Proposed new Part 121 MOS – Australian air transport operations - larger aeroplanes – (CD 2007OS)

# Overview

Part 121 of the *Civil Aviation Safety Regulations 1998 (CASR) – Australian air transport operations – larger aeroplanes,* and its Manual of Standards (MOS) will contain the specific safety rules for air transport operations in larger aeroplanes.

The rules in this consultation will apply to persons and operators who conduct multi-engine aeroplane air transport operations (including passenger, cargo and medical transport operations) with a maximum operational passenger seating capacity of more than nine seats or a maximum take-off weight of more than 8,618 kgs. The proposed rules in this consultation do not affect the single-engine aeroplanes operated under Subpart 121.Z.

The standards in the Part 121 MOS are derived mainly from existing standards which are in the *Civil Aviation Regulations 1988* (CAR), multiple Civil Aviation Orders (CAO) and various instruments. Where appropriate for Australian operations, these standards have been aligned to international best practice and the standards and recommended practices published by the International Civil Aviation Organization (ICAO).

Consultation on the Part 121 MOS is being conducted in three tranches that are likely to overlap. This is the first tranche and covers the following topics:

* Carriage of documents and emergency and survival equipment information
* Operational flight plans
* Narrow runway width calculations
* Safety briefings and instructions (including safety briefing cards)
* Weight and balance documents and standard weights.

### Key changes at a glance

This public consultation seeks feedback on:

* proposed amendments to Part 121 regulations which were made in 2018 and commence in December 2021
* tranche 1 of the proposed Part 121 MOS.

There are a number of minor differences between current requirements and those requirements contained in this draft of the Part 121 MOS. CASA has deliberately designed the majority of these requirements to be compatible with existing operator practices. The minor changes relate to:

* Clearer delineation of documents required to be carried domestically and internationally.
* A new requirement based on ICAO standards for operators to be able to inform rescue coordination centres of the kinds of emergency and survival equipment carried on a particular aircraft.
* Clearer specifications of the legally required content of operational flight plans.
* Clearer specification of the legally minimum requirements for safety briefing cards, briefings, instructions and demonstrations instead of expected requirements scattered across CAOs and CAAPs.
* In recognition of the higher safety standard applied to Part 121 operations, more detailed specifications of the allowable methods of weighing passengers and crew members (and their carry-on baggage) in regulation 121.440. The relevant chapter of the MOS provides legal force to the previous standard weights in CAAP 235-1(1) if an operator chooses to use these standard weights to meet their regulatory requirements.

The regulation changes outlined in this consultation propose the deletion of a regulation, changes to another regulation to ensure it can be complied with, a change to remove the requirement for a formal approval and lastly a change to enable to the MOS to contain approvals. The proposed regulation amendments relevant to tranches 2 and 3 of the MOS will be consulted during those specific consultation activities.

### Consultation on the rest of the Part 121 MOS

The remaining nine chapters of the MOS not included in this consultation will be the subject of two future public consultations. During these consultations there will be an opportunity to provide additional comments on earlier tranches.

Subject to further discussions with the [Aviation Safety Advisory Panel’s](https://www.casa.gov.au/about-us/working-industry/aviation-safety-advisory-panel/part-121-twg-australian-air-transport-operations-large-aeroplane-operations) 121 Technical Working Group (TWG) and legal drafting progress, CASA is aiming is to conclude consultation on the Part 121 MOS by the end of August 2020. This will allow time to analyse all the feedback, discuss changes with the TWG and undertake the administrative processes associated with making the MOS into law and amending any regulations where this is necessary.

**How Part 121 works in conjunction with Part 91 general operating and flight rules**

Regulation 91.035 contains a table that 'turns off' or disapplies certain Part 91 requirements in favour of Part 121 requirements. In relation to air transport operations, Part 91 rules are turned off as the Part 121 rules have specified a higher safety standard or because the requirement to hold an AOC has put in place system-based safety defences that enable the use of an alternative safety standard.

**How Part 121 works in conjunction with Part 119 (air transport certification requirements)**

Part 119 outlines the rules for applicants and holders of Australian air transport Air Operators’ Certificates (AOCs). Part 121 operations are not authorised to be conducted unless an operator meets the requirements in Part 119 for the issue of an Australian air transport AOC. Generally, Part 119 of CASR will specify the organisational requirement and the specific air transport operational Part (i.e. Part 121 in this case) will state the operational standard. Both CASR parts must be read in conjunction to gain a full understanding of a topic. One example of this kind of interaction is:

* Part 119 requires an Australian air transport operator to have a training and checking system and specifies the broad requirements and characteristics of that system; but
* Subparts 121.N and 121.P specify the operational requirements for that system specific to Part 121 operators and include the detailed rules for the training and checking of an operator’s flight crew members and cabin crew members.

**Overlap with Part 135 - Australian air transport operations – smaller aeroplanes**

Subpart 121.Z specifies that certain single-engine aeroplanes used in air transport operations must comply with Part 135 of CASR and a small number of additional requirements. Outside of the regulations contained in subpart 121.Z, none of the other regulations within Part 121 or any of the Part 121 MOS content applies to the operation of these aeroplanes during an air transport operation.

**Previous consultations**

CASA publicly consulted the Part 121 regulations in 2015. An indicative only version of the Part 121 MOS accompanied that consultation. Multiple industry working group sessions provided feedback on the Part 121 regulations prior to that consultation but did not provide detailed feedback on the indicative MOS. CASA again conducted a similar public consultation of the regulations in 2018 due to significant changes to match the new Part 91. The indicative MOS was again provided and similar to previous iterations, the new TWG did not provide detailed feedback. On isolated occasions in early and late 2019, CASA engaged with the TWG on specific MOS topics that are not part of this first tranche. In the second quarter of 2020, CASA and the TWG have met frequently to review tranche 1 of the MOS in detail. A large number of individual alterations were made to the draft MOS as a result of these consultations.

# Why we are consulting

This consultation seeks feedback on the proposed Part 121 MOS and a number of proposed changes to the Part 121 regulations made into law in December 2018 (where these are not related to tranches 2 or 3 of the MOS). The survey has been designed to give you the option to provide feedback on the survey in its entirety or to provide feedback on the policy topics applicable to you.

We are consulting to ensure that the proposed new standards in the Part 121 MOS are clearly articulated and will work in practice. Your feedback will make a valuable contribution to our standards development and making process and help to inform any future regulatory change.  Comments on the CD 2007OS should be submitted through the online response form.

