

Civil Aviation Amendment Order (No. R75) 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. R75) 2004.

2 Commencement

This Order commences on gazettal.

3 Replacement of section 95.28 of the Civil Aviation Orders

Section 95.28 of the Civil Aviation Orders is omitted and a new section substituted as set out in Schedule 1.

Schedule 1 Substitution of section 95.28 of the Civil Aviation Orders

SECTION 95.28

EXEMPTION FROM PROVISIONS OF THE *CIVIL AVIATION REGULATIONS 1988* — S-70B-2 HELICOPTER

1 APPLICATION

This section applies to the S-70B-2 helicopter during the period that the helicopter is undergoing production and acceptance flight 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 helicopter meets the United Technologies Corporation requirements.

acceptance test flying means flying performed on behalf of United Technologies Corporation or the RAN for the purpose of confirming that the helicopter meets the United Technologies Corporation and RAN requirements.

3 EXEMPTION

- 3.1 Under regulation 308 of the *Civil Aviation Regulations 1988* and subject to compliance with subsection 4, the S-70B-2 helicopter is exempt from compliance with the provisions of 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 the S-70B-2 helicopter, to the extent necessary to ensure that the helicopter is

airworthy and the aircrew have appropriate ratings, medical classifications and flying experience, shall be exercised by the RAN in accordance with military standards.

- 4.2 Prior to all test flights, DQA-AF personnel shall conduct an inspection of the helicopter to determine its compliance or otherwise with defined United Technologies Corporation/RAN 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 RAN is to ensure that all RAN pilots conducting production or acceptance test flights are subject to, and comply with, the provisions of AP (RAN) 10.
- 4.4 Prior to commencement of test flying, United Technologies Corporation shall provide details required by DI(AF)AAP 7001.008-1 in respect of United Technologies Corporation test pilots conducting test flights.
- 4.5 Flying operations conducted outside military controlled airspace shall be conducted in accordance with the provisions of Joint Aviation Standards and Procedures (JASAP).