

## **ANNEX B**

### **Summary of changes to Part 139 of CASR**

## 1 Introduction

The most significant regulatory change in the proposed Part 139 amendments is the removal of provisions for registration of aerodromes. As a result, CASA proposes that all regulated aerodromes be transitioned to a scalable certification structure, which is consistent with Annex 14, Aerodromes to the Chicago Convention.

If the proposed changes are adopted, CASA intends to issue new certificates to operators of registered aerodromes.

Much of the detailed content of the current regulation has been moved to the Part 139 Manual of Standards (MOS). This summary of changes references every section of the current regulation and identifies whether or not it has changed, the reason for and nature of any change and the new reference in the regulation or MOS, where relevant.

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Current reference	Title	Change Y/N	New reference	Details of change
139.005	Applicability of this part.	Y	139.001	A new simplified outline of the part has been provided for guidance.
139.010	Definitions for this part.	Y	N/A	This regulation has been removed. As required by legal drafting practice, definitions will be moved into the CASR Dictionary or embedded in relevant section of the regulation or standard (as applicable).
139.015	Standards for aerodromes.	Y	139.005	The intent of the existing regulation has been preserved however it has been moved to a new location. Some wording has been revised to give the MOS appropriate legal standing.
N/A			139.010	This new regulation supports a new provision in the proposed Part 139 MOS allowing approvals to be available for all MOS elements, subject to a suitable safety case being submitted by the aerodrome operator.
139.025	Access to aerodromes.	N	139.125	This regulation has been redrafted and moved to a new location, however the existing intent has not changed.
139.030(1)	Restrictions on use of terminal instrument flight procedures.	Y	139.025	References to registered aerodromes have been removed. Other changes have been made to the wording but not the original intent. For example, aerodromes must be certified to have terminal instrument flight procedure.
139.035	No effect on operation of A(BC) Reg. 1996.	N	139.015	This regulation has been redrafted and moved to a new location, however the existing intent has not changed.
139.040	When an aerodrome certificate is required.	Y	139.025	References to aircraft size has been removed as the existing trigger is often outside the control of the aerodrome operator. The revised proposal establishes simple trigger criteria: aerodromes with terminal instrument flight procedures or when certification is requested (opt-in).
139.045	Application for aerodrome certificate.	Y	139.020	Clarifies the requirement for the applicant to provide the proposed aerodrome manual with their initial application.
139.050	Grant of aerodrome	Y	139.030	This regulation has been redrafted and relocated. Some editorial changes

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Current reference	Title	Change Y/N	New reference	Details of change
	certificate.			<p>have been made to include a reference to SMS and other management systems (where required).</p> <p>It is anticipated that some existing certified aerodromes may no longer have a legislative requirement to have an SMS and may instead be able to use a risk management program. CASA will, however, recommend that these aerodromes retain their SMS.</p> <p>It is anticipated that less than 5 existing registered aerodromes will be required to establish an SMS, as the operations of registered aerodrome are normally well below the applicable threshold criteria.</p>
139.070	Suspension or cancellation by CASA.	Y	139.035	A reference to the time to which any suspension would take effect has been added to the regulation. The general intent of the original regulation, however, remains unchanged.
139.085	Temporary certificate.	Y	N/A	This regulation has been removed as, under Part 11 of CASR procedures, temporary certificates will no longer be required.
N/A	New regulation: Notification requirement if aerodrome ceases to be certified.	Y	139.040	<p>New regulation requiring the existing certification holder to notify Aeronautical Information Services (AIS) and also any Part 173 authorised designers of terminal instrument flight procedures if the aerodrome is no longer certified.</p> <p>This is a safety requirement to ensure that AIS and any instrument flight procedures are based on the most current aerodrome status.</p>
139.090	Preparation and location of aerodrome manual.	Y	139.045	The prescriptive requirements for the location of an aerodrome manual have been replaced with an outcome-based requirement for the manual to be 'accessible'. This change reflects the fact that many manuals are fully electronic and may not reside in a single printed location.
139.095	Information to be included in	Y	N/A	Content has been moved to the proposed Part 139 MOS amendment.