**Documents for review and reference**

All documents related to this consultation are attached in the ‘related’ section at the bottom of the page. They are:

* Summary of proposed change on CD 2007OS, which provides background on the proposed standards
* Exposure Draft Part 121 MOS – chapters 3, 5, 6, 8 and 10
* Civil Aviation Safety Amendment (Part 121) Regulations 2018 (F2018L01784)
* Civil Aviation Safety Amendment (Operations Definitions) Regulations 2019 (F2019L00557)
* Civil Aviation Safety Amendment (Part 91) Regulations 2018 (F2018L01783)
* Unofficial consolidated CASR Dictionary – (combines the official CASR Dictionary and the official amendment regulation incorporating the operations definitions)
* MS Word copy of this consultation for ease of distribution and feedback within your organisation.

Note: The Word document is not to be used as an emailed submission, unless there are extenuating circumstances and this form of submission has been agreed to by the consultation project lead.

Please read the Summary of proposed change (CD 2007OS) consultation document before providing your feedback in the online survey.

CASA highly recommends the use of the ‘unofficial consolidated CASR dictionary’. Some minor differences exist between this document and the ‘Operations Definitions’ regulation however these are isolated to the sport and recreation sectors and do not affect any of the content of this proposed MOS.

Information about how we consult and how to make a confidential submission is available on the [**CASA website.**](https://www.casa.gov.au/rules-and-regulations/changing-rules/consultation-and-project-history/consultation-industry-and-public)  *https://www.casa.gov.au/rules-and-regulations/changing-rules/consultation-and-project-history/consultation-industry-and-public*

To be notified of any future consultations, you can subscribe to our [**consultation and rulemaking mailing list**](https://mailinglist.casa.gov.au/lists/?p=subscribe&id=3) *.* *https://mailinglist.casa.gov.au/lists/?p=subscribe&id=3*

**File upload option**

*Note: CASA can no longer offer the option to upload files because of the potential risk of malware.*

## **Using an iPad**

If you are using an iPad to complete the survey you will be asked to 'download the relevant PDF'. Depending on the software you have on your iPad you may need to download the free viewer to review the single document PDF files. Where a file is a 'multi-file or portfolio PDF you will need to source the Adobe free view - available from iTunes.

# What happens next

# [This section will become available online when the consultation closes]

At the end of the response period for public comment, we will review each comment and submission received. All comments will be considered. We will make all submissions publicly available on the CASA website, unless you request your submission remain confidential. Relevant feedback that improves upon the proposed standards and is consistent with the regulations and other CASA policy, will be incorporated into the final MOS.

If during consultation on tranches two and three issues are identified about the standards in tranche one they will be addressed along with any issues arising from those consultations.

At the conclusion of the third tranche of consultation, we will publish a Summary of Consultation which summarises the feedback received across all 3 tranches, outlines any intended changes and details the next steps for the MOS and the proposed regulation changes. The Part 121 MOS will come into effect on 2 December 2021 when the Part 121 regulations also start.

Information about how we consult and how to make a confidential submission is available on the [**CASA website**](https://www.casa.gov.au/rules-and-regulations/changing-rules/consultation-and-project-history/consultation-industry-and-public) **.**

To be notified of any future consultations, you can subscribe to our [**consultation and rulemaking mailing list**](https://mailinglist.casa.gov.au/lists/?p=subscribe&id=3).

Give Us Your Views

[Online Survey](https://consultation.casa.gov.au/regulatory-program/pp1816us/consultation/)

**Related**

List of documents to attach to the consultation

* Summary of proposed change on CD 2007OS, which provides background on the proposed standards
* Exposure Draft Part 121 MOS – chapters 3, 5, 6, 8 and 10
* Unofficial consolidated CASR Dictionary – (combines the official CASR Dictionary and the official amendment regulation incorporating the operations definitions
* MS Word copy of this consultation for ease of distribution and feedback within your organisation.

Links:

1. [Civil Aviation Safety Amendment (Part 121) Regulations 2018 (F2018L01784)](https://www.legislation.gov.au/Details/F2018L01784)
2. [Civil Aviation Safety Amendment (Part 119) Regulations 2018 (F2018L01787)](https://www.legislation.gov.au/Details/F2018L01787)
3. [Civil Aviation Safety Amendment (Part 91) Regulations 2018 (F2018L01783)](https://www.legislation.gov.au/Details/F2018L01783)
4. [Civil Aviation Safety Amendment (Operations Definitions) Regulations 2019 (F2019L00557)](https://www.legislation.gov.au/Details/F2019L00557)

## Audiences

* CASA Staff
* Aerodrome operators
* Air operators
* Pilots
* Traveling public / passengers
* Operations Control/Flight Dispatch
* Aircraft owner/operator

## Interests

* Air travel
* Human factors
* Safety management systems
* Operational standards
* Cabin safety
* Airworthiness/maintenance (CAR 30 and CASR Part 145 maintenance orgs)
* Training and checking systems

Page: Consultation Contents

### Proposed policy – Part 121 Manual of Standards tranche 1 and certain Part 121 regulation changes

This consultation is seeking feedback on the proposed chapters of the Part 121 Manual of Standards (MOS) contained in the first of 3 tranches, and on certain changes to the made Part 121 regulations.

**Fact Bank:** The Part 121 MOS is planned to comprise 14 chapters as follows:

|  |
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| Fact bank Content* chapter 1 – preliminary
* chapter 2 – extended diversion time operations
* chapter 3 – carriage of documents and emergency and survival equipment information
* chapter 4 – alternate aerodromes
* chapter 5 – operational flight plans
* chapter 6 – narrow runway width calculations
* chapter 7 – fuel requirements
* chapter 8 – safety briefings and instructions
* chapter 9 – performance
* chapter 10 – weight and balance
* chapter 11 – equipment
* chapter 12 – flight crew training and checking
* chapter 13 – cabin crew training and checking
* chapter 14 – emergency evacuation demonstrations and procedural requirements.
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**MOS elements in this consultation**

The MOS elements of this consultation covers the first tranche of the following 3 tranches:

* Tranche 1 – chapters 3, 5, 6, 8 and 10 (this consultation)
* Tranche 2 – chapters 9, 11, 12, 13 and 14
* Tranche 3 – chapters 2, 4 and 7.

This consultation is comprised of 12 pages. The first two pages contain questions that are administrative in nature, enabling us to protect your privacy and ensure we have obtained feedback from all stakeholders. The ten pages that follow request feedback on the proposed Chapters of the Part 121 MOS and of the proposed regulation changes. These ten pages are as identified below.

Fact-banks have been included throughout the survey for each policy topic to highlight significant matters that you should consider before providing a response.

When you have completed the sections on which you wish to provide feedback on each page, select next and the consultation will move you to the next page.

Our [website](https://www.casa.gov.au/rules-and-regulations/changing-rules/consultation-and-project-history/consultation-industry-and-public) contains more information on making a submission and what we do with your feedback.

