



SUMMARY OF PROPOSED CHANGE



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



Date	April 2022
Project number	MS 22/01
File ref	D22/9755

Introduction

A foreign organisation may perform maintenance on an aeronautical product which is to be fitted to an Australian aircraft if the organisation is approved for the maintenance by the national aviation authority (NAA) of the foreign country and if the foreign country is specified in the Part 42 Manual of Standards (MOS).

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

The TA-M removes the need for Australian companies maintaining Japanese aeronautical products to hold a Japanese maintenance approval and likewise for Japanese companies needing to hold an Australian Part 145 of the *Civil Aviation Safety Regulations 1998 (CASR)* approval.

The need for non-Japanese companies to hold Japanese approvals, or authorisations under a TA-M, is the result of amendments to Japanese aviation legislation which will come into effect in June 2022.

For Japanese organisations to take part in the TA-M, regulation 42.306 of CASR requires Japan to be listed as a specified country in Sections 7.2 and 12.3.1 of the Part 42 MOS.

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Reference material

Acronyms

The acronyms and abbreviations used in this SPC are listed in the table below.

Acronym	Description
AC	advisory circular
CAR	<i>Civil Aviation Regulations 1988</i>
CASA	Civil Aviation Safety Authority
CASR	<i>Civil Aviation Safety Regulations 1998</i>
JCAB	Japan Civil Aviation Bureau
MOS	manual of standards
NAA	national aviation authority
TA-M	technical arrangement for maintenance

Definitions

Terms that have specific meaning within this SPC are defined in the table below. Where definitions from the civil aviation legislation have been reproduced for ease of reference, these are identified by 'grey shading'. Should there be a discrepancy between a definition given in this SPC and the civil aviation legislation, the definition in the legislation prevails.

Term	Definition
aeronautical product	any aircraft engine, propeller, sub assembly, appliance, material, part or component to be installed thereon but excludes aircraft

References

Legislation

Legislation is available on the Federal Register of Legislation website <https://www.legislation.gov.au/>

Document	Title
Part 42 of CASR	Continuing airworthiness requirements for aircraft and aeronautical products
Part 42 MOS	Manual of Standards
	Technical arrangement on aviation maintenance between the Civil Aviation Safety Authority of Australia and the Civil Aviation Bureau, the Ministry of Land, Infrastructure, Transport and Tourism of Japan

Advisory material

CASA's advisory materials are available at <https://www.casa.gov.au/publications-and-resources/guidance-materials>

Document	Title
Draft AC 145-06	Implementation procedures for the technical arrangement on aviation maintenance between CASA and JCAB

Purpose and scope of the proposed amendments

Regulation 42.306 of CASR requires a foreign country to be specified in the Part 42 MOS, to permit an organisation in that foreign country to perform maintenance on an aeronautical product which will be fitted to an Australian aircraft. Following the signing of the TA-M with Japan, Japan needs to be added to sections 7.2 and 12.3.1 of the Part 42 MOS. The amendment of the Part 42 MOS, to add Japan, is a minor machinery amendment required by regulations 42.306 of CASR.

The amendment would also update the note in table 12.3.1 listing countries that are members of the European Aviation Safety Agency (EASA). Specifically, the United Kingdom has been removed from the list because the United Kingdom ceased being an EASA member state on 31 December 2020.

Previous consultations

There has been no previous consultation on adding Japan to sections 7.2 and 12.3.1 of the Part 42 MOS.

Impact on industry

CASA estimates that this amendment will save Japanese maintenance organisations, wishing to participate in the TA-M, substantial initial approval and ongoing compliance costs that they would otherwise be subject to if they sought approval under Part 145 of CASR. Australian operators will also benefit from cost savings when able to access maintenance providers in Japan.

As the TA-M has reciprocal arrangements, Australian maintenance providers will also save substantial initial approval and ongoing compliance costs they would otherwise incur if required to seek a Japanese maintenance organisation approval.

Safety risk analysis

CASA conducted a safety risk analysis during development of the proposed amendment. An assessment of the risks to aviation safety was conducted during the negotiations for the TA-M. No adverse effects on safety were identified.

Regulation impact statement

The Office of Best Practice Regulation (OBPR) assessed that the proposed amendments will have not more than a minor impact and that the preparation of a Regulation Impact Statement was therefore not required (OBPR22-01733).

Closing date for comment

CASA will consider all comments received as part of this consultation process and incorporate changes as appropriate. Comments on the draft Part 42 MOS amendment and draft AC 145-06 v1.0 should be submitted through the online response form by close of business 21 April 2022.