

CASR Dictionary
-for CASR Part 91 consultations-
March 2018

This document sets out an updated version of the CASR Dictionary, based on regulatory updates and revisions developed in conjunction with the CASR Operational suite. Unless the contrary intention appears, the definition or explanation of an expression in the CASRs applies to each use of the expression in the CASRs (see CASR 1.004).

This document is still a **working draft**, to the extent that it contains expressions relevant to CASR Operational Parts, including Part 91, that are still under development and not yet made into law. Finalising these outstanding CASR Parts will likely result in further new definitions and/or revisions to the definitions set out in this version of the Dictionary.

Until such time that all CARs are replaced by CASRs, readers should be aware that the CASR dictionary needs to read in tandem with the CAR dictionary, as both dictionaries apply to both the CASRs and the CARs.

In this document, proposed new and amended CASR definitions, compared to the current CASR Dictionary, are shaded in **yellow**.

Readers are cautioned that they should not rely on the proposed new and amended definitions contained in this updated version of the Dictionary to govern their current operations, nor rely on them to configure future operations, until the new Dictionary is made into law.

Part 1—Definitions

2D instrument approach operation means an instrument approach operation using lateral navigation guidance only.

3D instrument approach operation means an instrument approach operation using lateral and vertical navigation guidance.

ACAS II means a type of airborne collision avoidance system that:

- (a) interrogates, and receives replies from, a secondary surveillance radar transponder; and
- (b) uses those replies to give:
 - (i) resolution advisories in the vertical plane; and
 - (ii) traffic advisories; and
- (c) complies with TSO-C119c or EASA CS ETSO-C119c.

Act means the *Civil Aviation Act 1988*.

adequate aerodrome, in relation to a flight of an aeroplane, means an aerodrome that complies with the following:

- (a) an authorised weather forecast for the aerodrome must be available for the aeroplane's estimated time of use of the aerodrome;
- (b) at least one authorised instrument approach procedure that is suitable for use by the aeroplane must be operational for at least the estimated time of use;
- (c) the aerodrome's services and facilities must be operational for at least the estimated time of use;
- (d) the landing distance available for the aeroplane must be at least the landing distance required under these Regulations for the aeroplane's landing at the aerodrome.

administering authority, for a limited category aircraft: see regulation 132.010.

adult means a person who has turned 13.

adventure flight, for a limited category aircraft: see regulation 132.015.

adventure flight procedures, for a limited category aircraft: see regulation 132.010.

aerobatic manoeuvres, for an aircraft, means manoeuvres of the aircraft that involve:

- (a) bank angles that are greater than 60°; or
- (b) pitch angles that are greater than 45°, or are otherwise abnormal to the aircraft type; or
- (c) abrupt changes of speed, direction, angle of bank or angle of pitch.

aerodrome certificate means a certificate granted under regulation 139.050.

aerodrome facilities and equipment means facilities and equipment, inside or outside the boundaries of an aerodrome, that are installed or maintained for use by aircraft operating at the aerodrome.

aerodrome manual, for a certified aerodrome, means the aerodrome manual for the aerodrome required by regulation 139.090.

aerodrome marking includes a permanent or temporary marker, a movement area guidance sign and a road sign.

aerodrome operator:

- (a) for a certified aerodrome—means the person who holds the aerodrome certificate for the aerodrome; and
- (b) for a registered aerodrome—means the operator of the aerodrome; and
- (c) for an aerodrome to which Subpart 139.D applies—means the person who is responsible for the operation and maintenance of the aerodrome.

aerodrome serviceability inspection, of an aerodrome, means an inspection of the aerodrome mentioned in regulation 139.220.

aerodrome technical inspection, of aerodrome facilities for an aerodrome, means an inspection of the aerodrome facilities mentioned in regulation 139.230.

aerodrome works means any construction or maintenance work on or near the movement area of an aerodrome that may create an obstacle, or restrict the normal take-off and landing of aircraft, at the aerodrome.

aeronautical data has the same meaning as in Annex 15 to the Chicago Convention.

aeronautical data originator means a person who has been given a data product specification under regulation 175.160 that is in force.

aeronautical data processing standards means:

- (a) EUROCAE ED-76; or
- (b) RTCA/DO-200A.

aeronautical fixed service has the same meaning as in Annex 11 to the Chicago Convention.

aeronautical information has the same meaning as in Annex 15 to the Chicago Convention.

aeronautical radio operator certificate: see regulation 64.010.

AGL means above ground or water level.

AIP means the publication mentioned in paragraph 4.12(1)(a) of the Air Services Regulations, as that publication is in effect or exists from time to time.

AIP Amendment has the same meaning as in Annex 15 to the Chicago Convention.

AIP-ERSA means the Aeronautical Information Publication Enroute Supplement Australia published jointly by the Australian Air Force and AA, as in force from time to time.

AIP responsible person, for an aeronautical data originator, means a person appointed by the originator as an AIP responsible person under regulation 175.445.

AIP Supplement has the same meaning as in Annex 15 to the Chicago Convention.

AIRAC effective date means an AIRAC effective date published in ICAO Document 8126.

airborne collision avoidance system means a system fitted to an aircraft to provide information to its pilot for avoiding collisions with other aircraft.

airborne weather radar equipment means radar equipment installed in an aircraft for the purpose of detecting potentially hazardous weather conditions in the flight path of the aircraft.

aircraft engineer licence means any of the following licences granted under regulation 66.025 or 66.026:

- (a) subcategory A1;
- (b) subcategory A2;
- (c) subcategory A3;
- (d) subcategory A4;
- (e) subcategory B1.1;
- (f) subcategory B1.2;
- (g) subcategory B1.3;
- (h) subcategory B1.4;
- (i) category B2;
- (j) category C.

aircraft flight manual instructions, for an aircraft, means the following documents and information provided by the aircraft's manufacturer or issued in accordance with a Part 21 approval:

- (a) the aircraft's flight manual;
- (b) checklists of normal, abnormal and emergency procedures for the aircraft;
- (c) any operating limitation, instructions, markings and placards relating to the aircraft.

aircraft registration identification plate: see regulation 45.010.

aircraft type rating, in relation to flight crew, means a type rating prescribed by a legislative instrument issued under regulation 61.055 or 61.060.

air display means organised flying performed before a public gathering, including the following:

- (a) a contest;
- (b) an exhibition of aerobatic manoeuvres;
- (c) flying in formation;
- (d) other aircraft operations associated with the air display.

air security officer means:

- (a) a protective service officer or special protective service officer of the Australian Federal Police who is directed by the Commissioner to carry out the duties of a position of air security officer; or
- (b) a person who is:
 - (i) employed and trained by a foreign government to travel on aircraft to provide security for aircraft and their passengers and crew (other than a person who is employed to provide exclusive personal protection for 1 or more individuals travelling on an aircraft); and
 - (ii) operating in accordance with an arrangement between the foreign government and the Australian Government.

airship means a powered, lighter-than-air aircraft.

air traffic control means Air Traffic Services in its role of providing an air traffic control service.

air traffic control function means a function described in a paragraph of subregulation 65.075(2).

air traffic service means a service of a kind mentioned in Annex 11, *Air Traffic Services*, to the Chicago Convention, other than a certified air/ground radio service at an aerodrome.

Air Traffic Services means any of the following, in its capacity as a provider of an air traffic service:

- (a) AA;
- (b) the Defence Force;
- (c) an ATS provider.

air transport operation: see clause 3 of Part 2 of this Dictionary.

airworthiness directive: see regulation 39.001A.

AIS has the meaning given in Annex 15 to the Chicago Convention.

AIS provider means a person who holds a certificate under regulation 175.055.

amateur-built aircraft means an aircraft described in paragraph 21.191(g).

Amateur Built Aircraft Acceptance, or ***ABAA***, means a document given by CASA or an authorised person as a type approval for an amateur-built aircraft.

amphibian means an aeroplane that is designed to take off from, and land on, either land or water.

AOC: see subsection 3(1) of the Act.

APMA means Australian Parts Manufacturer Approval.

appliance means any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communication equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, engine or propeller.

