

Proposed amendments to the rules for larger aeroplanes air transport operations - Part 119 and 121 of CASR - (CD 1806OS)

Overview

The proposed new rules for larger aeroplane air transport operations aim to consolidate the rules into a single document suite and make them more operationally focused and easier to use.

The larger aeroplane rules are applicable to multi-engine aeroplanes with a maximum take-off weight (MTOW) more than 8,618kg **or** a maximum operational passenger seating configuration (MOPSC) of more than nine seats. They are also applicable to single-engine aeroplanes with a MOPSC of more than nine seats and MTOW of 8,618kg **or less**.

The new rules largely retain existing regulatory requirements but introduce some new requirements—notably to reduce the safety differential between charter and regular public transport operations but also to bring Australia up to date with the international standards of other leading national aviation authorities and Annex 6 of the Chicago Conventions of the International Civil Aviation Organization (ICAO).

The new rules aim to:

- introduce a graduated level of safety for air transport operations that does not differentiate between scheduled and non-scheduled operations
- graduate requirements proportionate to the risk, with more stringent controls over activities with higher passenger capacity or higher mass
- permit existing charter operators to conduct fixed scheduled flights for the general public (an ability currently requiring an RPT AOC)
- enhance existing safety levels by harmonising with modern requirements for the fitment of flight data recorders, cockpit voice recorders and underwater locating devices on long overwater flights

- provide operational flexibility by harmonising with modern rules for fuel and alternate aerodrome selection, including the introduction of an isolated aerodrome concept
- provide operational flexibility by updating existing CAO 82.0 ETOPS concepts to EDTO provisions based on ICAO Annex 6 Attachment D
- provide operational flexibility by harmonising cabin crew ratios with common practice
- provide operational flexibility for operators to describe how they will manage multi-fleet flying in their exposition
- enhance safety by restricting the crewing together of inexperienced personnel
- enhance safety by re-introducing the requirement for the carriage of first aid kits and introducing a new requirement for emergency medical kits and universal precaution kits on specified flights
- provide for recurrent training and checking requirements to be met by alternative means acceptable to CASA, to allow for future training and checking programs (e.g. evidence-based training).

There are two Civil Aviation Safety Regulations 1998 (CASR) Parts relevant to larger aeroplane air transport operators:

- Part 119 – the certification and management for all Australian air transport Air Operator's Certificate (AOC) holders
- Part 121 – the operating rules for larger aeroplanes conducting air transport operations.

The Part 121 Manual of Standards (MOS), which contains instructions on how operations must be carried out or what requirements must be met, is provided as part of this consultation to enable industry evaluation of the draft regulations. CASA is not requesting comment on the Part 121 MOS as part of this consultation. The Part 121 MOS will be the subject of an Aviation Safety Advisory Panel (ASAP) Technical Working Group (TWG) later in 2018 and a separate formal public consultation in early 2019.

Unless otherwise stated in Part 121, operators will also be required to comply with CASR Part 91, the general operating and flight rules, which was consulted in March-April 2018.

What happens next

Parts 119 and 121 form part of the suite of six interlinked and interdependent certification and flight operating regulations (the other elements of this suite are Parts 91, 133, 135 and 138). Consultation for Part 133 – rotorcraft air transport operations, is open and

closes on 21 August 2018. Consultation for Part 135 – smaller aeroplane air transport operations, is open and closes on 2 September 2018. These consultations will also include further consultation on Part 119.

It is proposed that the certification and flight operations regulations will be made in late 2018. Following this, CASA proposes to commence the flight operations regulations in early 2021, with the commencement date aligned with the Aeronautical Information Regulation and Control (AIRAC) cycle and Aeronautical Information Publication (AIP) update. However, we are aware that some changes will have greater industry impact than others. Therefore, we are seeking industry feedback to help identify specific changes where you may need additional time to comply.

Why we are consulting

We are consulting with the aviation community on the larger aeroplane air transport rules to ensure they will work in practice as they are intended.

