



Explanation document - Civil Aviation Safety Amendment (minor changes) Regulations 2025: Flight operations

Draft amendments	Explanation									
<p>EXPOSURE DRAFT</p> <p>Inserts for Civil Aviation Safety Amendment (Minor Changes) Regulations 2025: Flight operations</p> <hr/> <p>Commencement information</p> <hr/> <table border="1" data-bbox="181 751 1095 879"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> <th>Column 3</th> </tr> <tr> <th>Provisions</th> <th>Commencement</th> <th>Date/Details</th> </tr> </thead> <tbody> <tr> <td>1. Schedule 3</td> <td>The day after the end of the period of 3 months beginning on the day this instrument is registered.</td> <td></td> </tr> </tbody> </table> <hr/> <p>Schedule 3—Flight operations <i>Civil Aviation Safety Regulations 1998</i></p>	Column 1	Column 2	Column 3	Provisions	Commencement	Date/Details	1. Schedule 3	The day after the end of the period of 3 months beginning on the day this instrument is registered.		<p>Schedule 3 contains the proposed amendments relating to flight operations. It includes amendments to the <i>Civil Aviation Safety Regulations 1998</i>.</p> <p>Schedule 3 would commence 3 months after the instrument is registered. Other Schedules in the amendment package, such as the flight crew licensing regulation amendments consulted in 2025, may have different commencement dates (for example, commencement the day after registration).</p>
Column 1	Column 2	Column 3								
Provisions	Commencement	Date/Details								
1. Schedule 3	The day after the end of the period of 3 months beginning on the day this instrument is registered.									

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<p>1 Subregulation 91.035(1) (table item 2, column 1) Omit “Division 91.C.2”, substitute “Subregulation 91.095(1)”.</p>	<p>The first 7 amendments modify regulation 91.035 of CASR to correct known errors and omissions.</p>
<p>2 Subregulation 91.035(1) (cell at table item 7, column 2) Repeal the cell, substitute: Regulation 121.235 Regulation 133.190 Regulation 135.215</p>	<p>This regulation contains a table that turns off or disapplies certain elements of Part 91, provided there are alternative, equivalent provisions specified in Part 121, 133, 135 or 138 of CASR</p> <p>Amendment Item 1 replaces the existing words Division 91.C.2 with direct reference to the actual regulation 91.095 which relates to compliance with the aircraft flight manual.</p> <p>Amendment Item 2 ensures that the mentioned Part 91, 121, 133 and 135 regulations match each other in scope. Currently, the singular regulation 91.455 is incorrectly matched to the entirety of each Division D.6 in Parts 121, 133 or 135. This amendment corrects this mismatch and ensures regulation 91.445, which empowers the Part 91 MOS content regarding detailed fuel-planning, fuel-carriage, fuel-monitoring and in-flight fuel-management requirements, is correctly matched to the Part 121, 133 or 135 regulations empowering the same topic content in the Part 121, 133 or 135 MOS’s.</p>
<p>3 Subregulation 91.035(1) (after table item 7) Insert: 7A Regulation 91.460 (into column 1 of the table) Regulation 121.230 (into column 2 of the table) Regulation 133.185 (into column 2 of the table) Regulation 135.210 (into column 2 of the table)</p>	<p>Amendment Item 3 adds a new item to the table in regulation 91.035 clarifying that regulation 91.460 (Oil requirements) is disapplied when the listed Part 121, 133 or 135 regulations, which cover the same requirements, apply to a flight instead.</p>
<p>4 Subregulation 91.035(1) (table item 9, column 1) Omit “Regulation 91.510”, substitute “Subregulation 91.510(2)”.</p>	<p>Amendment Item 4 corrects an error in the original drafting of Part 91, where the entire regulation 91.510 was disapplied instead of only subregulation 91.510(2). It was never intended to permit fuelling with highly volatile fuel while passengers are on board, embarking or disembarking, and this amendment restores the intended effect of the rule.</p>
<p>5 Subregulation 91.035(1) (after table item 12A) Insert: 12B Regulation 91.590 Regulation 121.255</p>	<p>Amendment Items 5 and 6 work together to separate the existing combined mention of regulations 91.590 and 91.595 in existing item 13 of the table in regulation 91.035 to be separate items by adding a new item 12B to the table. Item 13 had incorrectly linked both of regulations 91.590 and 91.595 to regulation 121.265, but regulation 91.590 should instead be linked to regulation 121.255 (carry-on baggage), not 121.265 (stowage of passenger service equipment).</p>
<p>6 Subregulation 91.035(1) (table item 13, column 1)</p>	