Source FARs section 1.1.

application material: see regulation 137.010.

apply, in relation to application material, has the meaning given by regulation 137.010.

approved means approved by CASA.

approved airframe life, for a limited category aircraft: see regulation 132.010.

approved design organisation means a person who holds an approval under regulation 21.243 that is in force.

approved emergency locator transmitter: see [clause 80 of Part 2 of this Dictionary].

approved flight simulator has the meaning given by regulation 61.010.

approved form means:

- (a) for an application—the form approved by CASA under subregulation 11.030(3) for the application (if any); and
- (b) for a document other than an application—the form approved by CASA under regulation 11.018 for the document (if any).

approved maintenance data: see regulation 2A of CAR.

approved portable emergency locator transmitter: see [clause 85 of Part 2 of this Dictionary].

apron, of an aerodrome, has the meaning given by the Air Services Regulations.

ARFFS provider has the meaning given by subregulation 139.705(1).

ARN or **Aviation Reference Number** means the unique identifier assigned to a person by CASA for the purposes of CASA's records.

article manufacturer: see paragraph 21.601(2)(e).

AS/NZS: a reference to **AS/NZS** followed by a number and a year is a reference to the Australian/New Zealand Standard of that number, published jointly in that year by, or on behalf of Standards Australia and Standards New Zealand.

AS/NZS 4280.1:2003 means AS/NZS 4280.1:2003, *406 MHz satellite distress beacons, Part 1: Marine emergency position-indicating radio beacons (EPIRB)(IEC 61097-2:2002, MOD)*, or any later edition, as in force from time to time.

AS/NZS 4280.2:2003 means AS/NZS 4280.2:2003, *406 MHz satellite distress beacons, Part 2: Personal locator beacons (PLBs)*, or any later edition, as in force from time to time.

ATC licence means an air traffic controller licence granted under Part 65.

ATSO: see paragraph 21.601(2)(a).

ATSO authorisation: see paragraph 21.601(2)(b).

ATS provider has the meaning given by regulation 172.015.

ATS routes has the same meaning as in Annex 4 to the Chicago Convention.

ATS training provider has the meaning given by regulation 143.015.

Australian air transport AOC has the meaning given by subregulation 119.015(1).

Australian air transport operation has the meaning given by regulation 119.010.

Australian Civil Aircraft Register means the register established and maintained under regulation 47.025.

Australian nationality mark: see regulation 45.010.

Australian operator means an operator whose principal place of business, or whose place of permanent residence, is in Australian territory.

Australian Parts Manufacturer Approval or **APMA** means an Australian Parts Manufacturer Approval issued under subregulation 21.303(9) or subregulation 21.305A(2).

authorised aeronautical information, for a flight of an aircraft, means the aeronautical maps, charts and other aeronautical information relevant to the route of the flight, and any probable diversionary route, that are published:

- (a) if paragraph (b) does not apply:
 - (i) in the AIP; or
 - (ii) by a data service provider; or
 - (iii) in NOTAMs; or
- (b) for a flight in a foreign country:

- (i) in the document that in that country is equivalent to the AIP; or
- (ii) by an organisation approved to publish aeronautical information by the national aviation authority of that country.

authorised data service activity, for a data service provider, means a data service activity mentioned in the data service provider's certificate issued under regulation 175.295.

authorised instrument approach procedure means:

- (a) for an aerodrome in Australian territory—an instrument approach procedure that is:
 - (i) designed by a certified designer or authorised designer, and published in the AIP or given to CASA under Part 173; or
 - (ii) prescribed by an instrument issued under regulation 201.025 for this paragraph; or
- (b) for an aerodrome in a foreign country—an instrument approach procedure that is authorised by the national aviation authority of the country.

authorised instrument departure procedure means:

- (a) for an aerodrome in Australian territory—an instrument departure procedure that is:
 - (i) designed by a certified designer or authorised designer, and published in the AIP or given to CASA under Part 173; or
 - (ii) prescribed by an instrument issued under regulation 201.025 for this paragraph; or
- (b) for an aerodrome in a foreign country—an instrument departure procedure that is authorised by the national aviation authority of the country.

authorised person, for a provision of CASR in which the expression occurs, means a person who is appointed under regulation 201.001 to be an authorised person for these regulations or the provision.

authorised release certificate has the meaning given by clause 18 of Part 2 of this Dictionary.

authorised weather forecast means:

- (a) other than in a foreign country—a weather forecast made by the Bureau of Meteorology for aviation purposes; or
- (b) in a foreign country—a weather forecast made by a person or body that holds an authorisation (however described), granted by the national aviation authority of the country, to provide weather forecasts.

authorised weather report means:

- (a) other than in a foreign country—a weather report made by:
 - (i) the Bureau of Meteorology for aviation purposes; or
 - (ii) an individual who holds a certificate from the Bureau of Meteorology to give weather reports for aviation purposes; or
 - (iii) an automatic weather station at an aerodrome that is approved by the Bureau of Meteorology as an automatic weather station for the aerodrome; or
 - (iv) an automatic broadcast service published in the AIP; or
 - (v) an individual who holds a pilot licence; or
 - (vi) a person appointed by an aerodrome operator to make runway visibility assessments under the Part 139 Manual of Standards; or
 - (vii) a person included in a class of persons specified in the AIP for this subparagraph; or

- (b) in a foreign country—a weather report made by a person or body that holds an authorisation (however described), granted by the national aviation authority of the country, to provide weather forecasts.

aviation distress signal means any of the signals described in section 1.1, *Distress signals*, of Appendix 1 to Annex 2, *Rules of the Air*, to the Chicago Convention.

aviation English language proficiency assessment: see regulation 61.010.

balloon means an unpowered, lighter-than-air aircraft.

cabin crew member means a crew member who performs, in the interests of the safety of an aircraft's passengers, duties assigned by the operator or the pilot in command of the aircraft, but is not a flight crew member.

cabin pressure altitude, for an aircraft, means the pressure altitude corresponding to the pressure in the cabin of the aircraft.

CAR means the *Civil Aviation Regulations 1988*.

cargo means things other than persons carried on, or to be carried on, an aircraft.

cargo transport operation:

- (a) means an operation in an aircraft that involves the carriage of cargo and crew only; but
- (b) does not include an operation conducted for the carriage of the possessions of the operator or the pilot in command for the purpose of business or trade.

carry-on baggage means baggage or personal effects taken into, or to be taken into, the cabin of an aircraft, for carriage on the aircraft, by:

- (a) a person (including a crew member of the aircraft) travelling on the aircraft; or
- (b) an employee of the operator of the aircraft on behalf of a person mentioned in paragraph (a).

CASR means the *Civil Aviation Safety Regulations 1998*.

category, in relation to the type certification of aircraft, means a grouping of aircraft based upon intended use and operating limitations (for example, transport, normal, utility, acrobatic, limited, restricted and provisional).

Source FARs section 1.1 modified.

catering equipment, for an aircraft, includes the following:

- (a) serving trolleys;
- (b) containers and packages for food or beverages;
- (c) food service utensils;
- (d) eating utensils.

certificate of airworthiness means a standard certificate of airworthiness or a special certificate of airworthiness.

certificate of registration means a certificate issued under regulation 47.090.

certificate of release to service means:

- (a) for an aircraft—a document that complies with subregulation 42.760(1); and
- (b) for an aeronautical product—a document that complies with subregulation 42.810(1) or (2).

certificate of validation: see regulation 61.010.

certificate of validation has the meaning given by regulation 61.010.

certification basis means:

- (a) for an aircraft, aircraft engine or propeller for which there is a type certificate—the type certification basis for the aircraft, aircraft engine or propeller; and
- (b) for an aircraft, aircraft engine or propeller for which there is a foreign type certificate—the foreign type certification basis for the aircraft, aircraft engine or propeller.

certified aerodrome means an aerodrome in respect of which an aerodrome certificate is in force.

certified true copy, of a document, means a copy of the document that one of the following persons has certified in writing to be a true copy of the document:

- (a) a person mentioned in Schedule 2 to the *Statutory Declarations Regulations 1993*;
- (b) a justice of the peace in a foreign country;
- (c) a notary public in a foreign country;
- (d) an employee of a national aviation authority;
- (e) a person to whom a national aviation authority has delegated a power or function.

charged with an offence: see clause 25 of Part 2 of this Dictionary.

checked baggage means baggage or personal effects checked in by a passenger with an operator, or with another person providing a check-in service for an operator, as baggage or personal effects intended for carriage on the aircraft on which the passenger is travelling.

child means a person who has turned 2 but has not turned 13.

