

CHAPTER 3 NVIS FLIGHTS

Division 1 Purpose, application and definitions

3.01 Purpose

For subregulation 91.085 (1), this Chapter prescribes requirements relating to an NVIS flight.

Note 1 This Chapter applies to all NVIS flights **except** those conducted by an Australian air transport operator in a Part 133 operation, and those conducted by an aerial work certificate holder in an aerial work operation: see item 1 of Table 91.035 which, in effect, applies regulation 91.085 to all other NVIS flights.

Note 2 This Chapter applies to NVIS flights conducted by a limited aerial work operator mentioned in Part 138: see item 1 of Table 91.035 and regulation 138.350, whose combined effect is to disapply regulation 91.085 from aerial work operations by aerial work certificate holders, but not from limited aerial work operators.

Note 3 For NVIS equipment requirements: see Division 26.17 of the Part 91 MOS. The effect of item 16 of Table 91.035 is that the Division 26.17 requirements apply to all NVIS flights except NVIS flights conducted as a Part 133 operation. The Part 133 MOS contains the equipment requirements for such flights.

3.01A Application

- (1) This Chapter applies to the use of NVIS by a flight crew member of an aircraft in an NVIS flight.
- (2) This Chapter does not apply to the use of NVIS by a person on an NVIS flight who is not a flight crew member, unless the person is involved in air navigation or terrain avoidance functions.

3.02 Definitions

- (1) In this Chapter and Division 26.17:

contracted checking has the meaning given by regulation 142.020 of CASR.

contracted recurrent training has the meaning given by regulation 142.020 of CASR.

final approach and take-off area, or ***FATO***, has the meaning given by the CASR Dictionary.

HLS means helicopter landing site.

HLS-NVIS basic means an HLS that does not conform to the requirement of an HLS-NVIS standard.

HLS-NVIS standard has the meaning given by section 3.04.

IFR capable, for an aircraft, describes a circumstance in which:

- (a) the aircraft is equipped for IFR flight in accordance with the regulations; and
- (b) the crew who operate the aircraft meet the relevant requirements for IFR flight under Part 61 of CASR.

IR is short for infra-red.

NVFR capable, for an aircraft, describes a circumstance in which:

- (a) the aircraft is equipped for flight by night under the VFR in accordance with the regulations; and
- (b) the crew who operate the aircraft meet the relevant requirements for a VFR flight at night under Part 61 of CASR.