

**Question on notice no. 98**

**Portfolio question number: SQ24-000095**

**2023-24 Additional estimates**

**Rural and Regional Affairs and Transport Committee, Infrastructure,  
Transport, Regional Development, Communications and the Arts Portfolio**

**Senator David Fawcett:** asked the Civil Aviation Safety Authority on 12 February 2024—

Senator FAWCETT: [...] So my last question then is, can you please provide, on notice, details of your progression, leading to your legislative instrument, so that industry will have some understanding of the sort of time frame that we're talking about, given that this was supposed to be resolved last year and we're now pushing into 2024.

**Answer —**

Please find answer attached

**Rural and Regional Affairs and Transport**

**QUESTION ON NOTICE**

**Additional Estimates 2023 - 2024**

**Infrastructure, Transport, Regional Development, Communications and the Arts**

**Committee Question Number: 98**

**Departmental Question Number: SQ24-000095**

**Division/Agency Name:** Agency - Civil Aviation Safety Authority

**Hansard Reference:** Spoken, Page No. 137 (12 February 2024)

**Topic:** CASA – details of the legislative instrument

**Senator David Fawcett asked:**

Senator FAWCETT: [...] So my last question then is, can you please provide, on notice, details of your progression, leading to your legislative instrument, so that industry will have some understanding of the sort of time frame that we're talking about, given that this was supposed to be resolved last year and we're now pushing into 2024.

**Answer:**

As at 20 May 2024, a Technical Working Group comprising of industry members has been established by the Aviation Safety Advisory Panel and they have considered a draft instrument schedule to provide for two tests as options for pilots to take where they are unable to meet the prescribed clinical tests outlined in Part 67 of the Civil Aviation Safety Regulations sometimes referred to as 'tier 3 tests'.

This instrument will provide the greatest flexibility and choice to pilots to demonstrate that they are able to operate safely, despite not being able to pass the two clinical tests that the regulations currently prescribe. A pass in either of these additional tests will be determined as meeting the medical standard, and therefore no endorsement or restriction would be applied to a medical certificate.

The Technical Working Group met three times during March and April 2024. Public consultation was finalised in April 2024 with the intention of having the new testing available by the end of May 2024 and formally prescribed through said instrument.