

Transitioning an aircraft maintained under Part 43 to air transport operations

Learn more about what a registered operator will need to consider when planning to make an aircraft maintained under Part 43 available for air transport operations.

Who should read this?

- Registered operators
- CAR30 organisations
- Part 145 approved maintenance organisations
- Licensed aircraft maintenance engineers

What you need to consider when planning to transition your aircraft to air transport operations

Part 43 of CASR will provide additional flexibility for the general aviation sector in various areas but does not change the rules that apply for aircraft used for air transport operations.

If a registered operator (RO) of a private or aerial work aircraft is considering using the aircraft for air transport operations, they will need to ensure it meets the applicable continuing airworthiness requirements. The airworthiness review requirements of Part 42 can be used as a guide as to the areas that will need to be considered. For example:

- Maintenance program/schedule – operators will need to ensure they adopt the necessary maintenance schedule under CAR Part 4A for non-scheduled air transport (charter) operations or maintenance program under CASR Part 42.
- Defects have been appropriately dealt with, including those not required to be rectified under the regulations have been properly deferred.
- Airworthiness Directives (ADs) that apply to the aircraft have been complied with or exempted under one of the provisions of Part 39.
- Modifications and repairs to the aircraft have been carried out in accordance with the applicable requirements.
- Life limited parts need to be managed in accordance with the applicable regulations.
- Maintenance certification and release to service systems are in place in accordance with the applicable regulations

Under Part 43, rules relating to maintenance, modifications and repairs of aircraft and aeronautical products are based on the Federal Aviation Regulations (FAR)s of the United States. This means that:

- aircraft are required to be inspected in accordance with an inspection system, as opposed maintained in accordance with a maintenance schedule, system of maintenance or approved maintenance program.

- manufacturers recommended inspection intervals and overhaul intervals are not mandatory unless required by an airworthiness limitation or AD
- retirement of life-limited components is optional unless required by an airworthiness limitation or AD
- data describing minor repairs and modifications is not required to be approved under Part 21 of CASR
- compliance with service bulletins and other manufacturers supplementary maintenance and inspection documents is generally not mandatory unless required by an AD
- maintenance certification and release to service systems are simpler and a CAR maintenance release form is not required.

Aircraft engaged in scheduled air transport operations are required to be maintained under Part 42 of CASR. This means that:

- an approved maintenance program that complies with the instructions for continuing airworthiness for the aircraft is required
- all repairs and modifications must be approved or accepted under Part 21 of CASR
- compliance with manufacturers supplementary instructions such as service bulletins is not mandatory however the maintenance records must contain an entry describing the documents and the reason for non-compliance
- compliance with component life limits required under the approved design is mandatory
- a flight technical log with aircraft certificate of release to service provisions is required.

Aircraft engaged in non-scheduled air transport operations are still covered by the CAR maintenance regulations.

More information about the proposed new policies for continuing airworthiness of aircraft carrying out non-scheduled air transport operations is available on our [Consultation Hub](#)

Why is this important?

A core principle of the continuing airworthiness regulatory system is that an aircraft must be maintained in accordance with the rules that are applicable to its intended operation. This principle, as well as the associated control mechanisms and processes ROs have in place to manage cross sector operations, will remain fundamentally the same on commencement of Part 43 of CASR.

What does this mean for me as the registered operator?

If your aircraft has been maintained under Part 43 and you plan to use it in an air transport operation in the future, your aircraft will be required to be maintained under the CARs for non-scheduled air transport operations or Part 42 for scheduled air transport operations.

Entry into Part 42 operations will involve at least an airworthiness review under paragraph 42.030 (c)(ii) and 42.900.

Depending on the circumstances under which the aircraft has been maintained, you may need to make some changes to meet the applicable continuing airworthiness requirements for air transport operations.

If you are the RO for an aircraft carrying out only private or aerial work operations, you will need to consider these matters and make a commercial decision as to the maintenance standards you will adopt for your aircraft and how you will manage the continuing airworthiness requirements for any future operations in other sectors.

Is this requirement new?

No. The CARs and CASR Parts 21 and 42 are long-standing regulations with existing processes in place to manage aircraft operating across different sectors.

The introduction of Part 43 will provide an alternative to the CARs and Part 42. However, Part 43 does not change the rules that apply to the air transport sectors or the processes ROs use to manage aircraft in cross sector operations.

Disclaimer

The content above has been prepared by CASA for information purposes only and is not the law. It reflects what is proposed to be included in Part 43 of CASR and its associated Manual of Standards and the current requirements of Part 42 of CASR and its associated Manual of Standards.

When Part 43 is made you should familiarise yourself with its terms. This information is not a substitute for reading the legislation.

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