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<p>Omit “Regulations 91.590 and 91.595”, substitute “Regulation 91.595”.</p> <p>7 Subregulation 91.035(1) (table item 17, column 2) Omit “Subpart 133.P”, substitute “Division 133.P.1”.</p> <p>8 Subregulation 91.035(1) (table item 17, column 2) Omit “Subpart 135.P”.</p>	<p>Amendment Items 7 and 8 work together to amend the incorrect Part 133 reference to the correct Part 133 reference and then delete the incorrect Part 135 reference. In Part 133, only Division 133.P.1 contains requirements about cabin crew members, with Division 133.P.2 containing requirements for other non-flight crew members; therefore if Division 133.P.2 applies to a flight, it should not be able to turn off the Subpart 91.P cabin crew requirements. In Part 135, there are no rules about cabin crew members and therefore Subpart 91.P should not be able to be turned off when Subpart 135.P applies to a flight.</p>
<p>9 Division 91.C.2 (note after the heading) Repeal the note.</p>	<p>Amendment Item 9 deletes an existing note because of the change made in Amendment Item 1 arising from amendment item 1 above. If the note was kept it would provide incorrect advice to persons reading the regulations.</p>
<p>10 Subregulations 91.095(1) and (2) Repeal the subregulations, substitute:</p> <p>(1) The pilot in command of an aircraft for a flight contravenes this subregulation if, before, during or after the flight, the aircraft is operated in a way that does not meet, or an activity is not carried out in compliance with, a requirement or limitation that:</p> <p>(a) is set out in the aircraft flight manual instructions for the aircraft; and</p> <p>(b) relates to the operation of the aircraft before, during or after the flight.</p> <p>Note: This subregulation does not apply to the operation of an aircraft if regulation 133.030 or 138.210 applies to the operation: see regulation 91.035.</p> <p>(2) The pilot in command of an aircraft for a flight contravenes this subregulation if, before, during or after the flight, the aircraft is operated in a way that does not comply with any conditions specified in:</p> <p>(a) the aircraft’s certificate of airworthiness; or</p> <p>(b) the aircraft’s special flight permit.</p>	<p>Amendment Item 10 corrects a mistake in the drafting of regulation 91.095 that compliance with aircraft flight manual instructions applied only in-flight, unintentionally excluding essential pre-flight and post-flight requirements. Regulation 91.095 also mistakenly required compliance with all flight manual content, including advisory (non-approved) material.</p> <ul style="list-style-type: none"> • Advisory Circular AC 91-22 clarifies that only approved elements of a flight manual are legally binding. To reflect this intent, the amendment limits the scope of this regulatory requirements by using the phrase “requirement or limitation that is set out in the aircraft flight manual instructions.” • This amendment incorporates the effect of the current direction contained in CASA EX67/24 Section 5 and the current exemption contained in CASA EX67/24 Section 21. It also adds a clarifying note about when the rule does not apply (if other specific regulations apply). • It keeps the existing requirements relating to aircraft certificates of airworthiness and special flight permits. <p>Amendment Item 11 arises from Amendment Item 10 above. It is a necessary machinery amendment which updates the subregulation numbering following the changes to regulation 91.095 in Amendment Item 10.</p>

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<p>11 Subregulation 91.095(3) After “subregulation”, insert “(1) or”.</p>	
<p>12 Subregulation 91.455(2) (note) Omit “Division 121.D.6, 133.D.6 or 135.D.6”, substitute “regulation 121.235, 133.190 or 135.215”.</p>	<p>Amendment Item 12 arises from Amendment Item 2 above. It amends an existing note because otherwise the note would provide incorrect advice to persons reading the regulations.</p>
<p>13 At the end of subregulation 91.460(1) Add: Note: This regulation does not apply to the operation of an aircraft if regulation 121.230, 133.185 or 135.210 applies to the operation: see regulation 91.035.</p>	<p>Amendment Item 13 arises from Amendment Item 3 above. It adds a note similar in kind to other notes cross-referring to the effect of regulation 91.035.</p>
<p>14 Subregulation 91.510(2) (note) Omit “This regulation”, substitute “This subregulation”.</p>	<p>Amendment Item 14 arises from Amendment Item 4 above. It ensures the note correctly cross-refers to the effect of the amended regulation 91.035.</p>
<p>15 Subregulation 91.590(1) (note) Omit “regulation 121.265”, substitute “regulation 121.255”.</p>	<p>Amendment Item 15 arises from Amendment Items 5 and 6 above. It ensures the note correctly cross-refers to the effect of the amended regulation 91.035. Regulation 121.265, which deals with the stowage of passenger service equipment, was incorrectly cited in the note. The correct reference is regulation 121.255, which sets out the requirements for carry-on baggage.</p>
<p>16 Subpart 91.P (note after the heading) Omit “, 133.P or 135.P”, substitute “or Division 133.P.1”.</p>	<p>Amendment Item 16 arises from Amendment Items 7 and 8 above. It ensures the note correctly cross-refers to the effect of the amended regulation 91.035.</p>

