# Proposed amendment to Part 42 MOS to provide for Japan Civil Aviation Bureau (JCAB) arrangement - CD 2201MS

# Overview

The purpose of this consultation is to seek feedback on an amendment to the Part 42 Manual of Standards (MOS) to provide for the Japan Civil Aviation Bureau (JCAB) technical arrangement for maintenance.

An amendment to Japanese aviation legislation, commencing on 18 June 2022, will require any organisation performing maintenance on an aeronautical product, fitted to Japanese registered aircraft, to hold a Japanese maintenance organisation approval, or be approved under a Technical Arrangement for Maintenance (TA-M) with a foreign National Aviation Authority (NAA).

The Japan Civil Aviation Bureau (JCAB) wrote to us in December 2020 seeking a TA-M. We signed the TA-M with JCAB, for the maintenance of aeronautical products on 25 March 2022.

The arrangement between Australia and Japan removes the need for Australian companies maintaining aeronautical products to be fitted to Japanese registered aircraft, to hold a Japanese maintenance approval and likewise for Japanese companies maintaining aeronautical products to be fitted to Australian registered aircraft, needing to hold an Australian Part 145 maintenance organisation approval.

### The proposed Part 42 MOS amendment

The proposed amendment will apply to Japanese approved maintenance organisations intending to carry out maintenance on aeronautical products to be fitted to Australian aircraft.

The proposed amendment will add Japan to sections 7.2 and 12.3.1 of the Part 42 MOS.

### Advisory circulars to support the proposed amendment

To support the addition of Japan to the list of specified countries in the Part 42 MOS, we propose to:

* provide an Advisory Circular (AC) to assist Australian maintenance organisations, approved under Part 145, seeking approval under the TA-M.
* Amend AC 20-02 – Recognised countries and international agreements and arrangements to include Japan.

### Previous consultations

There has been no previous consultation on this matter.

# Why your views matter

This consultation seeks feedback on the proposed amendment to the Part 42 MOS and the AC to support applicants seeking approval under the TA-M.

We are consulting to ensure that the proposed amendments to the Part 42 MOS and the additional guidance provided in the draft AC 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 2201MS should be submitted through the online response form.

## **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 on CD 2201MS, which provides background on the proposed standards
* Consultation Draft - Part 42 Manual of Standards Amendment Instrument 2022 (No. 1)
* Draft AC 145-06 v1.0 – Implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB
* Appendix A to AC 145-06 v1.0 - Copy of the signed technical arrangement on aviation maintenance between JCAB and CASA (Contained in draft AC 145-06)
* 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 2201MS and associated consultation documents before providing your feedback in the online survey.

# **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 our 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 received on the draft amendment to the Part 42 MOS and draft AC will be considered. Relevant feedback that improves upon the proposed amendment and draft AC and is consistent with the regulations and other CASA policy, will be incorporated into the final MOS amendment and final AC.

We have set a tentative date of 30 April 2022 to make the proposed amendment.

# 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]

**Events**

List of events related to this consultation such as upcoming webinars

**Related**[This section is at the bottom of the front page and contains all the links to other sites and documents related to this consultation]

**Related Documents**

List of documents to attach to the consultation

* PDF – Summary of proposed change on CD 2201MS
* PDF – Consultation Draft - Part 42 Manual of Standards Amendment Instrument 2022 (No. 1)
* PDF – Draft AC 145-06 v1.0 - Implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB
* Appendix A to AC 145-06 v1.0 - Copy of the signed technical arrangement on aviation maintenance between JCAB and CASA
* MS Word copy of online consultation

# **Audience & Interest groups**

**Audience**

* CASA staff
* Air operators
* Airworthiness organisations
* Engineers
* Aircraft owner/operator
* Part 145 of CASR approved maintenance organisations (AMO)
* Licensed aircraft maintenance engineers (LAME)
* Aircraft maintenance engineers (AME)

**Interest**

* Airworthiness/maintenance (CAR 30 and CASR Part 145 maintenance orgs)

# Page. Consultation Contents

**Proposed Amendment to Part 42 MOS to provide for Japan Civil Aviation Bureau (JCAB) arrangement**

On 25 March 2022, we entered a Technical Arrangement for Maintenance (TA-M) of aeronautical products with the Japan Civil Aviation Bureau (JCAB).