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| Page | Content |
| 1 | Personal Information (required) |
| 2 | Consent to publish your submission (required) |
| 3 | Chapter 3 – division 1 – Carriage of flight related documents |
| 4 | Chapter 3 – division 2 – Carriage of emergency and survival equipment information |
| 5 | Chapter 5 – Operational flight plans |
| 6 | Chapter 6 – Narrow runway width calculations |
| 7 | Chapter 8 – division 1 - Safety briefing cards |
| 8 | Chapter 8 – division 2 – Requirements for safety briefing, instructions and demonstrations |
| 9 | Chapter 10 – section 10.01 – Standard weights |
| 10 | Chapter 10 – section 10.02 – Weight and balance documents |
| 11 | Proposed changes to the made Part 121 regulations |
| 12 | Your Priorities  |

Page 1: Personal information

## First name

(Required)

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## Last name

(Required)

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## Email address

If you enter your email address you will automatically receive an acknowledgement email when you submit your response.

## Email

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## Do your views officially represent those of an organisation?

(Required)

*Please select only one item*

[ ]  Yes, I am authorised to submit feedback on behalf of an organisation

[ ]  No, these are my personal views.

## If yes, please specify the name of your organisation.

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Which of the following best describes the group you represent?

*Please select only one item*

[ ]  Aircraft operator

[ ]  Chief pilot / Head of operations

[ ]  Head of training and checking

[ ]  Quality or Safety manager

[ ]  Flight crew

[ ]  Cabin crew

[ ]  Ground crew

[ ]  Passenger

[ ]  Cargo shipper

[ ]  Medical transport personnel

[ ]  Other

Please specify “Other” if selected.

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Page 2: Consent to publish submission

In order to provide transparency and promote debate, we intend to publish all responses to this consultation. This may include both detailed responses/submissions in full and aggregated data drawn from the responses received.

Where you consent to publication, we will include:

* **your last name**, if the submission is made by you as an individual
* **the name of the organisation** on whose behalf the submission has been made
* **your responses** and comments

We **will not** include any other personal or demographic information in a published response.

Information about how we consult and how to make a confidential submission is available on the [**CASA website**](https://www.casa.gov.au/rules-and-regulations/changing-rules/consultation-and-project-history/consultation-industry-and-public)[*<https://www.casa.gov.au/rules-and-regulations/landing-*](http://www.casa.gov.au/rules-and-regulations/landing-) *page/consultation-process>* .

## Do you give permission for your response to be published?

(Required)

*Please select only one item*

[ ]  Yes - I give permission for my response/submission to be published.

[ ]  No - I would like my response/submission to remain confidential but understand that de-identified aggregate data may be published.

[ ]  I am a CASA officer.

Page 3: Chapter 3 – Division 1 – Carriage of flight related documents

Division 1 of Chapter 3 of the Part 121 MOS prescribes requirements that support regulations 121.085, 121.095 and 121.100 of CASR.

### Policy proposal

The documents required to be carried on a flight should align to the maximum extent practicable with current international standards and historical Australian standards. The requirements are not intended to significantly deviate from existing Australian requirements such that an operator would have to make extensive changes to their existing practices. In certain cases, for domestic only operations, some documents would be not be required to be carried. Provision has been made in the regulations for documents to be carried in an electronic format and flexibility provisions are contained in both the regulations and the MOS for operators to meet multiple requirements with a single document. Specific formats of documents are not mandated.

### Policy aim

The aim is to require the carriage of documents that could be reasonably expected to be accessed by the crew of a flight, that could contain information useful for a crew during a flight in the event of a deviation from the intended flight path or an abnormal or emergency event, and that appropriately align with international standards and expectations for an Australian aircraft conducting operations to foreign countries.

**Fact Bank:** Excerpts from proposed Part 121 MOS

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| Fact Bank content3.01 Carriage of documents—all flights (1) For the purposes of paragraph 121.085(1)(a) of CASR, the following documents are prescribed for carriage on a flight: (a) the aircraft flight manual instructions for the aeroplane; (b) either: (i) the flight technical log for the aeroplane; or (ii) if Part 42 of CASR does not apply to the aeroplane—the maintenance release for the aeroplane; (c) the minimum equipment list for the aeroplane; (d) the operational flight plan for the flight; (e) the journey log for the flight; (f) the authorised aeronautical information for the flight; (g) the weight and balance documents for the flight.Note 1: These documents are in addition to documents that are required to be carried on the aeroplane as mentioned in regulations 121.085, 121.095, 121.105, 121.110 and 121.115 of CASR.Note 2: Other documents may also be required to be carried on the aeroplane under other legislation. For example, documentation regarding the carriage of dangerous goods under Part 92 of CASR, or documentation relating to disinsection requirements and procedures under the *Biosecurity Act 2015.* (2) Despite paragraph (1)(a), if: (a) the information and instructions that are required under the relevant airworthiness standards for the aeroplane to be included in the aeroplane’s flight manual are contained in another document; and (b) the other document is carried on board the aeroplane; and (c) that document does not alter, or contain anything that would conflict with the information or instructions mentioned in paragraph (a);then the document may be carried on board the aeroplane in place of the flight manual.Note: An exposition that meets the requirements in subsection (2) could be carried on board instead of the flight manual. (3) Also, despite paragraph (1)(a), if: (a) a checklist of the aeroplane’s normal, abnormal and emergency procedures mentioned in paragraph (b) of the definition of ***aircraft flight manual instructions*** in the CASR Dictionary is contained in another document; and (b) the other document is carried on board the aeroplane; and (c) that document does not alter, or contain anything that would conflict with, the information or instructions in the checklist;then the document may be carried on board the aeroplane in place of the checklist.3.02 Carriage of documents—flights that begin or end outside Australian territory For the purposes of paragraph 121.095(2)(a) of CASR, the following documents are prescribed for a flight of an aeroplane that begins or ends at an aerodrome outside Australian territory: (a) the aeroplane’s certificate of airworthiness and certificate of registration; (b) if the aeroplane has a radio station licence—a copy of the licence; (c) if the flight is a passenger transport operation or a medical transport operation—a document containing the information required by regulation 121.110 of CASR (passenger lists); (d) if the aeroplane is carrying cargo (other than passenger baggage): (i) a manifest and detailed declaration of the cargo; and (ii) a statement about whether any of the cargo may require special or unusual handling; (e) a certified true copy of the operator’s Australian air transport AOC; (f) a copy of the operations specifications issued to the operator in relation to the operator’s Australian air transport AOC.Note 1: These documents are in addition to documents that are required to be carried on the aeroplane as mentioned in regulations 121.085 and 121.095 of CASR.Note 2: For paragraph (b): see the definition of ***radio station licence*** in the CASR Dictionary.3.03 Keeping and updating documents etc. For the purposes of paragraph 121.100(a) of CASR, if the flight is a passenger transport operation, a copy of the passenger list for the flight is prescribed. |

### Question – Do the proposed requirements achieve the aim?

Please provide any comments you may have on the principal changes proposed.