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<p>17 At the end of subparagraph 119.020(a)(vii) Add “or”.</p> <p>18 Subparagraph 119.020(a)(viii) Repeal the subparagraph.</p> <p>19 After paragraph 119.020(a) Insert:</p> <p>(aa) any of the following changes in relation to the aircraft used in the operator’s Australian air transport operations:</p> <p>(i) the operator starts to use, in those operations, a multi-crew aircraft in relation to which a type rating is prescribed by a legislative instrument under regulation 61.055 where the operator has not previously used, in those operations, a multi-crew aircraft in relation to which that type rating is prescribed;</p> <p>(ii) the operator starts to use, in those operations, an aircraft in relation to which a single-pilot type rating is prescribed by a legislative instrument under regulation 61.060 where the operator has not previously used, in those operations, an aircraft in relation to which that type rating is prescribed;</p> <p>(iii) in relation to an aircraft model covered by subparagraph (i) or (ii)—the operator starts to use, in those operations, a variant for which differences training is required by a legislative instrument under regulation 61.055 or 61.060 where the operator has not previously used such a variant in those operations;</p> <p>(iv) the operator starts to use, in those operations, a type of aircraft that is covered by an aircraft class rating if the privileges of that rating, in accordance with regulation 61.062, may not be exercised unless the holder of the rating has completed flight training and a flight review in that type of aircraft;</p> <p>(v) the operator starts to use, in those operations, a type of aircraft covered by an aircraft class rating where the</p>	<p>Amendment Items 17, 18, 19 and 20 incorporate the effect of the existing exemption CASA EX68/24 Section 7 and the existing direction CASA EX68/24 Section 6A, both of which relate to the Part 119 of CASR definition of significant change. Regulation 119.020 sets out which Australian air transport operator changes require CASA’s pre-approval.</p> <p>In relation to the paragraph 119.020(a) (<i>viii</i>) requirement that any new aircraft type or model (see the definitions of <i>type</i> and <i>model</i> in the CASR Dictionary), aviation industry feedback after the Part 119 regulations were made, but before they commenced, identified that treating any new aircraft type or model as a significant change was too burdensome. As a result, CASA temporarily replaced that significant change trigger through an exemption (CASA EX68/24 Section 7).</p> <p>Amendment Items 17, 18 and 19 work together to delete the existing paragraph 119.020(a) (<i>viii</i>) and replace it with a dedicated paragraph 119.020(aa) containing the more detailed aircraft-related triggers.</p> <p>Amendment Item 19 also adds the new paragraphs 119.020(ab), (ac) and (ad) to specify the NVIS operation significant change requirement currently located in the direction within CASA EX68/24 Section 6A. This is parallel to Amendment Item 33 incorporating equivalent changes into the Part 138 significant change definition.</p> <p>All other parts of the definition—paragraphs (a)(i)–(vii), and paragraphs (b) and (c)—remain unchanged.</p> <p>Amendment Item 20 adds a new note advising the reader about the proposed rule being added into Subpart 202.EAA of CASR about how these amendments affect existing operations (see Amendment Item 39 below).</p> <p>Key Differences</p> <p>1. New aircraft-related triggers (paragraph (aa))</p> <p>The amendment (aa) introduces a set of changes that automatically count as a “significant change” when an operator starts using <i>new or more complex aircraft</i> in its air transport operations. These include:</p> <ul style="list-style-type: none"> • First use of a multi-crew aircraft requiring a type rating. • First use of a single-pilot aircraft requiring a type rating.

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<p>operator has not previously used, in those operations, any other type of aircraft covered by that class rating;</p> <p>(vi) the operator starts to use, in those operations, a pressurised aircraft where the operator has not previously used such an aircraft in those operations;</p> <p>(vii) the operator starts to use, in those operations, an aircraft that is turbine-powered where the operator has not previously used such an aircraft in those operations;</p> <p>(viii) the operator starts to use, in those operations, an aeroplane that is covered by an aircraft class rating and that has a maximum operational passenger seat configuration greater than 9 where the operator has not previously used, in those operations, an aeroplane that was covered by that class rating and that had a maximum operational passenger seat configuration greater than 9;</p> <p>(ix) the operator starts to use, in those operations, an aeroplane that is covered by an aircraft class rating and that has a maximum take-off weight of more than 8,618 kg where the operator has not previously used, in those operations, an aeroplane that was covered by that class rating and that had a maximum take-off weight of more than 8,618 kg;</p> <p>(x) the operator starts to use, in those operations, a rotorcraft that is covered by an aircraft class rating and that has a maximum take-off weight of more than 3,175 kg where the operator has not previously used, in those operations, a rotorcraft that was covered by that class rating and that had a maximum take-off weight of more than 3,175 kg; or</p> <p>(ab) the operator first conducts an NVIS operation for a Part 121 operation; or</p> <p>(ac) the operator first conducts an NVIS operation for a Part 133 operation; or</p> <p>(ad) the operator first conducts an NVIS operation for either of the following:</p> <p>(i) a Subpart 121.Z operation;</p>	<ul style="list-style-type: none"> • First use of a variant requiring differences training. • First use of an aircraft type within an aircraft class rating that requires specific training and flight review. • First use of a new type within an existing class rating. • First use of a pressurised aircraft. • First use of a turbine-powered aircraft. • First use of a class rated aircraft that has a maximum operational passenger seat configuration greater than 9 or maximum take-off weight above 8,618 kg. • First use of a heavier rotorcraft above 3,175 kg MTOW. <p>2. New NVIS-related triggers</p> <p>Amendments (ab), (ac), and (ad) add further significant change triggers for an operator conducting an NVIS (Night Vision Imaging System) operation for the first time under:</p> <ul style="list-style-type: none"> • Part 121 • Part 133 • Subpart 121.Z • Part 135. <p>The mention of Part 121 is included to provide regulatory flexibility in the future, even though no current NVIS operations are being conducted under Part 121.</p>

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<p>(ii) a Part 135 operation; or</p> <p>20 At the end of regulation 119.020 Add:</p> <p>Note: See Division 202.EAA.2 for application provisions relating to paragraphs (aa) to (ad) of this regulation.</p>	
<p>21 Subparagraph 119.205(1)(e)(iv) After “each person”, insert “(if any)”.</p>	<p>Amendment Item 21 incorporates the effect of the existing exemption in CASA EX68/24 Section 16 into regulation 119.205. CASA issued this exemption because paragraph 119.205(1)(e)(iv) was being misinterpreted as obliging operators to appoint a pre-authorized alternate for every key personnel role.</p> <p>The rule was meant only to require operators to nominate a backup person if they chose to.</p>
<p>22 At the end of regulation 121.005 Add:</p> <p>(3) A provision covered by subregulation (4) applies to a private operation (the current operation) involving a multi-engine aeroplane (the current aeroplane) in relation to which either or both of paragraphs (1)(a) and (b) apply if:</p> <p>(a) the current aeroplane’s operator is an Australian air transport operator; and</p> <p>(b) the operation of the current aeroplane is authorised by the current aeroplane operator’s Australian air transport AOC; and</p> <p>(c) before the start of the current operation, that operator has, by written notification to CASA, elected that the provision covered by subregulation (4) is to apply to:</p> <p>(i) the current operation or private operations of a kind that include the current operation; and</p> <p>(ii) the current aeroplane or multi-engine aeroplanes of a kind that include the current aeroplane; and</p> <p>(d) that notification was accompanied by a copy of the part of that operator’s exposition that clearly identifies that the provision covered by subregulation (4) is to apply to:</p>	<p>Amendment Item 22 incorporates the effect of many existing exemptions in CASA EX69/24 Part 3 into regulation 121.005.</p> <p>The proposed amendment would add new subsections (3) and (4) that allow certain Part 121 operational requirements to be <i>voluntarily applied</i> to private operations conducted by an Australian air transport operator.</p> <p>What the new subregulation does</p> <p>It allows an Australian air transport operator to voluntarily elect to have certain provisions of Part 121 applied to a private operation using an aeroplane if:</p> <ul style="list-style-type: none"> • the aeroplane meets the same thresholds as in subregulation 121.005(1) (multi-engine; >9 seats and/or >8,618 kg MTOW), and • they hold an AOC for Australian air transport operations (i.e. is an Australian air transport operator), and • they are authorised to use the aeroplane under their AOC, and • they make a formal written election to CASA, and • their exposition documents specify that the selected Part 121 provisions apply, and

