# Proposed Part 60 MOS amendments – Upset prevention and recovery training - (CD 2102FS)

# Overview

Current Part 60 Standards allow certain simulators to qualify for upset prevention and recovery training (UPRT) through a relatively simple process. This simplified process is achieved by upgrading the simulators with a less onerous software before 24 March 2021. From 25 March 2021, older simulators used for UPRT will incur a greater cost burden to upgrade to the latest standards, with little additional practical benefit.

Separately, a device qualified under [FSD-1](https://www.casa.gov.au/sites/default/files/_assets/main/manuals/regulate/fsd/081rfull.pdf?acsf_files_redirect) could not be modified and certified for UPRT, as access to stall data supporting the software upgrade was not possible. A recent release by Boeing of previously unavailable data now makes the upgrade technologically possible. However, the current drafting of the Part 60 Manual of Standards (MOS) does not contain a provision that recognises FSD-1 as a transitional qualification standard for these devices. This will mean the device would not be permitted to undertake UPRT, even with the necessary technological upgrades.

The proposed change would make two amendments to the Part 60 MOS to address these issues. These amendments would:

* allow further time for operators to upgrade UPRT capabilities for older devices by amending the transitional deadline (currently 24 March 2021) to 24 March 2023
* make available FSD-1 as a qualification standard for the re-evaluation of legacy aeroplane flight simulators that may be upgraded for UPRT.

# Why we are consulting

CASA recognises the valuable contribution community and industry consultations make to the policy decision-making process and future regulatory change. We are consulting to ensure that the proposed new rules are clearly articulated and will work in practice and as they are intended.

Comments are sought from every sector of the community. This includes the general public, government agencies and all sectors of the aviation industry, whether as an aviator, aviation consumer and/or provider of related products and services.

**Documents for review**

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

* Summary of proposed change (SPC) on Part 60 MOS amendments – Upset prevention and recovery training (UPRT), which provides background on the proposed standards
* Consultation draft - Part 60 Manual of Standards Amendment Instrument 2021 (No. 1)
* MS Word copy of online consultation for ease of distribution and feedback within your organisation.

*Note: The MS 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.*

It is important that you read the Summary of proposed change on CD 2012OS, before providing your feedback in the online survey.

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 which are of interest to you.

**What happens next**

At the end of the response period for public comment, we will review each comment and submission received. We will make all submissions publicly available on the CASA website, unless you request your submission remain confidential. We will also publish a Summary of Consultation which summarises the feedback received, outlines any intended changes and details our plans for the regulation.

All comments on the draft Part 60 MOS consultation will be considered. Relevant feedback that improves upon the proposed regulations and is consistent with the regulations and other CASA policy, will be incorporated into the final ruling.

CASA has set a tentative date of 1 August 2021 for the rules to come into effect. The feedback we receive from this consultation will also assist CASA in developing adequate implementation and transition timeframes.

**Post-implementation review**

CASA’s monitoring and review of the new rules during the transition phase and beyond will be ongoing.  We will also continue work on proposed further changes to the Part 60 regulations to better support flight simulator training device operations.

Give Us Your Views [Appears on the overview page at the bottom]

[Online Survey](https://consultation.casa.gov.au/regulatory-program/pp1816us/consultation/) [This link is on the front page of the survey and takes you to the survey questions]

**Related**

List of documents to attach to the consultation

* Summary of proposed change (SPC) on CD 2103OS – Upset prevention and recovery training (UPRT), which provides background on the proposed standards
* Consultation draft - Part 60 Manual of Standards Amendment Instrument 2021 (No. 1)
* MS Word copy of online consultation for ease of distribution and feedback within your organisation.

## **Audience & Interest groups**

**Audience**

* CASA staff
* Air operators
* Instructors and flight examiners
* Flight training organisations
* School/Education/Aviation Theory Provider
* Part 142 operators
* Part 141 operators

**Interest**

* Aircraft certification and design
* Flight training
* Airworthiness/maintenance (CAR 30 and CASR Part 145 maintenance orgs)
* Training and checking systems

Page: Consultation Contents

This consultation is seeking your feedback on the proposedPart 60 Manual of Standards Amendment Instrument 2021 (No. 1)*.*

We will ask you for:

* **personal information**, such as your name, any organisation you represent, and your email address
* **your consent** to publish your submission
* **your responses** to the proposed changes in the regulations
* **any comments** you may want to provide
* **demographic information** to help us understand your interest in the regulations

Proposed policy – Part 60 MOS amendments – Upset prevention and recovery training UPRT, will:

* allow further time for operators to upgrade UPRT capabilities for older devices by amending the transitional deadline (currently 24 March 2021) to 24 March 2023
* make available FSD-1 as a qualification standard for the re-evaluation of legacy aeroplane flight simulators that may be upgraded for UPRT.