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Page 4: Chapter 3 – Division 2 – Carriage of emergency and survival equipment information

Division 2 of Chapter 3 of the Part 121 MOS prescribes requirements to support regulation 121.135 of CASR.

### Policy proposal

Implement the requirements of ICAO Annex 6 Part I standard 11.5 that requires an operator of an aeroplane conducting a commercial air transport operation to have specific information about the emergency and survival equipment carried on the aircraft available to provide to a Rescue Coordination Centre. CASA does not anticipate this requirement placing a significant burden on the industry.

### Policy aim

To maximise the survivability of persons onboard an air transport operation in the event of an accident by ensuring search and rescue parties have accurate and up-to-date information about the emergency and survival equipment carried onboard the aeroplane.

**Fact Bank:** Excerpts from proposed Part 121 MOS

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| Fact Bank content3.04 Information about emergency and survival equipment For the purposes of subregulation 121.135(1) of CASR, if equipment listed in column 1 of an item of the following table is required to be carried on the flight, the information mentioned in column 2 of the item is prescribed for the equipment.

| Information about emergency and survival equipment |
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| Item | Column 1Item of equipment | Column 2Information |
| 1 | A life raft | The number, colour and type of each life raft carried on the flight |
| 2 | A pyrotechnic signalling device | The number, colour and type of each pyrotechnic signalling device carried on the flight |
| 3 | An emergency medical kit | Details of each emergency medical kit carried on the flight |
| 4 | A portable emergency locator transmitter | The type and frequency of each portable emergency locator transmitter carried on the flight |
| 5 | Water supplies carried as an item of survival equipment | Details of the water supplies carried on the flight |

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### Question – Do the proposed requirements achieve the aim?

Please provide any comments you may have on the proposed policy.

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Page 5: Chapter 5 – Operational flight plans

Chapter 5 of the Part 121 MOS prescribes requirements to support regulation 121.175 of CASR.

### Policy proposal

Operational flight plan content was previously only recommended in CAAP 215. This proposal requires operational flight plans to contain information of a safety critical or essential administrative nature before the flight begins, and before and after a flight ends, to record certain information that supports safety management system data analysis and post flight identification of specific flights. Operational flight plans are required by regulation 119.245 to be kept for a period of three months after the end of the flight. The required information has been intended to provide flexibility for the multiple methods of aircraft utilization across the entire Part 121 operational scope. Operators should not need to make significant changes to existing practices to comply with these requirements. The regulations make provision for the information to be recorded in different systems or be readily available to the operator from another source. The requirements are aligned with the standards of ICAO Annex 6 Part I.

### Policy aim

Ensure that crew members have relevant and accurate information available on which to base operational decisions during flight and ensure that appropriate data is available post-flight to support safety management systems and operator continuous improvement practices.

**Fact Bank:** Excerpts from proposed Part 121 MOS

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| Fact Bank contentChapter 5—Operational flight plans5.01 Pre-flight content of operational flight plansGeneral information requirements (1) For the purposes of paragraph 121.175(2)(b) of CASR*,* the operational flight plan must contain the following information: (a) the aeroplane’s registration mark; (b) the flight number of the flight, if any; (c) the date of the flight; (d) the name or identification of the departure aerodrome and the planned destination aerodrome for the flight; (e) the amount of fuel required to be carried on board the aeroplane for the flight under regulation 121.235 of CASR, and the actual amount of fuel carried on board the aeroplane for the flight; (f) for the planned flight route for the flight: (i) the route and route segments of the flight, including waypoints, distances and tracks; and (ii) the published lowest safe altitude or the lowest safe altitude for the flight (whichever is applicable) for each route segment of the flight; and (iii) the planned cruising speed, and flying times between waypoints, for the flight; and (iv) the planned altitudes or flight levels during flight; (g) if an en-route alternate aerodrome is required for extended diversion time operations conducted during the flight—the en-route alternate aerodrome.Note: See the CASR Dictionary for definitions of ***lowest safe altitude*** and ***published lowest safe altitude***.Information about alternate aerodromes (2) If a take-off alternate aerodrome is required for the flight, the operational flight plan must include the take-off alternate aerodrome, and the routes or route segments required for a flight to the take-off alternate aerodrome, unless: (a) there is a last-minute change: (i) to the take-off alternate aerodrome required for the flight; or (ii) requiring a take-off alternate aerodrome to be planned for the flight; and (b) it is not reasonably practicable in the circumstances to update the flight plan to include either or both matters; and (c) in the case where the information identifying the take-off alternate aerodrome is not included—there are procedures in the aeroplane operator’s exposition to ensure the pilot in command is notified of the take-off alternate aerodrome before the aeroplane takes-off for the flight. (3) If a destination alternate aerodrome is required for the flight, the operational flight plan must include the destination alternate aerodrome, and the routes or route segments required for a flight to the destination alternate aerodrome, unless: (a) there is a last-minute change: (i) to the destination alternate aerodrome required for the flight; or (ii) requiring a destination alternate aerodrome to be planned for the flight; and (b) it is not reasonably practicable in the circumstances to update the flight plan to include either or both matters; and (c) in the case where the information identifying the destination alternate aerodrome is not included—there are procedures in the aeroplane operator’s exposition to ensure the pilot in command is notified of the destination alternate aerodrome before the aeroplane takes off for the flight.5.02 End of flight information for operational flight plans For the purposes of subregulation 121.175(3), the operational flight plan must contain the following information: (a) if waypoints in the flight plan are required, under regulation 91.630 of CASR, to be reported to Air Traffic Services—the estimated time that the aeroplane will fly over the waypoint; (b) the fuel calculations conducted in compliance with the fuel requirements under regulation 121.235 of CASR; (c) the aerodrome of final landing for the flight. |

### Question – Do the proposed requirements achieve the aim?

Please provide any comments you may have on the proposed policy.

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Page 6: Chapter 6 – Narrow runway width calculations

Chapter 6 of the Part 121 MOS prescribes requirements to support regulation 121.220 of CASR.

### Policy proposal

The regulations prescribe that where an operator conducts Part 121 operations into an aerodrome, the width of which is below a certain amount, this must be supported by the aircraft flight manual instructions (defined term – see the dictionary) and by specific operator exposition procedures. These requirements are a continuance of the requirements which have been in place for many years in regulation 235A of CAR. The CASR regulation devolves the promulgation of specific runway width calculation requirements to the Part 121 MOS. The tables in the MOS take into account factors such as wingspan, outer main wheel span and the field length.

### Policy aim

Appropriately prescribe the requirements currently in place in CAR 235A within the Part 121 MOS.