How this consultation works

You will be asked to comment on Part 119 and Part 121 separately. We have included a number of documents to help you navigate through the regulations which are attached in the 'Related' section at the bottom of this page. In particular, the Summary of Proposed Changes (SPC) outlines how the proposed regulations will work together and specific changes.

Recent industry feedback

In June 2018, ASAP convened a TWG to evaluate drafts of the Part 119 and 121 rules.

The group made several suggestions and highlighted potential issues. The specific issues raised and the preliminary CASA response to these issues can be found at: <https://www.casa.gov.au/about-us/standard-page/part-121-twg-australian-air-transport-operations-large-aeroplane-operations> CASA has refined the draft regulations based on this feedback. In addition, Parts 121 and 119 have been extensively consulted throughout their development.

Draft regulations for Part 121 were first published in 2002. The most recent comprehensive consultation was conducted during 2015, including nine working groups with representatives from industry's flight operations and cabin crew departments, relevant unions (Flight Attendants Association of Australia and Australian Federation of Air Pilots/Australian & International Pilots Association) and other representative groups such as the Australian Business Aircraft Association and the Regional Aviation Association of Australia.

The most recent comprehensive consultation on Part 119 was conducted during 2012 with additional consultation in 2014–15 on scenic flights and small cargo operations.

Please note: The draft of Part 119 attached to this consultation does not incorporate any changes proposed or resulting from the scenic flight and small cargo consultations. As CASA proposes to commence the flight operations regulations in early 2021, we plan to consult further with the aviation community regarding scenic flights and small cargo operations in 2019 to finalise policy in this area.

Using an iPad

If you are using an iPad to complete the survey you will be asked to 'download the relevant PDF'. Depending on the software you have on your iPad you may need to download the free viewer to review the single document PDF files. Where a file is a 'multi-file or portfolio PDF you will need to source the Adobe free view - available from iTunes. More information on the 'how to' is available below in 'related' section below.

Introductory text

This consultation asks for your feedback on the proposed Part 119 of CASR, Part 121 of CASR and the Technical draft for Part 121 MOS.

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 regulations
- basic demographic information.

Our website contains more information on making a submission and what we do with your feedback.

When you have completed the consultation, click the '**Finish**' button at the bottom right of this page.

Personal information

First name

(Required)

Last name

(Required)

Email address

If you enter your email address then 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
- No

If yes, please specify the name of the organisation.

Where do you operate from?

Please enter your postcode below.

Consent to publish your submission

To promote debate and transparency, 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 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 comments
- basic demographic information, that is, the area from which you operate.

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.

Part 119 – air transport certification and management

Part 119 of the Civil Aviation Safety Regulations 1998 (CASR) deals with the certification and management for air transport operators. Therefore, it applies to all larger aeroplane operators with an Air Operators Certificate (AOC).

Draft regulations and guidance material:

Draft Part 119 of CASR

Summary of Proposed Change - Part 119 of CASR on CD 1806OS

Draft guidance material - AMC/GM Part 119 of CASR Australian air transport operators - certification and management

Please provide your comments below. Specify the relevant regulation number and any change that you believe will add value to the proposed regulations.

Please attach a copy of any documents you wish to include to this printout.

You may wish to upload a file as part of your submission. Select 'Browse' below and navigate to the file you wish to include. Please note pdf or docx is preferred.

Part 121 – larger aeroplane air transport operations

Part 121 of the Civil Aviation Safety Regulations 1998 (CASR) outlines the operating rules for larger aeroplane air transport operations.

Draft regulations and guidance material:

Draft CASR Part 121

Technical Draft Part 121 MOS

Summary of Proposed Change Part 121 (CD 1806OS)

Draft guidance material AMC/GM Part 121 of CASR Australian air transport operations – larger aeroplanes

Draft Part 91 of CASR

Please provide feedback below. Specify the relevant regulation number and any change that you believe will add value to the proposed regulations.

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