CASR 42.306 states that for an organisation in a foreign country to be permitted to perform maintenance on an aeronautical product which will be fitted to an Australian aircraft, that country must be specified in the Part 42 MOS.

To support Australian Part 145 approved maintenance organisations seeking approval under the TA-M, we have drafted Advisory Circular (AC) 145-06 v1.0 - Implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB.

This consultation seeks feedback on the proposed amendment to sections 7.2 and 12.3.1 of the Part 42 MOS, to add Japan as a specified country for the purpose of CASR 42.306 and the initial draft AC 145-06 v1.0.

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

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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| **Page** | **Content** |
| 1 | Personal information (required) |
| 2 | Consent to publish submission (required) |
| 3 | Proposed amendment to Part 42 Manual of Standards |
| 4 | Draft Advisory Circular 145-06 v1.0 - Implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB |

# 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 all that apply*

[ ]  Aircraft owner/operator

[ ]  Part 145 Maintenance Organisation

[ ]  Maintenance engineer

[ ]  Other

Please specify “Other” if selected.

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# Page 2. Consent to publish submission

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 or
* **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 [our website](https://www.casa.gov.au/rules/changing-rules/consultation-industry-and-public%22%20%5Ct%20%22_blank)<https://www.casa.gov.au/rules/changing-rules/consultation-industry-and-public>

**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. Proposed amendment to Part 42 MOS

Japan will be added to sections 7.2 and 12.3.1 of the Part 42 MOS as a specified country to meet the requirements of regulation 42.306.

**Principal changes**

Principal changes that would occur under the amendment are:

**Part 145 approved maintenance organisations**

Under the terms of the Technical Arrangement for Maintenance (TA-M), a CASR Part 145 approved maintenance organisation, with the approval to carry out maintenance of aeronautical products, may seek approval to carry out maintenance on aeronautical products to be fitted to Japanese registered aircraft, without having to obtain a Japanese maintenance organisation approval.

**Australian aircraft operators**

Aeronautical products maintained by a Japanese maintenance organisation, approved under the terms of the TA-M, may be fitted to an Australian aircraft.

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

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**Question 1:** Do you currently provide maintenance services on aeronautical products which are fitted to Japanese registered aircraft?

*Radio buttons*

[ ]  Yes

[ ]  No

Comments

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**Question 2:** Does the inclusion of Japan as a specified country in the Part 42 MOS, and the TA-M which enables Japanese companies to maintain aeronautical products fitted to Australian aircraft, have any impact on your business?

*Radio buttons*

[ ]  Yes (Please explain)

[ ]  No

Comments

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**General comments**

Do you have any additional comments about the proposed amendment?

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

Comments

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# Page 4: Draft Advisory Circular 145-06 v1.0 - Implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB

Draft Advisory Circular (AC) 145-06 v1.0 - Implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB, is the initial AC for implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB. We are seeking feedback on whether it provides adequate guidance and is fit for purpose.

**Purpose**

The proposed AC would provide additional guidance on the TA-M arrangement between us and JCAB. For example:

* procedures for the acceptance of maintenance organisations under the terms of the Technical Arrangement (TA).
* guidelines for approved maintenance organisations (AMOs) contracting for or providing maintenance in accordance with the TA
* guidelines for maintenance organisations presently approved or accepted by CASA, on the transition to the new working arrangements.

**This advisory circular will be of interest to:**

* Part 145 approved maintenance organisations intending to participate under the technical arrangement between CASA and JCAB
* any organisation intending to contract work to an organisation participating under the technical arrangement between CASA and JCAB.

**Fact Bank:** Draft AC 145-06 v1.0 - Implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB

**Question.** Does the proposed AC provide clear guidance on how to seek approval under the terms of the technical arrangement for maintenance between Australia and Japan?

*Radio buttons*

[ ]  Yes

[ ]  No (Please explain why)

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

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