This consultation is comprised of 6 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 4 pages that follow request feedback on the proposed Part 60 MOS changes.

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, select the **‘Finish’** button at the bottom right of this page.

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| 2 | Consent to publish submission (required) |
| 3 | Policy topic 1 – Additional time for UPRT capability upgrade |
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| 5 | General comments |
| 6 | 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*

Flight training organisation

Flight simulator manufacturer

Flight simulator operator

Flight simulator user - AOC holders - CAO 82.3 and 82.5

Flight simulator user - CAR 217 organisation

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.

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: Policy topic 1 - Additional time for UPRT capability upgrade

**Policy proposed**

Operators will have until 24 March 2023 to make UPRT capable upgrades for older devices.

**Question 1:** Does the additional time to make the upgrades to UPRT capabilities for older devices present any safety risks?

**FACT BANK -** Policy background

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| Content:  In 2019 CASA completed amendments to the CASR Part 60 [Manual of Standards (MOS) to alig](https://www.legislation.gov.au/Details/F2019L01176)n technical requirements for aeroplane flight simulators with international standards. This brought Australian in line with updates by the International Civil Aviation Organization (ICAO), European Union Aviation Safety Agency (EASA) and the US Federal Aviation Administration (FAA).  The 2019 amendments were made in the context of the upcoming implementation of CASR Part 121 (planned for commencement on 25 March 2021 at the time of the Part 60 MOS publication). A provision in Part 121 will require the inclusion of UPRT for pilots of larger aeroplanes, meaning upgrades are required to some existing training devices that do not already have this capability. This capability is referred to as Extended Envelope Training (EET).  The 2019 amendments provided the standard for EET upgrade that allowed older simulators a less onerous upgrade pathway by limiting the requirements to those relevant to UPRT. To otherwise upgrade an entire device would be a much more onerous and costly process.  The Part 60 MOS currently includes a process of re-qualification for UPRT simulators which is aligned to FAA [FSTD Directive 2.](https://www.faa.gov/about/initiatives/nsp/fstd_dir/media/FSTD_Directive-2.pdf) These standards (incorporated within [14 CFR Part 60)](https://www.faa.gov/about/initiatives/nsp/media/14cfr60_searchable_version.pdf), provide the separate upgrade pathway for older simulators. The effect of including this process was to allow older devices an added capability for EET without the cost burden of upgrading the entire device (and other capabilities) to leading international, but unrequired, standards.  The period for EET-only upgrades of older devices is permitted in the Part 60 MOS on a transitional arrangement which ends on 24 March 2021 to align with the previously planned commencement of Part 121. However, The commencement of Part 121 has now been delayed until [2 December 2021.](https://www.casa.gov.au/standard-page/casr-part-121-commercial-air-transport-operations-aeroplanes)  The issue has also been exacerbated by the effects of COVID-19. Travel restrictions and the economic impact on the airline industry has created additional barriers to the upgrade opportunities offered under the transition arrangements. This has led to only a partial uptake of the upgrade opportunities thus far. |

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

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**Question 2:** Does the new date of 24 March 2023 provide an appropriate window of time for operators to make necessary upgrades?

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

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Page 4: Policy topic 2 - Upgrade and certification of FSD-1 device(s)

**Policy proposed**

CASA will use FSD-1 as a qualification standard allowing re-evaluation of an aeroplane qualified flight simulator.

**Question 1:** Is the addition of FSD-1 as a qualification standard likely to lead to inadequate devices becoming qualified flight simulators?

**FACT BANK -** Upgrade and certification of FSD-1 device(s)

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| Content:  The policy is intended to provide a pathway for devices qualified under FSD-1 to meet the UPRT standards. These devices must still meet the transitional standards required by other devices but provide an additional recognised qualification method. This element of the policy is intended to have ongoing and general effect though in practice the scope is currently limited to one device that can achieve this standard. |

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

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**Question 2:** Would the use of FSD-1 as a qualification standard lead to any safety risks?

Find out more about FSD-1 through the hyperlink below.

[Operational Standards and Requirements—Approved Flight Simulators (FSD-1)](https://www.casa.gov.au/file/140036/download?token=ISPhsp5C)

https://www.casa.gov.au/file/140036/download?token=ISPhsp5C

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

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Page 5: General comments

Do you have any additional comments about the proposed policy?

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

Please include in these comments any **impact** this change may have on you or your operation which has not already been covered in this consultation.

Comments

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Page 6: 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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