Civil Air Regulations means the Civil Air Regulations issued by the Administrator of the Federal Aviation Agency of the United States of America, as in force immediately before the commencement of the FARs.

class:

- (a) of aircraft, has the meaning given by regulation 61.020; and
- (b) of aeroplane for Part 64 (Ground operations personnel licensing), has the meaning given by regulation 64.010; and
- (c) in relation to medical certificates—means a class of medical certificate mentioned in regulation 67.145.

Class I product: see paragraph 21.321(2)(a).

Class I provisional certificate of airworthiness means a Class I provisional certificate of airworthiness issued under regulation 21.216.

Class I provisional type certificate means a Class I provisional type certificate issued under regulation 21.076.

Class II product: see paragraph 21.321(2)(b).

Class II provisional certificate of airworthiness means a Class II provisional certificate of airworthiness issued under regulation 21.216.

Class II provisional type certificate means a Class II provisional type certificate issued under regulation 21.076.

Class III product: see paragraph 21.321(2)(c).

combination recorder means an item of equipment that combines the functions of a flight data recorder and a cockpit voice recorder.

compartment, of an aircraft, includes the space inside a non-compartmentalised fuselage.

configuration deviation list, for an aircraft, means a document that:

- (a) is prepared by the aircraft's type certificate holder or foreign type certificate holder; and
- (b) is approved by CASA or the national aviation authority that issued the foreign type certificate for the aircraft; and
- (c) lists each external part of the aircraft that is permitted to be missing from the aircraft, under conditions specified in the document, when a flight of the aircraft begins.

constable has the same meaning as in subsection 3(1) of the *Crimes Act 1914*.

contaminated, for a runway: a runway is **contaminated** if more than 25% of the surface area required for a take-off or landing is covered by any of the following:

- (a) water or slush more than 3 mm deep;
- (b) loose snow more than 20 mm deep;
- (c) compacted snow or ice.

continuing airworthiness management organisation means a person who holds an approval under regulation 42.590 that is in force.

Contracting State: see section 3 of the Act.

convicted of an offence: see clause 35 of Part 2 of this Dictionary.

co-pilot, in relation to an aircraft, means a pilot on board the aircraft in a piloting capacity other than:

- (a) the pilot in command; or
- (b) a pilot who is on board the aircraft for the sole purpose of receiving flight training.

crew member: a person is a **crew member** of an aircraft if the person is carried on the aircraft and is:

- (a) a person:
 - (i) who is authorised by the operator of the aircraft to carry out a specified function during flight time relating to the operation, maintenance, use or safety of the aircraft, the safety of the aircraft's passengers or the care or security of any cargo which may affect the safety of the aircraft or its occupants; and
 - (ii) who has been trained to carry out that function; or
- (b) a person who is on board the aircraft for the purpose of:
 - (i) giving or receiving instruction in a function mentioned in subparagraph (a)(i); or
 - (ii) being tested for a qualification associated with a function mentioned in subparagraph (a)(i); or
- (c) a person authorised by CASA under these Regulations, or by the operator, to carry out an audit, check, examination, inspection or test of a person mentioned in paragraph (a) or (b).

crew station, for a crew member of an aircraft, means a position on the aircraft that is designed and equipped to enable the crew member to carry out his or her assigned duties on the aircraft.

critical fuelling point, in relation to an aircraft, means any of the following:

- (a) a fuel tank filling point on the aircraft;
- (b) a fuel tank vent outlet on the aircraft;
- (c) the ground fuelling equipment that is used to fuel the aircraft.

critical part, for an aircraft, means a part that must be inspected, overhauled, or removed or retired from the aircraft within a period specified:

- (a) in the Airworthiness Limitations section of the Manufacturer's Maintenance Manual (as published from time to time by the aircraft's manufacturer) for the aircraft; or
- (b) in the Manufacturer's Instructions for Continued Airworthiness (as published by the manufacturer from time to time) for the aircraft.

cross-country flight has the meaning given by regulation 61.010.

cruise relief type rating means:

- (a) a cruise relief co-pilot type rating; or
- (b) a cruise relief flight engineer type rating.

current, for an aviation English language proficiency assessment: see regulation 61.260.

DAME means designated aviation medical examiner.

dangerous goods has the same meaning as in subsection 23(3) of the Act.

DAO means designated aviation ophthalmologist.

data product specification has the same meaning as in Annex 15 to the Chicago Convention.

data service activity means any of the following:

- (a) publishing aeronautical data;
- (b) publishing aeronautical information;
- (c) publishing an aeronautical chart;
- (d) supplying aeronautical data in a database for use in navigation equipment or systems.

data service provider means a person who holds a certificate under regulation 175.295.

data set has the same meaning as in Annex 15 to the Chicago Convention.

dealer's mark means a mark assigned to an aircraft manufacturer, distributor or dealer under regulation 47.175.

decision point, for an approach to land an aircraft, means the height AGL, or the altitude, at which visual references for continuing the approach must first be established.

Note: For a 2D approach operation or circling approach operation, the decision point is the minimum descent altitude or the minimum descent height for the approach. For a 3D approach operation, the decision point is the decision altitude or the decision height.

demonstration, for an aircraft, means the emergency evacuation demonstration conducted by the aircraft's manufacturer for the purpose of the type certification of the aircraft.

demonstration additional number, of cabin crew members for an aircraft, means the number by which the number of cabin crew members used in the demonstration for the aircraft is more than the greater of the following:

- (a) if the aircraft has a maximum operational passenger seat configuration of more than 19—one cabin crew member for each 50, or part of 50, passenger seats fitted for the demonstration;
- (b) one cabin crew member for each passenger compartment.

designated aviation medical examiner means:

- (a) a person appointed as a designated aviation medical examiner under Part 67; or
- (b) a person who holds, or is performing the duties of, a position specified in a declaration under subregulation 67.055(1); or
- (c) a person specified in a declaration under subregulation 67.055(2); or
- (d) a person appointed as a designated aviation medical examiner under Part 6 of CAR as in force at any time before 3 September 2003.

designated aviation ophthalmologist means:

- (a) a person appointed as a designated aviation ophthalmologist under Part 67; or
- (b) a person who holds, or is performing the duties of, a position specified in a declaration under subregulation 67.075(1); or
- (c) a person specified in a declaration under subregulation 67.075(2).

Dictionary means this Dictionary.

differences training: see regulation 61.010.

dry, for a runway: a runway is **dry** if the surface area required for a take-off or landing:

- (a) has no visible moisture; and
- (b) is not contaminated.

EASA means the European Aviation Safety Agency.

eligible emergency locator transmitter: see [clause 75 of Part 2 of this Dictionary].

emergency evacuation procedures, for an aircraft, means procedures for the evacuation of the aircraft's passengers and crew from the aircraft in an emergency, and includes pre-evacuation, and post-evacuation, procedures.

emergency locator transmitter means a radio transmitter designed for automatic or manual activation and intended to emit an emergency signal on an assigned frequency to enable the transmitter to be found.

engage in conduct means:

- (a) do an act; or
- (b) omit to perform an act.

ETSO: see paragraph 21.601(2)(aa).

EUROCAE ED-76 means the latest version of EUROCAE ED-76, Standards for Processing Aeronautical Data, issued by the European Organisation for Civil Aviation Equipment, as in force from time to time.

Note: EUROCAE ED-76 could in 2014 be viewed on the EUROCAE website (<http://www.eurocae.net>).

European Aviation Safety Agency or **EASA** means the European Aviation Safety Agency established by regulation (EC) No 1592/2002 of the European Parliament and the Council of the European Union.

examiner has the meaning given by regulation 61.010.

ex-armed forces aircraft: see regulation 132.010.

excluded RPA: see regulation 101.237.

exhibition: see regulation 45.010.

experimental certificate means an experimental certificate issued under regulation 21.195A.

expiation notice, in relation to a psychoactive substance offence, means a notice requiring or permitting payment of a penalty as an alternative to prosecution.

export airworthiness approval means:

- (a) for a Class I product—an export certificate of airworthiness or an authorised release certificate; and
- (b) for a Class II or Class III product—an authorised release certificate.

export certificate of airworthiness, for a Class I product, means a certificate to the effect that the product meets the requirements mentioned in regulation 21.329.