**Fact Bank:** Excerpts from proposed Part 121 MOS

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| Fact Bank contentChapter 6—Narrow runway width calculations6.01 Scope of Chapter 6 This Chapter: (a) is made for paragraph 121.220(1)(b) of CASR; and (b) prescribes the manner of working out the minimum width of a runway for an aeroplane.6.02 Minimum runway width (1) The minimum width of a runway for an aeroplane is the width, of a homogenous runway surface, shown in the cell of Table 6.02(1) that is the intersection of: (a) the aeroplane’s code letter, worked out under subsection (2); and (b) the aeroplane’s code number, worked out under subsection (3).

| Table 6.02(1)—Minimum runway width |
| --- |
| Code letter | A | B | C | D | E | F |
| Code number |  |
| 1 | 18 m | 18 m | 23 m | ‑ | ‑ | ‑ |
| 2 | 23 m | 23 m | 30 m | ‑ | ‑ | ‑ |
| 3 | 30 m | 30 m | 30 m | 45 m | ‑ | ‑ |
| 4 | ‑ | ‑ | 45 m | 45 m | 45 m | 60 m |

Note: CASA considers that the minimum runway measurements pertain to a homogenous surface on a runway (other than in the case where the flight manual supplement of an aeroplane provides for take-off or landing on non-homogenous surfaces).Working out the code letter (2) The ***code letter***, for an aeroplane, is: (a) if the aeroplane has a wingspan and an outer main gear wheel span mentioned in the same item in Table 6.02(2) (other than an aeroplane mentioned in paragraph (c))—the letter mentioned in column 3 of the item; or (b) if the aeroplane has a wingspan and an outer main gear wheel span mentioned in different items in Table 6.02(2) (other than an aeroplane mentioned in paragraph (c))—the letter mentioned in column 3 of the item in the table with the higher number; or (c) if the aeroplane has a wingspan mentioned in item 1, 2, 3 or 4 of Table 6.02(2) and an outer main gear wheel span that is at least 9 m but less than 14 m—D.

| Table 6.02(2)—Code letters |
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| Item | Column 1Wingspan of aeroplane | Column 2Outer main gear wheel span of aeroplane | Column 3Code letter |
| 1 | less than 15 m | less than 4.5 m | A |
| 2 | at least 15 m but less than 24 m | at least 4.5 m but less than 6 m | B |
| 3 | at least 24 m but less than 36 m | at least 6 m but less than 9 m | C |
| 4 | at least 36 m but less than 52 m | at least 9 m but less than 14 m | D |
| 5 | at least 52 m but less than 65 m | at least 9 m but less than 14 m | E |
| 6 | at least 65 m but less than 80 m | at least 14 m but less than 16 m | F |

Working out the code number (3) The ***code number***, for an aeroplane with the reference field length mentioned in column 1 of an item in Table 6.02(3), is the number mentioned in column 2 of the item.

| Table 6.02(3)—Code numbers |
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| Item | Column 1Reference field length | Column 2Code number |
| 1 | less than 800 m | 1 |
| 2 | at least 800 m but less than 1 200 m | 2 |
| 3 | at least 1 200 m but less than 1 800 m | 3 |
| 4 | at least 1 800 m | 4 |

Definitions (4) In this section:***outer main gear wheel span***, for an aeroplane, means the distance (measured in metres) between the outside edges of the aeroplane’s main gear wheels.***reference field length***, for an aeroplane, means the shortest take-off distance required for a take-off by the aeroplane at its maximum take-off weight: (a) on a runway that is level and dry; and (b) in still air; and (c) in International Standard Atmosphere conditions at sea level.Note: See the CASR Dictionary for definitions of ***dry*** (in relation to a runway), ***maximum take-off weight***, and section 1.04 in this instrument for the definition of ***take-off distance required***. |

### Question – Do the proposed requirements achieve the aim?

Please provide any comments you may have on the proposed policy.

*(Please note, this should not include points you have already raised)*

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Page 7: Chapter 8 – Division 1 – Safety briefing cards

Division 1 of Chapter 8 of the Part 121 MOS prescribes requirements to support regulation 121.280 of CASR.

### Policy proposal

The proposed MOS requirements for the minimum content of a safety briefing card is intended to reflect current practice. The requirements are a combination, but not an identical copy, of paragraph 14.1.3 (paragraph 14.1.4 is covered by regulation 121.280 and the Part 121 guidance material) of CAO 20.11 and the relevant content of CAAP 253-02 v2.0. Not every item of the CAAP has been identified as being so critical to aviation safety that it must form part of the MOS. Regulation 121.280 permits additional information, beyond that specified in the MOS, to be placed on the safety briefing card provided it is relevant to the type and model of aeroplane and the safety of the aeroplane and its passengers.

### Policy aim

Enable appropriate standards of passenger safety through the provision of relevant information in a format accessible to passengers throughout a flight.

**Fact Bank:** Excerpts from proposed Part 121 MOS

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| Fact Bank contentDivision 1—Safety briefing cards8.01 Safety briefing cards (1) For the purposes of paragraph 121.280(3)(a) of CASR, a safety briefing card for an aeroplane and a flight must include the following information: (a) how to use and adjust seatbelts (other than extension belts); (b) if the aeroplane’s seats (or berths) are adjustable, when to adjust the back of the seat (or berth) to an upright position or other position permitted by the aircraft flight manual instructions for the aeroplane; (c) if the aeroplane’s seats have attachments (for example, tray tables or footrests)—when the attachment must be in its stowed position; (d) if the aeroplane has an attachment on an interior cabin structure that is intended to be manipulated or used by passengers during flight (for example, a tray table or bassinet)—when the attachment must be in its stowed position; (e) where to stow, or otherwise secure, carry-on baggage and personal effects, and the periods during flight when these items must be stowed or secured; (f) where the emergency exits are located, and how to use them; (g) if the aeroplane is equipped with an escape path lighting system—the form, function, colour and location of the system; (h) how to assume the brace position, including the position for passengers with infants; (i) the information mentioned in subsection (2) in relation to equipment mentioned in the provision that is required to be carried on the aeroplane for the flight under paragraph 121.460(1)(a) of CASR; (j) that smoking is not permitted during the flight. (2) For the purposes of paragraph (1)(i), the information is: (a) if passenger operated equipment to dispense oxygen is required to be carried—the location of the equipment and how to use it; and (b) if life jackets are required to be carried: (i) where life jackets (other than infant life jackets) are located; and (ii) how to use life jackets (including infant life jackets); and (c) if life rafts are required to be carried—where they are located and how to use them during the initial evacuation of the aeroplane. |

### Question – Do the proposed requirements achieve the aim?

Please provide any comments you may have on the proposed policy.

*(Please note, this should not include points you have already raised)*

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Page 8: Chapter 8 – Division 2 – Requirements for safety briefing, instructions and demonstrations

Division 2 of Chapter 8 of the Part 121 MOS prescribes requirements to support regulation 121.285 of CASR.

