

## **Subpart 141.E—Part 141 operators—instructors**

### **141.165 Part 141 operators—instructors must comply with Part 141 certificate**

- (1) An instructor for a Part 141 operator commits an offence if the instructor conducts Part 141 flight training otherwise than in accordance with the operator's Part 141 certificate.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

### **141.170 Part 141 operators—instructors must comply with operations manual**

- (1) An instructor for a Part 141 operator commits an offence if the instructor conducts authorised Part 141 flight training for the operator otherwise than in accordance with the operator's operations manual.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

### **141.175 Part 141 operators—instructors must be authorised under Part 61**

- (1) A Part 141 operator commits an offence if:
  - (a) an instructor for the operator conducts authorised Part 141 flight training for the operator; and
  - (b) the instructor is not authorised under Part 61 to conduct the training.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

### **141.180 Part 141 operators—instructors must have access to records**

- (1) A Part 141 operator commits an offence if:
  - (a) an instructor for the operator conducts authorised Part 141 flight training for the operator; and
  - (b) the instructor does not have access to the operator's training records for course participants.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

### **141.185 Part 141 operators—instructors must hold valid standardisation and proficiency check for operator**

- (1) A Part 141 operator commits an offence if:
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- (a) an instructor for the operator conducts authorised Part 141 flight training for the operator; and
- (b) the instructor does not hold a valid standardisation and proficiency check for the operator under regulation 141.190.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

### **141.190 Part 141 operators—holding valid standardisation and proficiency check for operator**

- (1) An instructor for a Part 141 operator holds a valid standardisation and proficiency check for the operator if:
  - (a) the instructor has successfully completed the operator's standardisation and proficiency check; and
  - (b) the check complies with regulation 141.195; and
  - (c) under subregulation (2) or (3), the check is valid.
- (2) A standardisation and proficiency check is valid for the period comprising:
  - (a) the period beginning on the day on which the check is completed, and ending at the end of the month in which the check is completed; and
  - (b) the period of 12 months immediately following the month in which the check was completed.
- (3) If:
  - (a) an instructor holds a standardisation and proficiency check that is valid under subregulation (2) (the *existing check*); and
  - (b) the instructor successfully completes a new standardisation and proficiency check on a day that is less than 3 months before the day on which the existing check is due to expire;

the new check is valid for 12 months beginning at the end of the day on which the existing check expires.

### **141.195 Part 141 operators—standardisation and proficiency check requirements**

- (1) A Part 141 operator's standardisation and proficiency check for an instructor must, for the flight training that the operator has engaged the instructor to conduct, check the competency of the instructor to:
  - (a) deliver ground briefings in accordance with the operator's training syllabus; and
  - (b) deliver flight training in an aircraft or flight simulation training device in accordance with the operator's training syllabus.
- (2) The check must be carried out by:
  - (a) the operator's head of operations; or

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- (b) a person authorised to conduct the check by the operator's head of operations.

**141.200 Part 141 operators—instructors—training in human factors principles and non-technical skills**

- (1) A Part 141 operator commits an offence if:
- (a) an instructor for the operator conducts authorised Part 141 flight training for the operator; and
  - (b) the instructor does not meet the requirements in the operator's operations manual about training in human factors principles and non-technical skills.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

**141.205 Part 141 operators—instructors must be competent to conduct flight training in flight simulation training device**

- (1) A Part 141 operator commits an offence if:
- (a) an instructor for the operator conducts authorised Part 141 flight training for the operator in a flight simulation training device; and
  - (b) the instructor has not been assessed by the operator as competent to conduct the training in the device.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

**141.210 Part 141 operators—person recommended for flight test**

- (1) A Part 141 operator and the operator's head of operations each commit an offence if:
- (a) a person is recommended for a flight test by:
    - (i) the head of operations; or
    - (ii) a person named in the operator's operations manual as responsible for the authorised Part 141 flight training to which the flight test relates; and
  - (b) the person is not eligible under regulation 61.235 to undertake the test.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.