FAA letter of TSO design approval: see paragraph 21.601(2)(ca).

FARs means the Federal Aviation Regulations in Chapter 1 (Federal Aviation Administration, Department of Transportation) of Title 14 of the Code of Federal Regulations as published by the Office of the Federal Register National Archives and Records Administration of the United States of America.

fireproof, in connection with a manufacturer's data plate: see regulation 21.810.

flight base number, of cabin crew members for a flight of an aircraft, means the greater of the following:

- (a) if the aircraft has a maximum operational passenger seat configuration of more than 19—one cabin crew member for each 50, or part of 50, passenger seats fitted for the flight;
- (b) one cabin crew member for each passenger compartment.

flight crew endorsement:

- (a) means a flight crew endorsement within the meaning of Part 61; and
- (b) includes a certificate of validation of an overseas endorsement.

flight crew licence:

- (a) means a flight crew licence within the meaning of Part 61; and
- (b) includes a certificate of validation of an overseas flight crew licence.

flight crew member means a crew member who is a pilot or flight engineer assigned to carry out duties essential to the operation of an aircraft during flight time.

flight crew rating:

- (a) means a flight crew rating within the meaning of Part 61; and
- (b) includes a certificate of validation of an overseas rating.

flight dispatcher, for an Australian air transport operator, means a person designated by the operator to control and supervise flight operations, including supporting, briefing and assisting pilots in command in the safe conduct of flights.

Note: A flight dispatcher is also known as a flight operations officer.

flight engineer means the holder of a flight engineer licence.

flight examiner: see regulation 61.010.

flight instructor has the meaning given by regulation 61.010.

flight level: a reference to a ***flight level*** followed by a number, in relation to the flight of an aircraft, is a reference to the altitude at which the aircraft's altimeter, if it were adjusted to a reading on the subscale of 1013.2 hectopascals, would show an altitude in feet of 100 times that number.

Example: Flight level 250 is an altitude of 25 000 ft.

flight manual, for an aircraft: see clause 37 of Part 2 of this Dictionary.

flight planning (Part 121 alternate aerodromes) requirements: see subregulation @121.170(1).

flight preparation (alternate aerodromes) requirements: see subregulation @91.314(1).

flight preparation (weather assessments) requirements: see subregulation @91.313(1).

flight review: see regulation 61.010.

flight service function means the function described in subregulation 65.130(2).

flight service licence means a licence by that name granted under Part 65.

flight simulation training device: see regulation 61.010.

flight simulator, for a specific type (or a specific make, model and series) of aircraft:

- (a) means a simulator that simulates the aircraft in ground and flight operations and comprises:
 - (i) a full size replica of the flight deck of the aircraft; and
 - (ii) a visual system providing an out of the flight deck view; and
 - (iii) a force cueing motion system; and
- (b) includes the necessary software and equipment, and the way that the equipment is interconnected.

flight technical log, for an aircraft, means the log required under regulation 42.220 for the aircraft.

flight test: see regulation 61.010.

flight time has the meaning given by regulation 61.010.

flight training: see regulation 61.010.

flight training area, for an aerodrome, means an area that is mentioned in a Part 141 operator's operations manual, or a Part 142 operator's exposition, as a flight training area for the aerodrome.

flight training device, for a specific type (or a specific make, model and series) of aircraft:

- (a) means a device that:

- (i) simulates the aircraft in ground and flight operations to the extent of the systems installed in the device; and
- (ii) comprises a full size replica of the instruments, equipment, panels and controls in an open flight deck area, or an enclosed flight deck, of the aircraft; and
- (iii) does not, in every respect, simulate the aircraft in ground and flight operations; and
- (b) includes the necessary software and equipment, and the way that the equipment is interconnected.

flying in formation: 2 or more aircraft are:

- (a) ***flying in formation*** if they:
 - (i) are operating as a single unit with regard to navigation, position reporting and control; and
 - (ii) are so close to each other that any change in height, heading or airspeed of any aircraft used for station-keeping results in a need for one or more of the other aircraft to manoeuvre to maintain station or avoid a collision; and
- (b) taken to be ***flying in formation:***
 - (i) when the aircraft are changing station; and
 - (ii) during join-up or breakaway.

foreign air transport AOC means an AOC that authorises the operation of an aircraft for a foreign air transport operation.

foreign air transport operation:

- (a) means an air transport operation that is conducted by a foreign operator using any aircraft for:
 - (i) a flight into or out of Australian territory; or
 - (ii) a flight wholly within Australia that is undertaken as part of a flight into or out of Australian territory; but
- (b) does not include the following:
 - (i) the operation of an aeroplane or rotorcraft under a permission under section 25 (Non-scheduled flights by foreign registered aircraft) or section 27A (Permission for operation of foreign registered aircraft without AOC) of the Act;
 - (ii) an air transport operation authorised by a New Zealand AOC with ANZA privileges that is in force for Australia.

foreign air transport operator means a person who holds a foreign air transport AOC.

foreign certificate, for a foreign operator, means an air operator certificate issued by the national aviation authority of the foreign country in which the foreign operator has its principal place of business or place of permanent residence.

foreign operator means an operator that is not an Australian operator.

foreign supplemental type certificate: see regulation 21.114.

foreign type certificate: see regulation 21.041.

foreign type certification basis, for an aircraft, aircraft engine or propeller, means the airworthiness standards and any special conditions or other conditions with which the aircraft, aircraft engine or propeller must comply for the issue of a foreign type certificate.

free balloon:

- (a) in Part 101—means a balloon that is not tethered; and
- (b) otherwise—means a balloon that is intended for flight without being permanently tethered.

fuelling includes refuelling and defuelling.

full-stop landing, for an aircraft, means a landing in which the aircraft completes its landing run and is brought to:

- (a) for an aircraft other than a float plane—a complete halt; or
- (b) for a float plane—a speed of less than 3 knots.

giant model aircraft: see regulation 101.380.

glider means an unpowered, heavier-than-air aircraft that derives its lift in flight chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight.

graded runway strip includes an area delineated by gable or cone markers.

ground support staff, for the operator of an aircraft, means all of the following:

- (a) an individual employed (or otherwise engaged) by the operator to carry out duties associated with flight planning, aircraft fuelling, dispatching, load planning, supervision of aircraft loading, aircraft performance calculations or the updating of computerised aircraft navigational databases;
- (b) an individual employed (or otherwise engaged) by the operator as a cabin crew member, who is required by the operator to supervise passengers for the purposes of paragraph @121.215(1)(a);
- (c) an individual, employed (or otherwise engaged) by the operator, who has a duty in relation to the aircraft under the operator's operations manual in relation to safety at an aerodrome for the purposes of Part 133.

hang glider: see regulation 200.001.

hazardous weather conditions means:

- (a) a thunderstorm; or
- (b) wind shear; or
- (c) any other similar meteorological activity;

that may endanger the safety of aircraft or aircraft operations.

heavier-than-air aircraft is the generic term for aircraft that derive their lift in flight chiefly from aerodynamic forces.

heavy balloon: see regulation 101.145.

heavy package: see regulation 101.145.

high power rocket: see regulation 101.425.

highly volatile fuel means:

- (a) aviation gasoline; or
- (b) a hydrocarbon mixture that spans the gasoline and kerosene boiling ranges; or
- (c) a mixture of aviation gasoline and a hydrocarbon mixture mentioned in paragraph (b).

historic aircraft: see regulation 132.010.

holder, of an authorisation (within the meaning given by Part 11), means:

- (a) if the authorisation has not been transferred—the person to whom it was granted; or
- (b) if the authorisation has been transferred—the person to whom it was transferred or, if it has been transferred more than once, the person to whom it was most recently transferred.

hot fuelling, of an aircraft, means the fuelling of the aircraft with an engine running.

human factors principles means principles concerned with the minimisation of human error and its consequences by optimising the relationships within systems between people, activities and equipment.

ICAO Document 8126 means Document 8126-AN/872 (*Aeronautical Information Services Manual*) approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time.

ICAO Document 8697 means Document 8697-AN/889 (*Aeronautical Chart Manual*) approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time.

identification number of a production certificate or type certificate means the number, or group of characters, described in the certificate as being its number.