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Current reference	Title	Change Y/N	New reference	Details of change
	aerodrome manual.			
	Appendix 1 to 139.095.	Y	N/A	Content has been moved to the proposed Part 139 MOS amendment.
139.100	Form of manual.	Y	N/A	Content has been moved to the proposed Part 139 MOS amendment.
139.105	Amendments of aerodrome manual.	Y	139.050	Some content has also been moved to the proposed Part 139 MOS amendment.
139.110	Notice of amendments.	N	139.050	Former regulations 139.105 and 139.110 have been consolidated to a single regulation, with some content moved to the proposed Part 139 MOS amendment.
139.115	Aerodrome manual controller.	Y	N/A	Content has been moved to the proposed Part 139 MOS amendment.
139.120	Care and diligence in operation and maintenance.	Y	N/A	Removed as the very design of Part 139 ruleset itself requires compliance. The revised Part 139 regulation also establishes an accountable manager under proposed regulation 139.100.
139.125	Reporting officer.	Y	139.100	This regulation has been redrafted and moved to a new location, however the existing intent has not changed. The revised regulation clearly specifies aerodrome personnel positions and responsibilities.
139.130	Works safety officer.	Y	139.100	This regulation has been redrafted and moved to a new location, however the existing intent has not changed. The revised regulation clearly specifies aerodrome personnel positions and responsibilities.
139.135	Works safety officer for time limited works.	Y	139.070	Moved and consolidated to new section. Some content has been moved to the amended Part 139 MOS.
139.140	Training of aerodrome personnel.	Y	139.105	This regulation has been redrafted and moved to a new location, however the existing intent has not changed.

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Current reference	Title	Change Y/N	New reference	Details of change
139.145	Aerodrome manual procedures.	Y	139.055	This regulation has been redrafted and moved to a new location, however the existing intent has not changed.
139.150	Notice of deviation.	Y	139.060	This regulation has been redrafted and moved to a new location, however the existing intent has not changed. The revised regulation preserves the existing requirement for the aerodrome operator to report to CASA a non-compliance against their own procedures, as documented in their aerodrome manual.
139.155	Notice of changes in physical condition etc. of aerodrome.	Y	139.080	Consequential changes were required following the commencement of Part 175. This regulation has now been redrafted and moved to a new location.
139.160	Notice of changes in information published in AIP-ERSA.	Y	139.080	Consequential changes were required following the commencement of Part 175. This regulation has now been redrafted and moved to a new location.
139.165	Physical characteristics of movement area.	Y	139.065	This regulation has been redrafted and moved to a new location. The revised regulation now includes all requirements for physical characteristics, visual aids, maintenance and marking requirements.
139.170 -139.200	Aerodrome markings.	Y	139.065	This regulation has been redrafted and moved to a new location.
139.205	Aerodrome emergency committee.	Y	139.095	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS
139.210	Aerodrome emergency plan.	Y	139.095	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS.
139.215	Testing of aerodrome emergency plan.	Y	139.095	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended

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Current reference	Title	Change Y/N	New reference	Details of change
				Part 139 MOS.
139.220	Aerodrome serviceability inspections.	Y	139.075	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS.
139.225	When aerodrome serviceability inspections must be conducted.	Y	139.075	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS.
139.230	Aerodrome technical inspections.	Y	139.075	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS.
139.235	When aerodrome technical inspections must be conducted.	Y	139.075	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS.
139.240	Who may conduct aerodrome technical inspections?	Y	139.075	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS.
139.245	Planning and execution of aerodrome works.	Y	139.070	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS.
139.250	Safety management system.	Y	139.090	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the amended Part 139 MOS.
139.B.4	Aerodromes to which A-SMGCS applies.	Y	139.115	This regulation has been redrafted and moved to a new location, however the existing intent has not changed. In the revised regulation, the existing title has been changed to 'Aerodrome Ground Surveillance Systems' as A-

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Current reference	Title	Change Y/N	New reference	Details of change
				SMGCS is a proprietary name.
N/A	New regulation: Other aerodrome systems.	Y	139.097	This is a new regulation required to empower subsidiary provisions in the proposed Part 139 MOS amendment concerning 'aerodrome systems' (aircraft parking control, airside vehicle control, wildlife hazard management etc.) other than the SMS.
139.251	Definitions.	Y	N/A	This regulation has been removed. As required by legal drafting practice, definitions will be moved to the CASR Dictionary or embedded in relevant section of the regulation or standard (as applicable).
139.252	Designation of aerodromes to which A-SMGCS applies.	Y	139.115	The change to the revised regulation allows specific areas on an aerodrome to be declared for use as an 'Aerodrome Ground Surveillance System'—rather than all of the manoeuvring area as is currently the case—irrespective of whether the system actually covers that area.
139.254	Vehicles at aerodromes to which A-SMGCS applies.	Y	139.120	This regulation has been redrafted and moved to a new location, however the existing intent has not changed.
Subpart 139.C	Registered aerodromes.	Y	N/A	This Subpart has been removed. Under the revised regulation, there will only be a single type of regulated aerodrome, but with a scalable certification framework that links compliance requirements against air transport passenger and aircraft movement rates.
N/A	New regulation: Request for data from aerodrome operator.	Y	139.127	<p>This is a new regulation necessary to empower CASA to obtain data on aircraft movements and types, if the data is already held by the aerodrome operator. The purpose is to verify that the threshold criteria proposed in the Part 139 MOS amendment are being applied correctly.</p> <p>This is no proposed requirement for additional data to be recorded than is already the case.</p>