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<p>(i) the current operation or private operations of a kind that include the current operation; and</p> <p>(ii) the current aeroplane or multi-engine aeroplanes of a kind that include the current aeroplane; and</p> <p>(e) before the start of the current operation, that operator has not notified CASA in writing that the election is withdrawn.</p> <p>(4) This subregulation covers the following provisions:</p> <p>(a) Division 121.C.3;</p> <p>(b) regulation 121.170;</p> <p>(c) regulation 121.235;</p> <p>(d) regulation 121.240;</p> <p>(e) regulation 121.255;</p> <p>(f) regulation 121.265;</p> <p>(g) regulation 121.285;</p> <p>(h) Subpart 121.F;</p> <p>(i) Subpart 121.J;</p> <p>(j) Subpart 121.K;</p> <p>(k) Subpart 121.P.</p>	<ul style="list-style-type: none"> they do not later withdraw the election. <p>Which provisions can be elected?</p> <p>Subregulation (4) lists the provisions, which relate to:</p> <ul style="list-style-type: none"> flight related documents alternate aerodrome requirements aircraft fuel requirements and fuelling safety procedures carry-on baggage stowage of passenger service equipment safety briefings, instructions and demonstrations take-off and landing performance weight and balance fuel requirements aircraft equipment cabin crew member training and checking. <p>Why this matters</p> <p>Before this amendment:</p> <ul style="list-style-type: none"> Part 121 rules only applied to Australian air transport operations. Private operations, even by Australian air transport operators, were required to comply with all of Part 91 unless specifically permitted otherwise (this effect was provided by CASA EX69/24 Part 3). <p>After this amendment:</p> <ul style="list-style-type: none"> An Australian air transport operator can choose to operate their private flights (e.g., positioning, ferry, or company-use flights) under the same operational standards that apply to their Australian air transport operations, provided those standards are in the proposed new 121.005(4) list. <p>This can:</p> <ul style="list-style-type: none"> improve safety alignment across the operator's fleet

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	<ul style="list-style-type: none"> • reduce internal policy complexity • allow consistency in operational documentation.
<p>23 Subregulation 121.055(1) Repeal the subregulation, substitute:</p> <p>(1) The operator of an aeroplane for a flight contravenes this subregulation if, before, during or after the flight, the aeroplane is operated in a way that does not meet, or an activity is not carried out in compliance with, a requirement or limitation that:</p> <p>(a) is set out in the aircraft flight manual instructions for the aeroplane; and</p> <p>(b) relates to the operation of the aeroplane before, during or after the flight.</p> <p>Note: The pilot in command of the aeroplane must also ensure the aeroplane is operated in accordance with the aircraft flight manual instructions: see regulation 91.095.</p>	<p>Amendment Item 23 corrects a mistake in the drafting of regulation 121.055 that compliance with aircraft flight manual instructions applied only in-flight, unintentionally excluding essential pre-flight and post-flight requirements.</p> <p>This amendment incorporates the effect of the current direction contained in CASA EX69/24 Section 25. The proposed amendment permanently updates the affected regulation so that pilots in command and operators must meet approved, safety-critical flight manual requirements at all stages of aircraft operation—before, during and after flight.</p>
<p>24 Subparagraph 131.195(1)(e)(iv) After “each person”, insert “(if any)”.</p>	<p>Amendment Item 24 incorporates the effect of the existing exemption in CASA EX62/24 Section 7 into regulation 131.195. CASA issued this exemption because paragraph 131.195(1)(e)(iv) was being misinterpreted as obliging operators to appoint a pre-authorised alternate for every key personnel role.</p> <p>The rule was meant only to require operators to nominate a backup person if they chose to.</p>
<p>25 Subregulation 131.255(1) Repeal the subregulation (not including the note), substitute:</p> <p>(1) The operator of a Part 131 aircraft for a flight that is a balloon transport operation contravenes this subregulation if, before, during or after the flight, the aircraft is operated in a way that does not meet, or an activity is not carried out in compliance with, a requirement or limitation that:</p> <p>(a) is set out in the aircraft flight manual instructions for the aircraft; and</p> <p>(b) relates to the operation of the aircraft before, during or after the flight.</p>	<p>Amendment Item 25 corrects a mistake in the drafting of regulation 131.255 that compliance with aircraft flight manual instructions applied only in-flight, unintentionally excluding essential pre-flight and post-flight requirements.</p> <p>The proposed amendment permanently updates the affected regulation so that pilots in command and operators must meet approved, safety-critical flight manual requirements at all stages of aircraft operation—before, during and after flight.</p>