IFR means the rules and procedures set out in Part 91 for flight under IMC.

IFR flight means a flight conducted under the IFR.

IMC means meteorological conditions other than:

- (a) VMC; or
- (b) meteorological conditions under which air traffic control permits an aircraft to fly under the special VFR.

immediately reportable matter has the meaning given by subsection 3(1) of the *Transport Safety Investigation Act 2003*.

in an area, used of the operation of an aircraft: see clause 40 of Part 2 of this Dictionary.

incidental provisions, of an instrument, or part of an instrument, mentioned in these Regulations, means the provisions of the instrument, or part, that are not airworthiness standards.

infant means a person who has not turned 2.

in-house maintenance, for an aeronautical product (the *first aeronautical product*) to be fitted to an aircraft or another aeronautical product (the *second aeronautical product*), means maintenance carried out on the first aeronautical product by a Part 145 organisation that will fit the product to the aircraft or the second aeronautical product.

in-house release document, for an aeronautical product on which in-house maintenance has been carried out, means the document that:

- (a) is issued by the Part 145 organisation that carried out the in-house maintenance; and
- (b) includes a statement to the effect that, in respect of the in-house maintenance, the product is serviceable, within the meaning given by subregulation 42.015(1); and
- (c) includes information enabling the identification of the record mentioned in regulation 42.820 for the product.

inoperative, for an item for a flight of an aircraft: an item for a flight of an aircraft is ***inoperative*** if, due to a defect, the item, or a function of the item, does not:

- (a) accomplish its intended purpose; or
- (b) consistently function within the operating limits or tolerances mentioned in the approved design for the item or the flight manual for the aircraft.

instructor has the meaning given by regulation 61.010.

instrument approach operation means an approach and landing:

- (a) conducted using instruments for navigation guidance; and
- (b) based on an authorised instrument approach procedure.

instrument approach procedure means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix or, where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply.

instrument departure procedure, for an aircraft, means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from take-off until the aircraft reaches:

- (a) the en-route lowest safe altitude; or
- (b) the minimum altitude at which the aircraft, on a minimum climb gradient of 3%, can intercept the planned flight route; or
- (c) in a case where the aircraft has taken off from an aerodrome for which there is a radar control service in operation—the minimum radar vector altitude.

instrument flight procedures means the visual and instrument procedures for use by aircraft operating under the IFR.

Integrated Aeronautical Information Package means a package, in hardcopy or electronic form, consisting of the following:

- (a) the AIP;
- (b) AIP Amendments;
- (c) AIP Supplements;
- (d) NOTAMS and pre-flight information bulletins;
- (e) aeronautical information circulars.

integrated training means an intensive course of training:

- (a) that is designed to ensure that a course participant receives ground theory training integrated with practical flight training; and
- (b) for which:
 - (i) the ground theory training and practical flight training are conducted by the same operator; or
 - (ii) the operator that conducts the practical flight training engages another person or organisation to conduct the ground theory training on behalf of the operator; and
- (c) that is conducted according to a syllabus that satisfies the knowledge and flight standards specified in the Part 61 Manual of Standards for the grant of a private or commercial pilot licence; and
- (d) that is designed to be completed within a condensed period of time.

intermediate category, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.026.

International Regulations means the *International Regulations for Preventing Collisions at Sea, 1972* in the *Convention on the International Regulations for Preventing Collisions at Sea*, done at London on 20 October 1972, as amended and in force for Australia from time to time.

Note: The Convention is in Australian Treaty Series 1980 No. 5 ([1980] ATS 5) and could in 2015 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

in the vicinity of a non-controlled aerodrome: see regulation @91.470.

kind, of an aircraft, means:

- (a) for an aircraft that is covered by an aircraft type rating—the aircraft type rating; and
- (b) for an aircraft that is not covered by an aircraft type rating—the type of aircraft.

kit-built aircraft means an aircraft described in paragraph 21.191(h).

kite means a glider normally moored to the ground.

land aircraft means an aircraft other than any of the following:

- (a) a seaplane;
- (b) an amphibian;
- (c) a rotorcraft that:
 - (i) is fitted with fixed flotation equipment; and
 - (ii) takes off from, or lands on, water.

land and hold short operation means an operation in which the pilot in command of an aircraft:

- (a) lands the aircraft on a runway; and
- (b) stops the aircraft before an intersection with another runway; and
- (c) does not proceed further until instructed to do so by air traffic control.

landing minima means the minimum values of the following that are used for the purpose of determining whether an aerodrome may be used for landing aircraft:

- (a) visibility, including runway visibility and runway visual range;
- (b) cloud ceiling height.

landing minima requirements for an aerodrome: see subregulation @91.420(1).

landing weight, for a flight of an aircraft, means the total weight of the aircraft, including its load, at landing.

large RPA means any of the following:

- (a) a remotely piloted aeroplane with a gross weight of more than 150 kg;
- (b) a remotely piloted powered parachute with a gross weight of more than 150 kg;
- (c) a remotely piloted rotorcraft with a gross weight of more than 150 kg;
- (d) a remotely piloted powered-lift aircraft with a gross weight of more than 150 kg;
- (e) a remotely piloted airship with an envelope capacity of more than 100 m³.

letter of ATSO design approval: see paragraph 21.601(2)(c).

licensed aircraft maintenance engineer means an individual who holds an aircraft engineer licence that is in force.

life limit, for an aeronautical product that is fitted, or is to be fitted, to a limited category aircraft, has the meaning given by the Part 132 Manual of Standards.

light balloon: see regulation 101.145.

lighter-than-air aircraft is the generic term for aircraft that are supported chiefly by their buoyancy in the air.

light sport aircraft means an aircraft that:

- (a) has:
 - (i) if the aircraft is not intended for operation on water—a maximum take-off weight of 600 kilograms or less; or
 - (ii) if the aircraft is intended for operation on water—a maximum take-off weight of 650 kilograms or less; or
 - (iii) if the aircraft is a lighter-than-air aircraft—a maximum gross weight of 560 kilograms or less; and
- (b) if the aircraft is a powered aircraft—has a single, non-turbine engine fitted with a propeller; and
- (c) has a maximum stall speed in the landing configuration (V_{so}) of 45 knots calibrated air speed; and
- (d) if the aircraft is a glider—has a maximum never-exceed speed (V_{ne}) of 135 knots calibrated air speed; and
- (e) if the aircraft has a cabin—has an un-pressurised cabin; and
- (f) if the aircraft is designed to be equipped with seating—has a maximum seating capacity of 2 persons, including the pilot; and
- (g) if the aircraft is a manned free balloon that is not designed to be equipped with seating—can carry no more than 2 persons; and
- (h) has:
 - (i) in the case of an amphibian—repositionable landing gear; or
 - (ii) in the case of a glider—fixed landing gear or retractable landing gear; or
 - (iii) in any other case—fixed landing gear.

limited category, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a special certificate of airworthiness mentioned in regulation 21.189.

limited category aircraft: see regulation 132.010.

limited category certificate: see regulation 132.010.

limited category organisation: see regulation 132.010.

lowest safe altitude, for a route or route segment of a flight of an aircraft, means the lowest altitude that will provide safe terrain clearance for the aircraft for the route or route segment calculated in accordance with a method specified in the Part 173 Manual of Standards, the operator's exposition or the operator's operations manual.

Note: The methods specified in the Part 173 Manual of Standards are also published in the AIP.

low-risk electronic device means:

- (a) a digital mobile telephone; or
- (b) a hand-held personal digital assistant; or
- (c) an electronic device:
 - (i) to which the IEEE Standard for Information technology—*Telecommunications and information exchange between systems—Local and*

metropolitan area network—Specific requirements Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) Specifications applies; and

(ii) that transmits only in a way that meets that standard.

