane is to take-off from a place that is not a licensed aerodrome, CASA may approve a flight by the aeroplane if it is satisfied that the aeroplane will comply with an operational specification determined by CASA concerning the conduct of the flight.
- 4.5 A flight under paragraph 4.4 must be conducted only for the purpose of moving a defective aeroplane from a place that is not a licensed aerodrome to a licensed aerodrome so that the aeroplane's inoperative engine can be repaired or replaced.

## **5 CONDITIONS RELATING TO TRAINING AND RECENT EXPERIENCE**

- 5.1 A defective aeroplane must not be used to undertake a ferry flight or a flight under paragraph 4.4 unless the flight crew members for the flight meet the ferry flight training requirements set out in this section and in the aeroplane's flight manual or operations manual.
- 5.2 A defective aeroplane must not be used to undertake a ferry flight or a flight under paragraph 4.4 unless:
- (a) the pilot in command is the company check pilot or a pilot approved by CASA; and
  - (b) the other flight crew members have extensive experience on an aeroplane that is of the same type as the defective aeroplane; and
  - (c) the flight crew members have, within the 6 months immediately before the day of the proposed ferry flight or the proposed flight

under paragraph 4.4, as the case may be, demonstrated to the satisfaction of the operator their ability to handle all manoeuvres associated with a ferry flight.

- 5.3 The training referred to in paragraph 5.1 and the demonstration referred to in subparagraph 5.2 (c) may be conducted in an approved flight simulator of Level 4 or higher.
- 5.4 When undertaking training for the ferrying of a propeller-driven defective aeroplane, the feathered position of the propeller is to be simulated by the application of sufficient power to produce zero thrust.