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<p>26 Regulation 133.005 Before “This”, insert “(1)”.</p> <p>27 At the end of regulation 133.005 Add:</p> <p>(2) A provision covered by subregulation (3) applies to a private operation (the current operation) involving a rotorcraft (the current rotorcraft) if:</p> <p>(a) the rotorcraft’s operator is an Australian air transport operator; and</p> <p>(b) the operation of the current rotorcraft is authorised by the current rotorcraft operator’s Australian air transport AOC; and</p> <p>(c) before the start of the current operation, that operator has, by written notification to CASA, elected that the provision covered by subregulation (3) is to apply to:</p> <p>(i) the current operation or private operations of a kind that include the current operation; and</p> <p>(ii) the current rotorcraft or rotorcraft of a kind that include the current rotorcraft; and</p> <p>(d) that notification was accompanied by a copy of the part of that operator’s exposition that clearly identifies that the provision covered by subregulation (3) is to apply to:</p> <p>(i) the current operation or private operations of a kind that include the current operation; and</p> <p>(ii) the current rotorcraft or rotorcraft of a kind that include the current rotorcraft; and</p> <p>(e) before the start of the current operation, that operator has not notified CASA in writing that the election is withdrawn.</p> <p>(3) This subregulation covers the following provisions:</p> <p>(a) Division 133.C.3;</p> <p>(b) regulation 133.190;</p> <p>(c) regulation 133.195;</p>	<p>Amendment Items 26 and 27 incorporate the effect of many existing exemptions in CASA EX70/24 Part 3 into regulation 133.005.</p> <p>The proposed amendment would add new subsections (2) and (3) that allow certain Part 133 operational requirements to be <i>voluntarily applied</i> to private operations conducted by an Australian air transport operator.</p> <p>What the new subregulation does</p> <p>It allows an Australian air transport operator to voluntarily elect to have certain provisions of Part 133 applied to a private operation using a rotorcraft if they:</p> <ul style="list-style-type: none"> • hold an AOC for Australian air transport operations (i.e. is an Australian air transport operator), and • are authorised to use the rotorcraft under their AOC, and • make a formal written election to CASA, and • have their exposition documents specify that the selected Part 133 provisions apply, and • do not later withdraw the election. <p>Which provisions can be elected?</p> <p>Subregulation (3) lists the provisions, which relate to:</p> <ul style="list-style-type: none"> • flight related documents • aircraft fuel requirements and fuelling safety procedures • safety briefings, instructions and demonstrations • take-off and landing performance • weight and balance • aircraft equipment • cabin crew member training and checking. <p>Why this matters</p> <p>Before this amendment:</p>

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<p>(d) regulation 133.240; (e) Subpart 133.F; (f) Subpart 133.J; (g) Subpart 133.K; (h) Division 133.P.1.</p>	<ul style="list-style-type: none"> Part 133 rules only applied to Australian air transport operations. Private operations, even by Australian air transport operators, were required to comply with all of Part 91 unless specifically permitted otherwise (this effect was provided by CASA EX70/24 Part 3). <p>After this amendment:</p> <ul style="list-style-type: none"> An Australian air transport operator can choose to operate their private flights (e.g., positioning, ferry, or company-use flights) under the same operational standards that apply to their Australian air transport operations, provided those standards are in the proposed new 133.005(3) list. <p>This can:</p> <ul style="list-style-type: none"> improve safety alignment across the operator's fleet reduce internal policy complexity allow consistency in operational documentation.
<p>28 Subregulation 133.030(1) Repeal the subregulation, substitute:</p> <p>(1) The operator and the pilot in command of a rotorcraft for a flight each contravene this subregulation if, before, during or after the flight, the rotorcraft is operated in a way that does not meet, or an activity is not carried out in compliance with, a requirement or limitation that:</p> <p>(a) is set out in the aircraft flight manual instructions for the rotorcraft; and</p> <p>(b) relates to the operation of the rotorcraft before, during or after the flight.</p>	<p>Amendment Item 28 corrects a mistake in the drafting of regulation 133.030 that compliance with aircraft flight manual instructions applied only in-flight, unintentionally excluding essential pre-flight and post-flight requirements.</p> <p>This amendment incorporates the effect of the current direction contained in CASA EX70/24 Section 20. The proposed amendment permanently updates the affected regulation so that pilots in command and operators must meet approved, safety-critical flight manual requirements at all stages of aircraft operation—before, during and after flight.</p>
<p>29 Regulation 135.005 Before “This”, insert “(1)”.</p> <p>30 At the end of regulation 135.005 Add:</p> <p>(2) A provision covered by subregulation (3) applies to a private operation (the current operation) involving an aeroplane (the</p>	<p>Amendment Items 29 and 30 incorporate the effect of many existing exemptions in CASA EX71/24 Part 3 into regulation 135.005.</p> <p>The proposed amendment would add new subsections (2) and (3) that allow certain Part 135 operational requirements to be <i>voluntarily applied</i> to private operations conducted by an Australian air transport operator.</p> <p>What the new subregulation does</p>