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Current reference	Title	Change Y/N	New reference	Details of change
N/A	New regulation: Request for data from ATS providers.	Y	139.129	<p>This is a new regulation necessary to empower CASA to obtain data on aircraft movements and types, if the data is already held by air traffic services (ATS) providers. The purpose is to verify that the threshold criteria proposed in the Part 139 MOS amendment are being applied correctly at a particular aerodrome.</p> <p>This is no proposed requirement for additional data to be recorded than is already the case.</p>
Subpart 139.D	Reporting officer and safety inspection requirements for certain other aerodromes.	Y	N/A	This Subpart has been removed. As per the proposed changes, there will only be a single category of regulated aerodrome (certified) with a scalable certification framework linking compliance requirements against to air transport passenger and aircraft movement rates.
139.350	Monitoring of airspace.	N	139.085	This regulation has been redrafted and moved to a new location, however the existing intent has not changed. The revised regulation provides an enhanced linkage to the proposed Part 139 MOS, which specifies technical requirements for airspace monitoring.
139.355	Establishment of OLS.	Y	N/A	This regulation has been redrafted and moved to a new location, however the existing intent has not changed. The revised regulation provides an enhanced linkage to the proposed Part 139 MOS amendment, which specifies technical specifications for the OLS.
139.360	Notice of obstacles.	Y	139.085	This regulation has been redrafted and moved to a new location, however the existing intent has not changed. The revised regulation provides an enhanced linkage to the proposed Part 139 MOS amendment, which specifies reporting requirements for obstacles
139.365	Structures 110 metres of more AGL.	Y	139.145	Consequential changes were required following the commencement of Part 175. This regulation has been redrafted and moved to a new location, however the existing intent has not changed. The revised regulation provides an enhanced linkage to the proposed Part 139 MOS amendment,

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Current reference	Title	Change Y/N	New reference	Details of change
				which specifies reporting requirements for obstacles. The revised threshold height at 100 m above ground level has been aligned with Part 175 of CASR.
139.370	Hazardous objects etc.	N	139.150	This regulation has been redrafted and moved to a new location, however the existing intent has not changed
139.375	Aerodrome operators to collect statistics if required.	Y	N/A	This regulation has been removed as the same outcome can be facilitated under Part 11 of CASR.
139.380	Definitions.	Y	N/A	This regulation has been removed. As required by legal drafting practice, definitions will be moved to the CASR Dictionary or embedded in a relevant section of the regulation or standard (as applicable).
139.385	Aerodromes that have a frequency confirmation system.	Y	139.130	This regulation has been redrafted and relocated, to reflect consequential changes following updates to regulation 166 of the Civil Aviation Regulations 1988 (CAR) and this Part 139.
139.390	Definitions.	N	N/A	This regulation has been removed. As required by legal drafting practice, definitions will be moved to the CASR Dictionary or embedded in a relevant section of the regulation or standard (as applicable).
139.395	Air/ground service must be certified.	N	139.135	This regulation has been redrafted and moved to a new location, however the existing intent has not changed.
139.400	Direction by CASA to provide CA/GRS.	N	N/A	This regulation has been redrafted and moved to a new location, however the existing intent has not changed. In practice, directions will be issued under Part 11 of CASR.
139.405	Voluntary provision of CA/GRS.	Y	N/A	This regulation has been removed. An application to become a CA/GRS can be made by a suitable entity at any time.
139.410	Certification of CA/GRS.	N	139.140	This regulation has been redrafted and moved to a new location, however

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Current reference	Title	Change Y/N	New reference	Details of change
				the existing intent has not changed.
139.415	General obligations of aerodrome operator.	N	139.140	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the proposed Part 139 MOS amendment.
139.420	When CA/GRS must be operating.	Y	N/A	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the proposed Part 139 MOS amendment.
139.425	Information about operating hours to be given to NOTAM office.	Y	139.140	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the proposed Part 139 MOS amendment.
139.430	CA/GRO.	N	139.430	This regulation has been redrafted and moved to a new location. Specific criteria and technical details are now contained in the proposed Part 139 MOS amendment.
139.435	Offences.	Y	N/A	Removed. This provision is addressed in Part 99 of CASR (for drugs and alcohol) and in the proposed Part 139 MOS amendment (in other cases).