### Policy proposal

The proposed MOS requirements for safety briefings, instructions and demonstrations are intended to reflect current practice. The proposed MOS requirements are a combination, but not an identical copy, of paragraphs 14.1.1 and 14.1.2 of CAO 20.11 and the relevant content of CAAP 253-02 v2.0. Not every item of the CAAP has been identified as being so critical to aviation safety that it must form part of the MOS.

The wording of the timing requirement for the briefings to be delivered prior to landing is deliberately flexible to accommodate a range of circumstances. The delivery of safety briefings at this stage of flight is essential for the maintenance of an acceptable level of aviation safety noting the prevalence of incidents and accidents in the landing phase of flight and the dynamic nature of this phase of flight.

Regulation 121.285 permits additional information, beyond that specified in the MOS, to be included in safety briefings, instructions and demonstrations provided it is relevant to the type and model of aeroplane and the safety of the aeroplane and its passengers.

### Policy aim

Enable appropriate standards of passenger safety through the provision of relevant briefings, instructions and demonstration prior to take-off and during the flight. These briefings maximise the probability of passengers executing correct actions during abnormal and emergency situations.

**Fact Bank:** Excerpts from proposed Part 121 MOS

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| Fact Bank contentDivision 2—Requirements for safety briefing, instructions and demonstrations8.02 Scope of Division 2, Chapter 8 This Division: (a) is made for subregulation 121.285(1) of CASR; and (b) prescribes requirements for safety briefings, instructions or demonstrations given to a passenger for a flight of an aeroplane.8.03 Safety briefing, instructions and demonstrations before take-off (1) A safety briefing, instruction or demonstration mentioned in this section must be given to a passenger before the aeroplane takes off for a flight. (2) The safety briefing, instruction or demonstration must be given in a form that facilitates the application of the procedures applicable in the event of an emergency. (3) A specific safety briefing must be provided directly to any passenger with reduced mobility on the flight, and any person accompanying or assisting the passenger (the ***accompanying person***), and the safety briefing must: (a) include what to do if an emergency evacuation of the aeroplane is necessary; and (b) be given in a form appropriate to the passenger and an accompanying person. (4) A specific safety briefing must be provided directly to any passenger responsible for an infant on the flight that outlines: (a) when and how the infant must be restrained; and (b) the location of infant life jackets. (5) Subject to subsection (6), a specific safety briefing must be provided directly to any passenger on the flight who is seated in an emergency exit row, that outlines what to do if it becomes necessary to use the exit. (6) Subsection (5) does not apply if: (a) a cabin crew member who has been assigned to the flight is seated in a cabin crew seat adjacent to the exit; and (b) the cabin crew member has been assigned emergency evacuation responsibilities for the exit in accordance with the operator’s exposition*.* (7) If life jackets are required to be carried on the aeroplane under paragraph 121.460(1)(a) of CASR, there must be a demonstration of the method of donning and inflating a life jacket. (8) A safety briefing that addresses the following matters must be given: (a) when seatbelts must be worn during the flight, and how to use them; (b) if the aeroplane’s seats (or berths) are adjustable—when to adjust the back of the seat (or berth) to an upright position or other position permitted by the aircraft flight manual instructions for the aeroplane; (c) if the aeroplane’s seats have attachments (for example, tray tables or footrests)—when the attachment must be in its stowed position; (d) if the aeroplane has a permanently affixed attachment on an interior cabin structure that is intended to be used or manipulated by passengers during flight (for example, a tray table or bassinet)—when the attachment must be in its stowed position; (e) where to stow, or otherwise secure, carry-on baggage and personal effects, and the periods during flight when these items must be stowed or secured; (f) where the emergency exits are located; (g) if the aeroplane is equipped with an escape-path lighting system—where it is; (h) if equipment to dispense supplemental oxygen is required to be carried on the aeroplane for the flight under paragraph 121.460(1)(a) of CASR—the location of the equipment and how to use it; (i) if life jackets are required to be carried on the aeroplane for the flight under paragraph 121.460(1)(a) of CASR: (i) where they are located and how to use them; and (ii) the giving of a warning that life jackets must not be inflated inside the aeroplane; (j) if life rafts are required to be carried on the aeroplane for the flight under paragraph 121.460(1)(a) of CASR—where they are located; (k) that smoking is prohibited on board the aeroplane under legislation; (l) that carry-on luggage must be left behind in the event of an emergency evacuation; (m) the requirement to comply with any safety directions and instructions given by a crew member; (n) in relation to the safety briefing card required to be available to each passenger under regulation 121.280 of CASR: (i) where to find it; and (ii) if the safety briefing card sets out different seating configurations for the aeroplane—which configuration is in use for the flight; (o) if special survival equipment relevant to a specific environment is intended to be used by a passenger without instructions at the time of use—the location of the equipment and how to use it.Note 1: Smoking on the aeroplane during a Part 121 operation is prohibited under section 37 of the *Air Navigation Regulations 2016*.Note 2: Certain directions to passengers, in relation to seats, are required to be given under regulation 91.570 of CASR.8.04 Safety instructions during flight (1) The safety instructions to a passenger, mentioned in this section, must be given at a time, before the landing of the aeroplane, at which the passenger could be reasonably expected to remember the instruction before the flight ends. (2) A safety instruction that addresses the following must be given: (a) that seatbelts and restraint systems must be securely fastened for landing; (b) that seat backs must be in the upright position or, for a person who is ill or incapacitated, another position approved by the pilot in command; (c) that any attachments to a seat (or berth), including a tray table or footrest, must be stowed; (d) that any attachment on an interior cabin structure that is intended to be used or manipulated by passengers, for example, a tray table or bassinet, must be stowed.Note 1: Regulation 121.255 of CASR requires an operator to have procedures for giving instructions to passengers about securely stowing carry-on baggage, including before the landing of the aeroplane.Note 2: Regulation 121.350 requires an operator to have procedures in their exposition about the operation of portable electronic devices*.* Regulation 91.170 makes provision in relation to the operation of such devices during flight*.* |

### Question – Do the proposed requirements achieve the aim?

Please provide any comments you may have on the proposed policy.

*(Please note, this should not include points you have already raised)*

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Page 9: Chapter 10 – section 10.01 – Standard weights

Section 10.01 of the Part 121 MOS prescribes requirements to support regulation 121.440 of CASR. Section 10.02 prescribes requirements to support regulation 121.455. Note that CASA is proposing to delete regulations 121.445 and 121.450 of CASR. See the consultation question related to regulation changes for details.

The weight and balance regulations within Part 121 (see subpart 121.J), whilst similar in many respects to those contained within the smaller aeroplane (Part 135) and rotorcraft (Part 133) air transport rules, are also more detailed and this reflects the higher safety standard expected of these operations.

### Policy proposal

Aircraft weight and balance is a critical element of flight safety. For many air transport operations, it is not practicable to individually weigh every person and item of cargo loaded onboard an aeroplane. Practically speaking, efficient flight operations require the promulgation and use of standardized weights to minimize flight preparation time. However, standard weights need to be statistically developed to minimize the likelihood of significant differences between calculated and actual weights.