Note: The standard mentioned in subparagraph (c)(i) could in 2015 be viewed on the IEEE website (<http://www.ieee.org>).

low-visibility approach means an approach using minima for a runway that are below the category I precision approach minima for the runway published in the AIP.

low-visibility operation means:

- (a) a low-visibility take-off; or
- (b) a low-visibility approach.

low-visibility take-off means a take-off with a runway visual range of less than 550 m.

major, for a modification or repair to a limited category aircraft: see regulation 132.020.

major change, for a type design: see regulation 21.093.

major defect means:

- (a) in relation to an aeronautical product that is not fitted to an aircraft—a defect of such a kind that the aeronautical product, if fitted to an aircraft, may affect the safety of the aircraft or cause the aircraft to become a danger to persons or property; and
- (b) in relation to an aircraft—a defect of such a kind that it may affect the safety of the aircraft or cause the aircraft to become a danger to persons or property.

manned free balloon means a free balloon that:

- (a) is capable of carrying 1 or more persons; and
- (b) is equipped with controls that enable the altitude of the balloon to be controlled.

markings, for an aircraft: see regulation 45.015.

master minimum equipment list: see regulation @91.1680.

Materials Review Board means:

- (a) for a manufacturer manufacturing an aircraft, aircraft engine or propeller under a type certificate only—the Materials Review Board established under paragraph 21.125(1)(a); and
- (b) for a manufacturer manufacturing an aircraft, aircraft engine or propeller under a production certificate—the Materials Review Board established under regulation 21.145.

maximum carrying capacity, for an aircraft, means the maximum payload permitted under the aircraft's certificate of type approval.

maximum certificated passenger seating capacity, for an aircraft, means the maximum passenger seating capacity permitted under the aircraft's type certificate, foreign type certificate, supplemental type certificate or foreign supplemental type certificate.

maximum landing weight, for an aircraft, means the maximum landing weight for the aircraft permitted by:

- (a) for an aircraft that is type certificated—the flight manual for the aircraft; or
- (b) for an aircraft that is not type certificated:

- (i) if a document, published by the manufacturer of the aircraft setting out the operating limitations for the aircraft, specifies a weight—that document; or
- (ii) if no weight is specified in the document mentioned in subparagraph (i), or if a different weight is specified in the certificate of airworthiness for the aircraft—the certificate of airworthiness for the aircraft.

maximum operational passenger seat configuration, for an aircraft, means the maximum passenger seat capacity of the aircraft, excluding crew stations:

- (a) approved by CASA for the operator of the aircraft:
 - (i) for an operator that is not an Australian air transport operator—under regulation 201.030; or
 - (ii) for an Australian air transport operator—as part of the approval of the operator's exposition under Part 119; and
- (b) specified in the operator's operations manual (if any).

maximum passenger seating capacity, for an aircraft, means the maximum number of seats for persons (excluding flight crew and cabin crew) in the aircraft that is:

- (a) approved by CASA; and
- (b) specified in the aircraft operator's operations manual.

maximum payload capacity, for an aircraft, means the maximum payload permitted under the aircraft's type certificate, foreign type certificate, supplemental type certificate or foreign supplemental type certificate.

maximum take-off weight, for an aircraft, means the maximum take-off weight for the aircraft permitted by:

- (a) for an aircraft that is type certificated—the flight manual for the aircraft; or
- (b) for an aircraft that is not type certificated:
 - (i) if a document, published by the manufacturer of the aircraft setting out the operating limitations for the aircraft, specifies a weight—that document; or
 - (ii) if no weight is specified in the document mentioned in subparagraph (i), or if a different weight is specified in the certificate of airworthiness for the aircraft—the certificate of airworthiness for the aircraft.

medical certificate means:

- (a) a medical certificate issued under Subpart 67.C; or
- (b) for the holder of a certificate of validation of an overseas flight crew licence—the holder's overseas medical certificate.

medically significant condition has the meaning given by subregulation 67.010(1).

medical practitioner:

- (a) for Part 61 has the meaning given by regulation 61.010; and
- (b) for Part 67 has the meaning given by subregulation 67.010(1).

medium balloon: see regulation 101.145.

medium RPA means:

- (a) an RPA with a gross weight of at least 25 kg but not more than 150 kg; or
- (b) a remotely piloted airship with an envelope capacity of 100 m³ or less.

meets the modified Austroads medical standards has the meaning given by regulation 67.262.

MEL: see regulation @91.1680.

micro RPA means an RPA with a gross weight of 100 g or less.

military aerodrome means an aerodrome controlled by a part of the Defence Force.

minimum equipment list: see regulation @91.1680.

MMEL: see regulation @91.1680.

minor change, for a type design: see regulation 21.093.

model, for an aircraft, aircraft engine or propeller, means a particular version of a type of aircraft, aircraft engine or propeller that is distinguished from another version of the same type by a change of sufficient effect on the weight, balance, structural strength, operational characteristics as would require a separate entry on a type certificate, identifying and approving the particular version as distinct from the identification and approval of other versions.

model aircraft means an aircraft that is used for sport or recreation, and cannot carry a person.

model rocket: see regulation 101.425.

modification/repair design approval means an approval granted under regulation 21.435 or 21.437.

multi-crew operation: see regulation 61.010.

multi-flight journey means a journey to a destination that involves more than one flight in a day, if all of the flights are conducted by the same operator using the same aircraft.

national aviation authority, for a foreign country:

- (a) means the authority that is responsible for regulating civil aviation in the country; and
- (b) includes:
 - (i) the national airworthiness authority for the country; and
 - (ii) if EASA carries out functions on behalf of the country—EASA; and
 - (iii) for China, for matters relating to Hong Kong—the Civil Aviation Department of Hong Kong.

night means the period between the end of evening civil twilight and the beginning of the following morning civil twilight.

non-precision approach runway has the same meaning as in Annex 14, Aerodromes, to the Chicago Convention.

non-technical skills means specific human competencies, including critical decision making, team communication, situational awareness and workload management, which may minimise human error in aviation.

normal cruising speed, for an aeroplane or rotorcraft, means the speed stated in the flight manual for the aeroplane or rotorcraft as a normal cruising speed in International Standard Atmosphere conditions with all engines operating.

NOTAM authorised person, of an aeronautical data originator, means a person appointed by the originator as a NOTAM authorised person under regulation 175.445.

NOTAM Office means the office of AA responsible for the publication of NOTAMS.

NVIS flight means a flight conducted using a night vision imaging system.

obstacle means an object that extends above part of an obstacle limitation surface of an aerodrome.

obstacle limitation surface, of an aerodrome, means an obstacle limitation surface established in accordance with regulation 139.355.

off-shore installation means an installation that is erected on, or floating in the sea above, the continental shelf for the purpose of extracting, or exploring for, petroleum or natural gas.

one-engine-inoperative cruising speed, for an aeroplane, means any speed stated in the aeroplane's flight manual as a cruising speed with one engine inoperative.

operational control, for a flight of an aircraft, means control over the initiation, continuation, diversion or ending of the flight in the interests of the safety of the aircraft and the regularity and efficiency of the flight.

operational flight plan:

- (a) for a Part 121 operation—means a plan that meets the requirements of regulation @121.150; and
- (b) for a flight of an aeroplane to which Part 135 applies—has the meaning given by regulation 135.020; and
- (c) for a flight of a rotorcraft—has the meaning given by regulation 133.015.

operated within the visual line of sight: see subregulation 101.073(3).

operations manual means:

- (a) for an operator as defined in regulation 212 of CAR—the manual required to be provided by the operator under regulation 215 of CAR; or
- (b) for a limited category organisation—the manual mentioned in subregulation 262AN(2) of CAR for the organisation.

operations specifications has the same meaning as in Chapter 1 of Part 1 of Annex 6, *Operation of Aircraft*, to the Chicago Convention.

operator, of an aircraft, means:

- (a) if the operation of the aircraft is authorised by an AOC or a Part 141 certificate—the holder of the AOC or certificate; or
- (b) otherwise—the person, organisation or enterprise engaged in aircraft operations involving the aircraft.

operator proficiency check: see regulation 61.010.

other AIS applicable ICAO documents means each of the following documents as approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time:

- (a) ICAO Document 4444-ATM/501 (*Procedures for Air Navigation Services—Air Traffic Management*), subject to the differences mentioned in Gen 1.7 of Part 1 of the AIP;
- (b) ICAO Document 7030 (*Regional Supplementary Procedures*);

- (c) ICAO Document 7910 (*Location Indicators*);
- (d) ICAO Document 8168 (PANS-OPS), subject to the differences mentioned in Gen 1.7 of Part 1 of the AIP;
- (e) ICAO Document 8400 (*ICAO Abbreviations and Codes*);
- (f) ICAO Document 9432 (*Manual of Radiotelephony*);
- (g) ICAO Document 9674 (*World Geodetic System*);
- (h) ICAO Document 9905-AN/471 (*Required Navigation Performance Authorisation Required (RNP AR) Procedure Design Manual*).

overhauled: see paragraph 21.321(2)(d).

overseas endorsement has the meaning given by regulation 61.010.

overseas flight crew licence has the meaning given by regulation 61.010.

overseas medical certificate has the meaning given by regulation 61.010.

overseas rating has the meaning given by regulation 61.010.

