

Civil Aviation Amendment Order (No. R70) 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. R70) 2004.

2 Commencement

This Order commences on gazettal.

3 Replacement of section 95.20 of the Civil Aviation Orders

Section 95.20 of the Civil Aviation Orders is omitted and a new section substituted as set out in Schedule 1.

Schedule 1 Substitution of section 95.20 of the Civil Aviation Orders

SECTION 95.20

EXEMPTION FROM PROVISIONS OF THE CIVIL AVIATION REGULATIONS 1988 — OPERATION OF MILITARY (STATE) AIRCRAFT BY CIVILIAN FLIGHT CREW

1 APPLICATION

This section applies to military aircraft being flown and operated by persons, other than members of the Defence Forces, holding commercial or higher category licences engaged in flight testing, search and rescue, support of aircraft development and flight test programs, and such other activities as are authorised by the appropriate military controlling authority.

2 DEFINITIONS

flight testing means flying performed on behalf of the contractor or military authority for the purpose of establishing that the aircraft meets all requirements of the contractor and/or military authority following manufacture or major servicing and inspection.

3 EXEMPTIONS

- 3.1 Under regulation 308 of the *Civil Aviation Regulations 1988* and subject to compliance with subsection 4, military aircraft are exempt from compliance with regulations 178, 195 and 196 and the provisions of Parts 3, 4, 9 (other than regulation 93), 10 (other than regulation 100), 11 (other than regulation 148), 14, 17 (other than regulations 281 and 282), 18 and 19 of those Regulations.

4 CONDITIONS

- 4.1 Prior to all flights, a Certificate of Safety for Flight shall be issued for the military aircraft in accordance with standards defined by the military authority.
- 4.2 The authorisation and control of flying of military aircraft shall be exercised by the appropriate military authority.

- 4.3 Prior to the commencement of civilian pilots flying military aircraft, the contractor shall provide to the military authority such details of the pilots as the military authority requires.
- 4.4 Flying operations conducted outside military controlled airspace shall be conducted in accordance with the provisions of Joint Aviation Standards and Procedures (JASAP).