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<p>current aeroplane) in relation to which paragraphs (1)(a) and (b) apply, or involving a single-engine aeroplane (also the current aeroplane) in relation to which paragraphs 121.005(2)(a) and (b) apply, if:</p> <p>(a) the current aeroplane’s operator is an Australian air transport operator; and</p> <p>(b) the operation of the current aeroplane is authorised by the current aeroplane operator’s Australian air transport AOC; and</p> <p>(c) before the start of the current operation, that operator has, by written notification to CASA, elected that the provision covered by subregulation (3) is to apply to:</p> <p>(i) the current operation or private operations of a kind that include the current operation; and</p> <p>(ii) the current aeroplane or aeroplanes of a kind that include the current aeroplane; and</p> <p>(d) that notification was accompanied by a copy of the part of that operator’s exposition that clearly identifies that the provision covered by subregulation (3) is to apply to:</p> <p>(i) the current operation or private operations of a kind that include the current operation; and</p> <p>(ii) the current aeroplane or aeroplanes of a kind that include the current aeroplane; and</p> <p>(e) before the start of the current operation, that operator has not notified CASA in writing that the election is withdrawn.</p> <p>(3) This subregulation covers the following provisions:</p> <p>(a) Division 135.C.3;</p> <p>(b) regulation 135.215;</p> <p>(c) regulation 135.220;</p> <p>(d) regulation 135.280;</p> <p>(e) Subpart 135.F;</p> <p>(f) Subpart 135.J;</p> <p>(g) Subpart 135.K.</p>	<p>It allows an Australian air transport operator to voluntarily elect to have certain provisions of Part 135 applied to a private operation using an aeroplane if they:</p> <ul style="list-style-type: none"> • the aeroplane meets the same thresholds as in: <ul style="list-style-type: none"> ○ subregulation 135.005(1) (single-engine; <9 seats and/or <8,618 kg MTOW), or ○ subregulation 121.005(2)(a) and (b) (single-engine; >9 seats and <8,618 kg MTOW), and • they hold an AOC for Australian air transport operations (i.e. is an Australian air transport operator), and • they are authorised to use the aeroplane under their AOC, and • they make a formal written election to CASA, and • their exposition documents specify that the selected Part 135 provisions apply, and • do not later withdraw the election. <p>Which provisions can be elected?</p> <p>Subregulation (3) lists the provisions, which relate to:</p> <ul style="list-style-type: none"> • flight related documents • aircraft fuel requirements and fuelling safety procedures • safety briefings, instructions and demonstrations • take-off and landing performance • weight and balance • aircraft equipment. <p>Why this matters</p> <p>Before this amendment:</p> <ul style="list-style-type: none"> • Part 135 rules only applied to Australian air transport operations.

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	<ul style="list-style-type: none"> Private operations, even by Australian air transport operators, were required to comply with all of Part 91 unless specifically permitted otherwise (this effect was provided by CASA EX71/24 Part 3). <p>After this amendment:</p> <ul style="list-style-type: none"> An Australian air transport operator can choose to operate their private flights (e.g., positioning, ferry, or company-use flights) under the same operational standards that apply to their Australian air transport operations, provided those standards are in the proposed new 135.005(3) list. <p>This can:</p> <ul style="list-style-type: none"> improve safety alignment across the operator's fleet reduce internal policy complexity allow consistency in operational documentation.
<p>31 Subregulation 135.040(1) Repeal the subregulation, substitute:</p> <p>(1) The operator of an aeroplane for a flight contravenes this subregulation if, before, during or after the flight, the aeroplane is operated in a way that does not meet, or an activity is not carried out in compliance with, a requirement or limitation that:</p> <p>(a) is set out in the aircraft flight manual instructions for the aeroplane; and</p> <p>(b) relates to the operation of the aeroplane before, during or after the flight.</p> <p>Note: The pilot in command of the aeroplane must also ensure the aeroplane is operated in accordance with the aircraft flight manual instructions: see regulation 91.095.</p>	<p>Amendment Item 31 corrects a mistake in the drafting of regulation 135.040 that compliance with aircraft flight manual instructions applied only in-flight, unintentionally excluding essential pre-flight and post-flight requirements.</p> <p>This amendment incorporates the effect of the current direction contained in CASA EX71/24 Section 18. The proposed amendment permanently updates the affected regulation so that pilots in command and operators must meet approved, safety-critical flight manual requirements at all stages of aircraft operation—before, during and after flight.</p>
<p>32 After subregulation 138.005(4) (before the note) Insert:</p> <p>(5) A provision covered by subregulation (6) applies to a private operation (the current operation) involving an aircraft (the current aircraft) in relation to which paragraphs (1)(a) and (b) apply if:</p>	<p>Amendment Item 32 incorporate the effect of existing exemptions in CASA EX72/24 Sections 11, 13 and 14 into regulation 138.005.</p>