PANS-AIM means the Procedures for Air Navigation Services-Aeronautical Information Management approved and published by the Council of the International Civil Aviation Organization, as in force from time to time, subject to the differences mentioned in Gen 1.7 of Part 1 of the AIP.

Part 21 Manual of Standards means the Manual of Standards issued by CASA under regulation 21.010D.

Part 42 Manual of Standards means the Manual of Standards issued by CASA under regulation 42.020.

Part 45 Manual of Standards means the Manual of Standards issued by CASA under regulation 45.025.

Part 61 Manual of Standards means the Manual of Standards issued by CASA under regulation 61.035.

Part 91 Manual of Standards means the Manual of Standards issued by CASA under regulation @91.040.

Part 91 operation means an aircraft operation to which:

- (a) Part 91 applies; and
- (b) none of the provisions of Part 105, 121, 129, 132, 133, 135, 137, 138, 141 or 142 apply.

Part 101 Manual of Standards means the Manual of Standards issued by CASA under regulation 101.028.

Part 121 Manual of Standards means the Manual of Standards issued by CASA under regulation @121.015.

Part 121 operation means an operation mentioned in subregulation @121.005(1).

Part 121 proficiency check means a proficiency check that complies with regulation @121.820.

Part 132 Manual of Standards means the Manual of Standards issued by CASA under regulation 132.040.

Part 141 operator: see subregulation 141.015(3).

Part 142 operator: see subregulation 142.015(4).

Part 145 organisation means a person who holds an approval under regulation 145.030 that is in force.

Part 175 Manual of Standards means the Manual of Standards issued by CASA under regulation 175.025.

passenger, in relation to an aircraft, means a person:

- (a) who:
 - (i) intends to travel on a particular flight on the aircraft; or
 - (ii) is on board the aircraft for a flight; or
 - (iii) has disembarked from the aircraft following a flight; and
- (b) who is not a member of the crew of the aircraft for the flight.

passenger transport operation:

- (a) means an operation in an aircraft that involves the carriage of passengers, whether or not cargo is also carried on the aircraft; but
- (b) does not include the following:
 - (i) an operation in an aircraft with a special certificate of airworthiness;
 - (ii) a cost-sharing flight.

passenger with reduced mobility means a person who is likely to require special conditions and assistance to find and use an exit on board an aircraft in an emergency because:

- (a) the person's mobility is impaired; or
- (b) the person has another impairment.

permit index number, for an aircraft for which a limited category certificate has been issued: see regulation 132.010.

pilot, used as a verb, has the meaning given by regulation 61.010.

pilot certificate means a certificate (however described) that:

- (a) is granted by a recreational aviation administration organisation; and
- (b) authorises its holder to pilot an aircraft, other than a registered aircraft, in an aviation activity administered by the organisation.

pilot in command, in relation to a flight of an aircraft, means the pilot designated by the operator of the aircraft as being in command and charged with the safe conduct of the flight.

pilot in command under supervision has the meaning given by regulation 61.010.

pilot instructor: see regulation 61.010.

pilot licence: see regulation 61.010.

pilot-owner, of an aircraft, means an individual who:

- (a) owns the aircraft; and
- (b) is authorised, under Part 61, to fly the aircraft.

polar region means the area:

- (a) north of 78°N; or
- (b) south of 60°S.

populous area includes a city and a town.

powered aircraft means an aircraft that is propelled by an engine or engines.

powered-lift aircraft means a power-driven heavier-than-air aircraft that derives its lift in flight:

- (a) during vertical manoeuvring and low-speed flight—from:
 - (i) the reaction of air on one or more normally power-driven rotors on substantially vertical axes; or
 - (ii) engine thrust; and
- (b) otherwise—chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight.

powered parachute means a powered aircraft that has the characteristics of a parachute when its engine or engines are not operated.

powered sailplane means an aircraft with one or more engines that has the characteristics of a sailplane when the engine or engines are inoperative.

primary category, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.024.

probity offence means an offence the substance of which is:

- (a) the giving, receiving, offering or soliciting of a bribe to influence the performance of an official function or duty; or
 - (b) the making of an unwarranted demand with menaces (within the meaning of Division 139 of the *Criminal Code*) of a person exercising an official function during the performance of that function; or
 - (c) fraudulent conduct (within the meaning of Part 7.3 of the *Criminal Code*);
- whether under the law of the Commonwealth, a State, a Territory or another country.

production certificate means a production certificate issued under subregulation 21.134(1).

prohibited area has the same meaning as in regulation 3 of the *Airspace Regulations 2007*.

protective breathing equipment means equipment:

- (a) that is designed to prevent a person from having to breathe in, and to protect the person's eyes from, toxic gases and fumes; and
- (b) that complies with:
 - (i) TSO-C99 or ETSO-C99, as in force from time to time; or
 - (ii) a later version of TSO-C99 or ETSO-C99, as in force from time to time.

provisional certificate of airworthiness means a Class I or Class II provisional certificate of airworthiness.

provisional type certificate means a Class I or Class II provisional type certificate.

psychoactive substance: see clause 60 of Part 2 of this Dictionary.

psychoactive substance offence means an offence:

- (a) of which an element is the possession, use or excessive use of a psychoactive substance; or
- (b) of which the substance is importing, or trafficking in, a psychoactive substance; or
- (c) of which an element is being under the influence of a psychoactive substance; or

- (d) of which an element is the presence, or the presence at a concentration higher than a particular concentration, in the blood, breath or urine of a psychoactive substance or a metabolite of such a substance; or
- (e) the substance of which is refusal to provide a blood, breath or urine sample for analysis; or
- (f) of attempting to commit, inciting the commission of or conspiring to commit an offence referred to in paragraph (a), (b), (c), (d) or (e).

Note: *Psychoactive substance* includes alcohol but does not include coffee, tea, cocoa, chocolate or any other non-alcoholic drink containing caffeine, or caffeine-containing confectionery—see Part 2 of this Dictionary.

public gathering means an assembly of people at a place on the basis of a general public invitation to attend at that place, whether or not a charge is made for attendance.

published lowest safe altitude, for a route or route segment for a flight of an aircraft, means the lowest altitude for the route or route segment published in authorised aeronautical information.

qualified flight simulator means a flight simulator that is qualified under Part 60 of CASR.

qualified flight training device means a flight training device that is qualified under Part 60 of CASR.

radio station licence means:

- (a) for an Australian aircraft—an apparatus licence or class licence issued under the *Radiocommunications Act 1992* for the radiocommunications equipment on board the aircraft; or
- (b) for a foreign registered aircraft—a document:
 - (i) that is equivalent to a document mentioned in paragraph (a); and
 - (ii) that is issued by the authority of the aircraft's State of registry that issues radio licences.

recognised country: see regulation 21.010B.

rectification interval: see regulation @91.1680.

recurrent training: see regulation 142.035.

registered means registered under Part 47.

registered aerodrome means an aerodrome that is registered under regulation 139.265.

registered operator, of an aircraft, has the meaning given by regulation 47.100.

registered training organisation has the meaning given by section 3 of the *National Vocational Education and Training Regulator Act 2011*.

registration holder of an aircraft means the person whose name is entered in the Australian Civil Aircraft Register as that of the aircraft's owner.

registration mark, of an aircraft, means the registration mark assigned to the aircraft under Subpart 47.G.

regular public transport operations means operations for the commercial purpose mentioned in paragraph 206(1)(c) of CAR.

relevant airworthiness standards, for an aircraft, means:

