Proposed exemption – Part 145 temporary line maintenance facility approval (CD 2215MS)

# Overview

We are seeking your feedback on our proposal to exempt Part 145 Approved Maintenance Organisations (AMOs) from the requirement to have certain new maintenance facilities approved by CASA.

We are proposing CASA approval will not be required for facilities that will be used on a temporary basis to carry out line maintenance activities.

This will bring forward corresponding outcomes from [proposed future Part 145 policies](https://consultation.casa.gov.au/regulatory-program/pp-1915ss/). It will also reduce unnecessary administrative burden for industry and bring the Australian requirements into line with contemporary global practices.

Assessment of maintenance facilities and record keeping are important safety assurance measures associated with maintenance organisation approvals.

A condition of the proposed instrument will be the AMO has appropriate procedures for assessment of new facilities, and they have the appropriate record keeping procedures. These procedures would be included in the AMO’s exposition, enabling an individual approach to be tailored to each AMO's circumstances, and would be approved by CASA accordingly.

The exemption will be in place in November 2022.

## **Opportunity to comment**

If you would like to provide comment on the advanced copy of the proposed instrument CASA EX67/22 – Authorised Maintenance at Unapproved Locations (Part 145 Organisations) Exemption 2022, you can do so through the online response form.

Your feedback will help us ensure that the proposed instrument clearly articulates the policy intent, provides a more practical and proportionate approach that gives appropriate flexibility for Part 145 AMOs, and there are no unintended consequences.

## **Documents for review**

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

* Summary of proposed change on CD 2215MS
* Consultation draft - CASA EX67/22 – Authorised Maintenance at Unapproved Locations (Part 145 Organisations) Exemption 2022

## **What happens next**

At the end of the response period, we will:

* review comments received
* make all responses publicly available on the consultation hub (unless you request your submission remain confidential)
* publish a Summary of Consultation which summarises the feedback received and outlines any intended changes and next steps.

All comments received on the proposed instrument will be considered. We will incorporate any improvements into the final exemption.

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

Online Survey [This link is on the front page of the survey and takes you to the survey questions]

**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:

* Summary of proposed change on CD 2215MS
* Consultation draft - CASA EX67/22 – Authorised Maintenance at Unapproved Locations (Part 145 Organisations) Exemption 2022
* MS word copy of online consultation - Proposed instrument (CASA EX67/22) – Authorised Maintenance at Unapproved Locations (Part 145 Organisations) Exemption 2022 (CD 2215MS)

# Audience & Interest groups

**Audience**

* CASA staff
* Airworthiness organisations
* Aircraft owner/operator
* Part 145 approved maintenance organisations (AMO)
* Regulation 30 of CAR Maintenance organisations (CAR 30)

**Interest**

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

# Page 1. Comments on proposed instrument CASA EX 67/22

If you intend to comment on Proposed instrument CASA EX67/22 – Authorised Maintenance at Unapproved Locations (Part 145 Organisations) Exemption 2022, 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

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

# Page 2. Personal information

## First name

*(Required)*

|  |
| --- |
|  |

## Last name

*(Required)*

|  |
| --- |
|  |

## Email address

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

Email

|  |
| --- |
|  |

## 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.

|  |
| --- |
|  |

Which of the following best describes the group you represent?

Please select all that apply

[ ]  Aircraft owner/operator

[ ]  Part 145 Approved Maintenance Organisation

[ ]  Aircraft Maintenance engineer

[ ]  Licensed Aircraft Maintenance Engineer

[ ]  Other

Please specify ‘Other’ if selected.

|  |
| --- |
|  |

# Page 3. 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.

**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.

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)

# Page 4. How the instrument will work in practice

Currently, a Part 145 AMO must apply to CASA for approval of each new maintenance facility.

The proposed exemption would remove this requirement. It proposes CASA approval is not required if facilities are used on a temporary basis for line maintenance activities.

Adding a new, permanent maintenance facility will still need CASA approval as a significant change.

**Fact Bank:** For information - Form 395 - Application for Significant and Non-Significant Changes (PDF in online consultation)

**Temporary basis**

A temporary basis is generally intended for no more than 3 months but there is some flexibility. We understand AMOs and operators need flexibility in evolving or unforeseen events. Longer timeframes may be permitted depending on the circumstances, but in all cases the circumstances must be temporary. For example, pre-flight inspections required by AD/F28/93 and AD/F100/98 would be covered by this exemption but may involve a timeframe longer than 3 months.

The provisions of the proposed instrument may not be used repeatedly if an AMO intends to provide the same services at the same location on an ongoing basis. In this case, the AMO will be required to apply to CASA to add the location as a permanent facility.

**What is line maintenance?**

Line maintenance is defined in Part 3 of the CASR Dictionary as maintenance on an aircraft that CASA has approved in the organisation’s exposition as being line maintenance for the organisation.

Line maintenance refers to any maintenance carried out before a flight to ensure an aircraft is fit for an intended flight. It may include the following:

* trouble shooting
* defect rectification
* aeronautical product replacement, including engines and propellers, with the use of external test equipment if required
* scheduled maintenance and/or checks including visual inspections that will detect obvious unsatisfactory conditions/discrepancies but do not require extensive in-depth inspection
* minor repairs and modifications which do not require extensive disassembly and can be accomplished by simple means
* accomplishment of service bulletins and airworthiness directives, within the general guidelines above.

**How to access the proposed exemption**

To access the provisions of the proposed exemption, an AMO must have appropriate procedures in their exposition for assessment and use of new facilities. These procedures must be sufficient to ensure compliance with Part 145 requirements at the temporary location(s). Procedures should consider the local environmental conditions, personnel, equipment, tooling, maintenance data, materials, and spares support.

Administrative requirements should also be considered, including personnel authorisations, record keeping, maintenance certification and release to service arrangements, quality systems, human factors and safety management system.

If an AMO does not currently have assessment procedures in their exposition, they must apply to CASA to include new procedures in their exposition. This application would be assessed by CASA as a significant change.

If the work at a new temporary location needs dedicated procedures, then they should be included in the AMO’s exposition. This would not be considered as a significant change and may be included in the AMO’s exposition without CASA approval.

The AMO must have an appropriate record keeping system that covers the locations that have been approved:

* the scope of maintenance for each location
* the arrangements and procedures for each location
* the maintenance that was carried out at each location.

The AMO is not required to inform CASA when it establishes a new maintenance facility under the proposed instrument. Records must be made available to CASA as required for CASA to carry out its normal oversight and surveillance activities.

Do you have any comments about the proposed exemption?

Comments

|  |
| --- |
|  |