Draft amendments	Explanation
<p>(a) the private operation is not an aerial work operation; and</p> <p>(b) the current aircraft's operator is an aerial work operator; and</p> <p>(c) the operation of the current aircraft is authorised by the current aircraft operator's aerial work certificate; and</p> <p>(d) before the start of the current operation, that operator has, by written notification to CASA, elected that the provision covered by subregulation (6) is to apply to:</p> <p style="padding-left: 20px;">(i) the current operation or private operations of a kind that include the current operation; and</p> <p style="padding-left: 20px;">(ii) the current aircraft or aircraft of a kind that include the current aircraft; and</p> <p>(e) that notification was accompanied by a copy of the part of that operator's operations manual that clearly identifies that the provision covered by subregulation (6) is to apply to:</p> <p style="padding-left: 20px;">(i) the current operation or private operations of a kind that include the current operation; and</p> <p style="padding-left: 20px;">(ii) the current aircraft or aircraft of a kind that include the current aircraft; and</p> <p>(f) before the start of the current operation, that operator has not notified CASA in writing that the election is withdrawn.</p> <p>(6) This subregulation covers the following provisions:</p> <p style="padding-left: 20px;">(a) regulation 138.302;</p> <p style="padding-left: 20px;">(b) Subpart 138.F;</p> <p style="padding-left: 20px;">(c) Subpart 138.J.</p>	<p>The proposed amendment would add new subsections (5) and (6) that allow certain Part 138 operational requirements to be <i>voluntarily applied</i> to private operations that are not aerial work operations conducted by an aerial work certificate holder (i.e. what the Part 138 regulations call an <i>aerial work operator</i>).</p> <p>The scope of Part 138 rules permitted to be used during private operations which are not aerial work operations is deliberately less than the similar provisions proposed to be added to Parts 121, 133 and 135. This is because some Part 138 rules do not provide equivalent or greater safety protections than Part 91.</p> <p>What the new subregulation does</p> <p>It allows an aerial work certificate holder to voluntarily elect to have certain provisions of Part 138 applied to a private operation that is not an aerial work operation using an aircraft if they:</p> <ul style="list-style-type: none"> • hold an aerial work certificate (i.e. are an aerial work operator), and • are using an aircraft that meets paragraphs 138.005(1)(a) and (b) (i.e. an aeroplane or rotorcraft, and Part 101 does not apply), and • are authorised to use the aircraft under their aerial work certificate, and • make a formal written election to CASA, and • have their operations manual specify that the selected Part 138 provisions apply, and • do not later withdraw the election. <p>Which provisions can be elected?</p> <p>Subregulation (6) lists the provisions, which relate to:</p> <ul style="list-style-type: none"> • fuelling safety procedures • take-off and landing performance • weight and balance. <p>Why this matters</p>

Draft amendments	Explanation
	<p>Before this amendment:</p> <ul style="list-style-type: none"> Part 138 rules only applied to aerial work operations. Private operations that are not aerial work operations, even by aerial work certificate holders, were required to comply with all of Part 91, unless specifically permitted otherwise (this effect was provided by CASA EX72/24 Part 3). <p>After this amendment:</p> <ul style="list-style-type: none"> An aerial work certificate holder can choose to operate their private flights which are not aerial work operations under the same operational standards that apply to their aerial work operations, provided those standards are in the proposed 138.005(6) list. <p>This can:</p> <ul style="list-style-type: none"> improve safety alignment across the operator's fleet reduce internal policy complexity allow consistency in operational documentation.
<p>33 After paragraph 138.012(b) Insert: (ba) the operator first conducts an NVIS operation for an aerial work operation;</p>	<p>Amendment Item 33 adds a new paragraph 138.012(ba) to specify the NVIS operation significant change requirement currently located in the direction within CASA EX72/24 Section 23. This is parallel to Amendment Item 20 incorporating equivalent changes into the Part 119 significant change definition.</p> <p>Regulation 138.012 of CASR defines what changes constitute significant changes for an aerial work operation and affected operators. NVIS operations were overlooked for inclusion as a trigger for significant change in Part 138.</p> <p>Amendment Item 40 is related to this change as it proposes to insert a definition of NVIS operation into the CASR Dictionary.</p>
<p>34 Subregulation 138.210(2) Repeal the subregulation, substitute: (2) The operator and the pilot in command of an aircraft for a flight involving an aerial work operation each contravene this subregulation if, before, during or after the flight, the aircraft is</p>	<p>Amendment Item 34 corrects a mistake in the drafting of regulation 138.210 that compliance with aircraft flight manual instructions applied only in-flight, unintentionally excluding essential pre-flight and post-flight requirements.</p>

Draft amendments	Explanation
<p>operated in a way that does not meet, or an activity is not carried out in compliance with, a requirement or limitation that:</p> <p>(a) is set out in the aircraft flight manual instructions for the aircraft; and</p> <p>(b) relates to the operation of the aircraft before, during or after the flight.</p>	<p>This amendment incorporates the effect of the current direction contained in CASA EX72/24 Section 15. The proposed amendment permanently updates the affected regulation so that pilots in command and operators must meet approved, safety-critical flight manual requirements at all stages of aircraft operation—before, during and after flight.</p>
<p>35 Subparagraph 138.302(1)(b)(i) Omit “aerial work passengers”, substitute “passengers”.</p> <p>36 At the end of subregulation 138.302(1) Add:</p> <p>Note: See regulation 138.305 for further requirements relating to the carriage of passengers during an aerial work operation.</p>	<p>Amendment Items 35 and 36 corrects a mistake in the drafting of regulation 138.302 which currently unintentionally excludes the rule applying to a passenger that is not an aerial work passenger.</p> <p>Why this matters</p> <p>Before this amendment, even though passengers (the CASR Dictionary defines a passenger as any person who is not a crew member) who are not aerial work passengers could be onboard an aircraft during fuelling operations, their safety is not required to be addressed by the relevant procedures in an aerial work operator’s operations manual.</p> <p>After this amendment, an aerial work operator’s operations manual would need to include procedures relating to the safety of any passenger embarking, disembarking or onboard an aircraft during fuelling, thereby ensuring consistent safety coverage.</p>
<p>37 Subparagraph 141.260(1)(e)(iv) After “each person”, insert “(if any)”.</p> <p>38 Subparagraph 142.340(1)(e)(iv) After “each person”, insert “(if any)”.</p>	<p>Amendment Items 37 and 38 incorporate the effect of the existing exemptions in CASA EX32/24 Part 18 into regulations 141.260 and 142.340. CASA issued these exemptions because paragraphs 141.260(1)(e)(iv) and 142.340(1)(e)(iv) were being misinterpreted as obliging operators to appoint a pre-authorised alternate for every key personnel role.</p> <p>The rule was meant only to require operators to nominate a backup person if they chose to.</p>
<p>39 After Division 202.EAA.1 of Part 202 Insert:</p> <p>Division 202.EAA.2—Amendments made by the Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</p>	<p>Amendment Item 39 inserts a new Division 202.EAA.2 of CASR which sets out the transitional application and savings rules identifying how, and from what point in time, each amendment in Schedule 3 applies. The purpose of these rules is to ensure there are no gaps, no uncertainty, and no regulatory conflicts as the new rules replace or supersede the previous exemptions and directions.</p>