Regulation 121.440 requires operator expositions to meet multiple procedural requirements, with crew members and passengers (including their carry-on baggage) having to be weighed in accordance with one of three methods. Only one of these methods is relevant to the content of the Part 121 MOS and that is the use of standard weights prescribed by the MOS.

The standard weights proposed in the MOS are identical to those currently contained within CAAP 235-1(1). Although CASA has discussed with industry modifying these weights in the past, changes are not being proposed at this time. The MOS also specifies certain elements of flexibility to encompass common current industry practices, such as the use of child weights in place of infant weights and the use of adult weights instead of adolescent weights.

Noting societal advances since the contents of the CAAP were first published in 1990, the TWG recently requested guidance on the standard weights to be applied for persons who do not identify themselves as male or female. Noting the criticality of weight calculations for aeroplane performance and pending further advice from other elements of government which could not be obtained before commencing this consultation, the MOS proposes that that operators use the adult male weights for these persons. CASA will continue to seek further advice on this matter before the commencement of these rules in December 2021 and any changes may result in further public consultation on this topic.

### Policy aim

Prescribe standard weights for the use of all Part 121 operators that reflect long standing Australian practice with the addition of certain minor changes.

**Fact Bank:** Excerpts from proposed Part 121 MOS

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| Fact Bank content10.01 Standard weights (1) This section prescribes standard weights for the purposes of paragraph 121.440(2)(c) of CASR. (2) The standard weight for each passenger and crew member’s carry-on baggage (in total) is 7 kg. (3) If an aeroplane for a flight has a seating capacity mentioned in an item of column 1 of the following table, being: (a) the number of passenger seats permitted by the aeroplane’s maximum operational passenger seat configuration; plus (b) the dedicated crew seats;the standard weight for a passenger or crew member described in column 2, 3, 4, 5, 6 or 7 is the amount set out for the person in the item, measured in kilograms.

| Standard weights for passengers and crew |
| --- |
| **Item** | **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** | **Column 6** | **Column 7** |
|  | Maximum operational seating capacity | Adult male or a person mentioned in ss 10.01(5) | Adult female | Infant | Child | Adolescent male | Adolescent female |
| 1 | 7-9 | 86 | 71 | 17 | 44 | 65 | 58 |
| 2 | 10-14 | 86 | 70 | 16 | 43 | 64 | 58 |
| 3 | 15-19 | 85 | 69 | 16 | 43 | 63 | 57 |
| 4 | 20-39 | 84 | 69 | 16 | 42 | 63 | 57 |
| 5 | 40-59 | 83 | 68 | 16 | 42 | 62 | 56 |
| 6 | 60-79 | 82.5 | 67.3 | 16 | 41 | 61.4 | 55.4 |
| 7 | 80-99 | 82.2 | 67.1 | 16 | 41 | 61.2 | 55.3 |
| 8 | 100-149 | 82 | 66.9 | 16 | 41 | 61.1 | 55.2 |
| 9 | 150-299 | 81.8 | 66.7 | 16 | 41 | 60.9 | 55 |
| 10 | 300-499 | 81.4 | 66.3 | 16 | 41 | 60.6 | 54.8 |
| 11 | 500 or more | 81.2 | 66.1 | 16 | 41 | 60.5 | 54.7 |

 (4) Despite subsection (3): (a) the standard weight for an infant is taken to be the weight set out in column 5 of the table, if the operator chooses to substitute standard weights for infants with that of children, for the purposes of loading the aeroplane; and (b) the standard weight for an adolescent female is taken to be the weight set out in column 3 of the table, if the operator chooses to substitute standard weights for adolescents with that of adults, for the purposes of loading the aeroplane; and (c) the standard weight for an adolescent male is taken to be the weight set out in column 2 of the table, if the operator chooses to substitute standard weights for adolescents with that of adults, for the purposes of loading the aeroplane. (5) A weight set out in column 2 of the table is taken to apply to a person whose gender is indeterminate, intersex or unspecified. (6) In this section:***adolescent*** means a person who has turned 13 but has not turned 16.***adult*** means a person who has turned 16.Note: An infant is defined to be a person who has not turned 2, and a child is a person who has turned 2 but has not turned 13: see the definitions of ***child*** and ***infant*** in the CASR Dictionary. |

### Question – Do the proposed requirements achieve the aim?

Please provide any comments you may have on the proposed policy.

*(Please note, this should not include points you have already raised)*

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Page 10: Chapter 10 – section 10.02 – Weight and balance documents

Section 10.02 of the Part 121 MOS prescribes requirements to support regulation 121.455 of CASR. Section 10.01 prescribes requirements to support regulation 121.440. Note that CASA is proposing to delete regulations 121.445 and 121.450 of CASR. See the consultation question related to regulation changes for details. Weight and balance documents are required to be kept by an operator for a period of three months due to regulation 119.245.

### Policy proposal

The content requirements for the weight and balance documents for a flight are intended to broadly replicate the existing requirements of clause 5 of CAO 20.16.1 and certain content within CAAP 215 Annex B. Certain terms are defined in accordance with their meanings from CAO 100.7 which is one of the few CAOs not currently planned to be repealed on the commencement of the new regulations. The requirements for these documents are in alignment with, but not entirely identical to, the requirements of other comparable aviation regulators.

The wording of the MOS has been altered several times due to TWG feedback with the aim of enabling the continuance of current industry loading practices which range from an individual assisting the pilot to load the aircraft to sophisticated loading teams reporting back to a load planner located in another physical location.

### Policy aim

Ensure that crew members have relevant and accurate information available prior to flight on the weight and balance status of the aircraft and ensure that appropriate data is available post-flight to support safety management systems and operator continuous improvement practices.

**Fact Bank:** Excerpts from proposed Part 121 MOS

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| Fact Bank content10.02 Weight and balance documents (1) For the purposes of subregulation 121.455(1) of CASR, weight and balance documents for a flight must include the following: (a) the registration mark of the aeroplane; (b) the name of the pilot in command; (c) the name of the person who prepared the weight and balance documents; (d) the date of the flight; (e) the flight identification number or estimated time of departure; (f) the name or identification of the departure aerodrome and the destination aerodrome; (g) the total of the aeroplane’s empty weight, the weight of any removable equipment, the weight of consumables and the weight of all the crew members; (h) the weights in the following subparagraphs, separately itemised: (i) the total weight of passengers and carry-on baggage; (ii) the total weight of cargo not otherwise included in subparagraph (i); (iii) the total weight of usable fuel; (i) the aeroplane’s zero fuel weight, take-off weight and planned landing weight; (j) the aeroplane’s maximum zero fuel weight, maximum take-off weight and maximum landing weight; (k) the weight of all changes specified in the exposition as constituting a last-minute change; (l) evidence that the centre of gravity of the aeroplane is within the limits specified in the aeroplane’s flight manual, unless such evidence is specified in the operator’s exposition; (m) certification, by the person responsible for planning the loading of the aeroplane, that the load and its distribution are in accordance with the weight and balance documents given to the pilot in command; (n) if the person certifying under paragraph (m) is neither the pilot in command or the co-pilot—certification by either the pilot in command or the co-pilot (the ***relevant pilot***)that the relevant pilot accepts the aeroplane has been loaded as specified in the weight and balance documents. (2) Despite paragraph (1)(m) or (n), a certification mentioned in the paragraph does not need to take into account a change to the load that is specified in the operator’s exposition as a last-minute change. |

### Question – Do the proposed requirements achieve the aim?

Please provide any comments you may have on the proposed policy.

