

Civil Aviation Amendment Order (No. R76) 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. R76) 2004.

2 Commencement

This Order commences on gazettal.

3 Replacement of section 95.29 of the Civil Aviation Orders

Section 95.29 of the Civil Aviation Orders is omitted and a new section substituted as set out in Schedule 1.

Schedule 1 Substitution of section 95.29 of the Civil Aviation Orders

SECTION 95.29

EXEMPTION FROM PROVISIONS OF THE CIVIL AVIATION REGULATIONS 1988 — PILATUS PC9 AIRCRAFT

1 APPLICATION

This section applies to the PC9 aircraft during the period that the aircraft 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 Hawker de Havilland for the purpose of establishing that the aircraft meets contractor requirements.

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

3 EXEMPTION

- 3.1 Under regulation 308 of the *Civil Aviation Regulations 1988* and subject to compliance with subsection 4, the Pilatus PC9 aircraft 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 PC9 aircraft to the extent necessary to ensure that the aircraft is airworthy and the aircrew

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

- 4.2 Prior to all test flights, Directorate of Quality Assurance — Air Force (DQA-AF) personnel shall conduct an inspection of the aircraft to determine its compliance or otherwise with defined 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 all RAAF pilots involved in the conduct of acceptance test flights are subject to the provisions of DI(AF)OPS6-10 and that the provisions of DI(AF)AAP 7001.008-1 are complied with.
- 4.4 Prior to the commencement of production test flying Hawker de Havilland Limited (HdH) shall provide details required by DI(AF)AAP 7001.008-1 in respect of HdH test pilots conducting production 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).