Draft amendments	Explanation
<p>202.441 Amendments made by the <i>Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</i></p> <ol style="list-style-type: none"> (1) The amendments of regulation 91.035 made by Schedule 3 to the <i>Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</i> apply in relation to the operation of an aircraft that starts on or after the commencement of this regulation. (2) The amendments of regulations 91.095, 121.055, 131.255, 133.030, 135.040 and 138.210 made by Schedule 3 to the <i>Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</i> apply in relation to a flight that begins on or after the commencement of this regulation. (3) The amendments of regulations 119.020 and 138.012 made by Schedule 3 to the <i>Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</i> apply in relation to a significant change that is made on or after the commencement of this regulation. (4) The amendments of regulations 121.005, 133.005, 135.005 and 138.005 made by Schedule 3 to the <i>Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</i> apply in relation to a private operation that starts on or after the commencement of this regulation. (5) An application made under section 6A of the <i>CASA EX68/24 – Part 119 of CASR – Supplementary Exemptions and Directions Instrument 2024</i> before the commencement of this regulation for approval of a significant change covered by paragraph 119.020(ac) (as inserted by the <i>Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</i>), in relation to which CASA has not made a decision before that commencement, is taken, on and after that commencement, to be an application made regulation 119.090 for approval of that significant change. (6) An approval under section 6A of the <i>CASA EX68/24 – Part 119 of CASR – Supplementary Exemptions and Directions Instrument 2024</i> (including an approval under that section because of the operation of section 21 of that instrument) in force immediately before the commencement of this regulation 	<p>Division 202.EAA.2 does this by specifying exactly when each amended regulation begins to apply—whether to an aircraft operation, a flight, a significant change, or a private operation—and also carrying over existing applications and approvals relating to significant changes made under CASA EX68/24 and CASA EX72/24. This avoids operators needing to reapply for approvals and prevents any regulatory gaps as the exemptions and directions are replaced by the new proposed permanent provisions in the CASR.</p>

Draft amendments	Explanation
<p>for an NVIS operation in a Part 133 operation is taken, on and after that commencement, to be an approval under regulation 119.095 in relation to that NVIS operation.</p> <p>(7) An application made under section 7 of the <i>CASA EX68/24 – Part 119 of CASR – Supplementary Exemptions and Directions Instrument 2024</i> before the commencement of this regulation for approval of a significant change covered by paragraph 119.020(aa) (as inserted by the <i>Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</i>), in relation to which CASA has not made a decision before that commencement, is taken, on and after that commencement, to be an application made regulation 119.090 for approval of that significant change.</p> <p>(8) An approval under section 7 of the <i>CASA EX68/24 – Part 119 of CASR – Supplementary Exemptions and Directions Instrument 2024</i> (including an approval under that section because of the operation of section 21 of that instrument) in force immediately before the commencement of this regulation for a relevant change mentioned in subsection 7(3) of that instrument is taken, on and after that commencement, to be an approval under regulation 119.095 of that change.</p> <p>(9) An application made under section 23 of the <i>CASA EX72/24 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024</i> before the commencement of this regulation for approval of a significant change covered by paragraph 138.012(ba) (as inserted by the <i>Civil Aviation Safety Amendment (Minor Changes) Regulations 2025</i>), in relation to which CASA has not made a decision before that commencement, is taken, on and after that commencement, to be an application made regulation 138.062 for approval of that significant change.</p> <p>(10) An approval under section 23 of the <i>CASA EX72/24 – Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024</i> (including an equivalent approval, to that approval, covered by section 30 of that instrument) in force immediately before the commencement of this regulation for an NVIS operation is taken, on and after that commencement, to</p>	

Draft amendments	Explanation
<p>be an approval under regulation 138.064 in relation to that NVIS operation.</p>	
<p>40 Part 1 of the Dictionary Insert:</p> <p><i>NVIS operation:</i></p> <ul style="list-style-type: none"> (a) for a Part 121 operation—has the meaning given by the Part 121 Manual of Standards; or (b) for a Subpart 121.Z operation or a Part 135 operation—has the meaning given by the Part 135 Manual of Standards; or (c) for a Part 133 operation—has the meaning given by the Part 133 Manual of Standards; or (d) for an aerial work operation—has the meaning given by the Part 138 Manual of Standards; or (e) for any other operation—has the meaning given by the Part 91 Manual of Standards. <p><i>Subpart 121.Z operation</i> means an operation mentioned in subregulation 121.005(2).</p>	<p>Amendment Item 40 enables amendment items 20 and 33 by adding a definition of <i>NVIS operation</i> to the CASR Dictionary. The specifics of this definition for each relevant CASR part is proposed to be contained in the relevant applicable Manual of Standards (MOS) (whether the Part 91, 121, 133, 135 or 138 MOS).</p> <p>The mention of Part 121 is included to provide regulatory flexibility in the future, even though no current NVIS operations are being conducted under Part 121.</p> <p>Devolving a highly technical definition to a MOS has been done already for other definitions in the CASRA Dictionary. An example is the definition of <i>TAWS-Class A</i>.</p>