*(Please note, this should not include points you have already raised)*

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Page 11: Proposed changes to the made Part 121 regulations

Since the Part 121 regulations were made into law in December 2018 (note that the start date of these regulations is not until 2 December 2021), CASA has been conducting detailed drafting of the Part 121 MOS and has been involved in multiple working group discussions.

### Policy proposal

As a result of the working group discussions, it has become apparent that multiple Part 121 regulations need to be modified. In this consultation, CASA is proposing changes to Part 121 of CASR that would:

* amend regulation 121.010 to ensure approvals issued under the Part 138 MOS are legally effective
* amend regulation 121.105 to fix an issue related to the recording of the time a flight begins in the journey log
* amend regulation 121.440 to remove a requirement for operator to apply for and hold an approval for an alternative standard weight system and replace this with an outcome-based requirement
* delete regulation 121.445 as the safety outcomes are covered by regulation 121.455.

### Policy aim

Ensure that the Part 121 regulations prescribe proportionate and appropriate requirements that reflect, where appropriate, international best practice and the practices of comparable regulators, and ensure that the Part 121 MOS can prescribe the requirements necessary to ensure the intended aviation safety outcomes are achieved.

**Fact Bank:** Amendments to specific Part 121 Regulations

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| Fact Bank content* Regulation 121.010
	+ A technical amendment is required to enable the MOS to specify that an approval is required in addition to the regulations.
	+ The future operations regulations are generally intended to specify any requirements for a person to hold an approval within the regulations. However, there may be isolated occasions where it is necessary to specify a requirement to hold an approval within the MOS.
	+ Therefore, to enable appropriate legislative flexibility, it is proposed to amend regulation 121.010 to encompass this possibility.
* Regulation 121.105
	+ Feedback from the TWG has identified that the current requirement for a journey log, when the flight begins, to record the time the flight begins (see subparagraph 121.105(1)(d)(ii)) cannot be achieved.
	+ It is proposed to amend the regulation to move this requirement, i.e. the recording of when the flight begins in a journey log, to subregulation 121.105(5). This subregulation lists the information that must be recorded in the journey log as soon as practicable after the flight ends.
	+ The journey log content requirements are drawn from Article 34 of the Chicago Convention and ICAO Annex 6 Part I recommendations 11.4.1. The requirements in regulation 121.105 for when different information must be recorded have been drawn from ICAO Annex 6 Part I recommendation 11.4.2.
* Regulation 121.440
	+ Broadly, the weight and balance regulations require operators and pilots in command to ensure that before flight, and during flight, the aeroplane does not exceed the weight and balance limits for the aeroplane.
	+ This specific regulation requires that operator expositions meet multiple procedural requirements, with crew members and passengers (including their carry-on baggage) having to be weighed in accordance with 1 of 3 methods.
	+ The second permitted method is intended to continue enabling the use by operators of standard weights different to those prescribed by CASA, using processes based on the CAAP 215 Annex B concept of a ‘weighing survey plan’.
	+ The current mechanism in paragraph 121.440(2)(b) of CASR is that an approval would need to apply for and receive an approval for this alternative standard weight mechanism. The TWG requested guidance from CASA on how existing industry processes of this kind would be transitioned into the approval-based system.
		- As a result, CASA reviewed both how a transitional mechanism could be made to work and contemporary foreign regulator practices.
		- Multiple foreign regulators do not issue a specific legal approval for the use of alternative standard weights but instead require operators to base these weights on an ‘acceptable survey program’.
		- The acceptable means of compliance for foreign programs of this kind is usually contained in some form of guidance material.
	+ Noting this research, CASA is proposing to amend subregulation 121.440(2) to remove the requirement for an approval to be issued for a different standard weight system and instead require that if an operator does not establish passenger and crew weights (and the weights of their carry-on baggage), by either actual weighing or by the use of the standard weights prescribed in the Part 121 MOS, the operator must:
		- Work out these weights in accordance with a standard weight for every person on board the aeroplane and their carry-on baggage that is established by the operator and detailed in the operator’s exposition.
		- Establish the respective exposition standard weight in accordance with an acceptable survey programme detailed in the operator’s exposition.
		- If an operator is using an exposition standard weight then they must have exposition procedures to ensure that, if the weight of a passenger or crew member with their carry-on baggage is clearly greater than the applicable standard weight being used, a weight that is more representative of the actual weight of the person and their carry-on baggage is used.
	+ Guidance material was already being developed for the approval-based paragraph 121.440(2)(b) requirement. If this regulatory change proceeds, this guidance material can be easily modified to reflect the regulatory change.
	+ The benefit of this regulatory change is that it eliminates the ongoing cost for operators of obtaining this approval every few years and it also eliminates the administrative burden on operators and CASA of issuing and re-issuing these approvals.
	+ The operator-based survey program would be reviewed as part of CASA’s regular surveillance of industry and at the point of initial AOC application. The survey program would need to contain a regular re-evaluation of the data which underpinned the selection of the standard weights in the first place.
* Regulation 121.445
	+ It is proposed to delete this regulation.
	+ Due to this proposal – there is no content within Chapter 10 of the proposed MOS in relation to this regulation.
	+ The safety outcome of this regulation is achieved by the requirement within Chapter 10 of the MOS, empowered by regulation 121.455, for the weight and balance documents to contain certain information and for the pilot in command to record their certification / acceptance that the aeroplane has been loaded according to the weight and balance documents.
* Regulation 121.450
	+ As background information, the public consultation of tranche 2 of the MOS will contain a proposal to delete this regulation and the similar regulation in the performance rules (121.425) and replace both of these regulations with an outcome based electronic flight bag regulation in line with contemporary rules overseas.
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### Question – Do the proposed amendments achieve the aim?

Please provide any comments you may have on the proposed policy.

*(Please note, this should not include points you have already raised)*

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Page 12: Your priorities

When you reflect on the feedback you have provided throughout this consultation, what are the three matters you consider most important?

Priority 1

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Priority 2

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Priority 3

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