

Civil Aviation Amendment Order (No. R69) 2004

I, WILLIAM BRUCE BYRON, Director of Aviation Safety, on behalf of CASA, issue the following Civil Aviation Order under subregulation 308 (1) of the *Civil Aviation Regulations 1988*.

[Signed Bruce Byron]

Bruce Byron
Director of Aviation Safety and
Chief Executive Officer

12 December 2004

1 Name of Order

This Order is the Civil Aviation Amendment Order (No. R69) 2004.

2 Commencement

This Order commences on gazettal.

3 Replacement of section 95.19 of the Civil Aviation Orders

Section 95.19 of the Civil Aviation Orders is omitted and a new section substituted as set out in Schedule 1.

Schedule 1 Substitution of section 95.19 of the Civil Aviation Orders

SECTION 95.19

EXEMPTION FROM PROVISIONS OF THE CIVIL AVIATION REGULATIONS 1988 — F/A 18 AIRCRAFT

1 APPLICATION

This section applies to the F/A-18 aircraft while it is undergoing production and acceptance testing in Australia.

2 DEFINITIONS

Terms used in this section shall have the following meanings:

production test flying means flying performed on behalf of the contractor for the purpose of establishing that the aircraft meets USN requirements.

acceptance test flying means flying performed on behalf of the USN or RAAF for the purpose of confirming that the aircraft meets USN and RAAF requirements.

3 EXEMPTIONS

- 3.1 Under regulation 308 of the *Civil Aviation Regulations 1988* and subject to compliance with subsection 4, F/A-18 aircraft are exempt from compliance with Parts 3, 4, 5, 7, 8, 9 (other than regulation 93), 10 (other than regulation 100), 11, 14, 16, 17, 18 and 19 of those Regulations.

3A LICENCE NOT REQUIRED

- 3A.1 For the purposes of paragraph 20AB (1) (b) of the Act, a person is authorised to perform a duty essential to the operation of an aircraft to which this section applies without holding a flight crew licence if he or she complies with the conditions set out in subsection 4.

4 CONDITIONS

- 4.1 The authorisation and control of all flight testing of F/A-18 aircraft to the extent necessary to ensure that the aircraft is airworthy and the aircrew have appropriate ratings, medical classification and flying

experience shall be exercised by the RAAF in accordance with military standards.

- 4.2 Prior to all test flights, DQA-AF personnel shall conduct an inspection of the aircraft to determine its compliance or otherwise with defined USN/RAAF standards. DQA-AF staff shall issue a Certificate of Safety for Flight prior to all test flights.
- 4.3 Prior to commencement of test flying, the RAAF is to ensure that all RAAF pilots conducting production or acceptance test flights are subject to the provisions of DI(AF)OPS 6-10 and that the provisions of DI(AF) AAP 7001.008-1 are complied with.
- 4.4 Prior to commencement of production test flying McDonnell Douglas Corporation shall provide details required by DI(AF) AAP 7001.008-1 in respect of McDonnell Douglas test pilots conducting production test flights.
- 4.5 Prior to commencement of acceptance test flying, USN shall provide details of USN test pilots conducting acceptance test flying.
- 4.6 Flying operations conducted outside military controlled airspace shall be conducted in accordance with the provisions of Joint Aviation Standards and Procedures (JASAP).