- (a) if the aircraft conforms to a type certificate issued, or taken to have been issued, under regulation 21.013A or 21.029—the airworthiness standards included in the type certification basis for the aircraft; or
- (b) if a type acceptance certificate has been issued, or is taken to have been issued, for the aircraft under regulation 21.029A—the airworthiness standards that the aircraft had to meet for the issue of the foreign type certificate that was the basis for the issue of the type acceptance certificate.

relevant approved design organisation, in relation to a design activity, within the meaning given by regulation 21.233, and an aircraft or aeronautical product of a particular kind, means an approved design organisation that is approved under Subpart 21.J to carry out that design activity in relation to aircraft or aeronautical products of that kind.

remote pilot licence means a licence granted under Division 101.F.3.

reported runway visibility, for a runway at an aerodrome, means the visibility for the runway as reported by any of the following:

- (a) a person appointed by an aerodrome operator to make runway visibility assessments under the Part 139 Manual of Standards;
- (b) an individual who holds a pilot licence.

reported runway visual range, for an aerodrome, means the runway visual range at the aerodrome as reported by any of the following:

- (a) air traffic control at the aerodrome;
- (b) an authorised weather report for the aerodrome.

required in relation to a flight crew member for a flight: see subregulation @91.685(2).

required navigational performance, for an area of airspace, or a route, means the navigational performance specified in the AIP for that area of airspace or route.

restricted area has the same meaning as in regulation 3 of the *Airspace Regulations 2007*.

restricted category, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.025.

restricted person means:

- (a) a deportee (within the meaning of subsection 5(1) of the *Migration Act 1958*); or
- (b) a removee (within the meaning of subsection 5(1) of the *Migration Act 1958*); or
- (c) a person in custody; or
- (d) a passenger carried on an aircraft:
 - (i) who is on the aircraft because he or she has been refused entry to a country; or
 - (ii) whose passport does not include a visa required for entry to the passenger's destination country.

rocket means a pilotless vehicle powered by reaction that carries all the components necessary to provide its jet.

rotorcraft means:

- (a) a helicopter; or
- (b) a gyroplane; or
- (c) a powered-lift aircraft.

route segment means a portion of a route.

RPA means a remotely piloted aircraft, other than a balloon or a kite.

RPAS (short for remote pilot aircraft system) means a set of configurable elements consisting of a remotely piloted aircraft, its associated remote pilot station (or stations), the required command and control links and any other system elements as may be required at any point during the operation of the aircraft.

RPL training course means training in the operation of RPA for the grant of a remote pilot licence that is conducted:

- (a) by a person who is certificated under regulation 101.335 and whose operations include conducting training; and
- (b) in accordance with any standards or requirements prescribed by the Part 101 Manual of Standards.

RTCA/DO-200A means the latest version of RTCA/DO-200A, Standards for Processing Aeronautical Data, issued by RTCA, Inc, as in force from time to time.

Note: RTCA/DO-200A could in 2014 be viewed on the RTCA's website (<http://www.rtca.org>).

runway strip means a defined area at an aerodrome, including the runway and stopway (if any) to which it relates, that is intended to:

- (a) reduce the risk of damage to aircraft running off the runway; and
- (b) protect aircraft flying over the area during take-off, landing or a missed approach.

runway visual range means the range, measured using an electronic instrument, over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line.

RVSM airspace means any of the following:

- (a) the airspace, at or above flight level 290, identified in the AIP as airspace where a vertical separation minimum of 1 000 feet applies;
- (b) the airspace, at or above flight level 290, designated, or otherwise recognised, by the appropriate authority of a foreign country to be airspace where a vertical separation minimum of 1 000 feet applies;
- (c) airspace, at or above flight level 290, where a vertical separation of 1 000 feet applies under the terms of a Regional Air Navigation Agreement.

safety briefing card, for an aircraft, means a printed document containing the following:

- (a) diagrams of the aircraft's emergency exits and how to operate them;
- (b) if the aeroplane has evacuation slides—where they are and how to use them;
- (c) if a passenger may be required to operate emergency equipment carried on, or fitted to, the aircraft—instructions for the use of the equipment;
- (d) diagrams of the brace position for an emergency landing.

safety-critical aeronautical product, for a limited category aircraft: see regulation 132.025.

sailplane means a heavier-than-air aircraft:

- (a) that is supported in flight by the dynamic reaction of the air against its fixed lifting surfaces; and
- (b) the free flight of which does not depend on an engine.

seaplane includes an aeroplane with a floating hull.

small balloon: see regulation 101.145.

small RPA means an RPA with a gross weight of at least 2 kg but less than 25 kg.

solo, in relation to a flight of an aircraft, has the meaning given by regulation 61.010.

special certificate of airworthiness: see regulation 21.175.

special class, for aircraft: see subregulation 21.017(2).

special condition means a special condition imposed under subregulation 21.016(1).

special flight authorisation means an authorisation granted under regulation @91.1715.

special flight permit means a special flight permit issued under regulation 21.200.

specialised helicopter operation means a helicopter operation that involves the carriage of persons or cargo:

- (a) between the coast of Australia and an off-shore installation; or
- (b) between off-shore installations; or
- (c) to or from the helipad of:
 - (i) a hospital; or
 - (ii) a State or Territory service (however described) established to provide assistance in emergencies.

special purpose operation, for an aircraft in the limited category, means an operation mentioned in subregulation 21.189(3).

special VFR means:

- (a) for a balloon—the visual flight rules prescribed by the Part 131 Manual of Standards; or
- (b) for any other aircraft—the visual flight rules prescribed by the Part 91 Manual of Standards.

specified aircraft performance category, for an aircraft, means the aircraft performance category prescribed for an aircraft's V_{AT} (as worked out in accordance with the aircraft's flight manual) by the Part 91 Manual of Standards.

specified IFR cruising level for a magnetic track: see regulation @91.365.

specified VFR cruising level for a magnetic track: see regulation @91.365.

sport aviation body means:

- (a) Australian Ballooning Federation Incorporated; or
- (b) Australian Parachute Federation Limited; or
- (c) Australian Sport Rotorcraft Association Incorporated; or
- (d) Recreational Aviation Australia Incorporated; or
- (e) The Gliding Federation of Australia Incorporated; or
- (f) Hang Gliding Federation of Australia Incorporated; or
- (g) a body established in a Contracting State to administer sport aviation in that State.

standard certificate of airworthiness: see regulation 21.175.

standard part means a part that complies with a specification that:

- (a) is established, published and maintained by:
 - (i) an organisation that sets consensus standards for products; or
 - (ii) a government agency; and
- (b) includes:
 - (i) design, manufacturing, test and acceptance criteria; and
 - (ii) requirements for the uniform identification of the part.

Example: For subparagraph (a)(i), the Institute of Electrical and Electronics Engineers—see <http://www.ieee.org/portal/site>.

standard RPA operating conditions: see regulation 101.238.

State of Design has the meaning given by Annex 8 to the Chicago Convention.

State of registry, for a foreign registered aircraft, means the foreign country on whose register the aircraft is entered.

student pilot means:

- (a) for aircraft other than balloons—a person who is authorised to pilot an aircraft under regulation 61.112; or
- (b) for balloons—a person who:
 - (i) does not hold a commercial (balloon) pilot licence within the meaning of subregulation 5.01(1) of CAR; and
 - (ii) is receiving balloon flight training.

suitable person: a person is a **suitable person** to occupy an emergency exit row seat or a seat adjacent to an emergency exit if the person:

- (a) is reasonably fit, strong, and able to assist with the rapid evacuation of the aircraft in an emergency; and
- (b) would not, because of a condition or disability, including an inability to understand oral instructions, hinder:
 - (i) other passengers during an evacuation of the aircraft in an emergency; or
 - (ii) the aircraft's crew in carrying out their duties in an emergency.

supplemental oxygen means oxygen that is provided to an occupant of an aircraft by purpose-designed equipment to supplement the oxygen available in the atmosphere inside the aircraft.

supplemental type certificate means a supplemental type certificate issued under regulation 21.113A.

synthetic training device means:

- (a) a flight simulator; or
- (b) a flight training device; or
- (c) a basic instrument flight trainer.

take-off decision point, for a take-off of a rotorcraft, means the point, mentioned in the rotorcraft's flight manual, from which, if an engine failure is recognised:

- (a) the take-off may be safely rejected; or
- (b) the take-off may be continued safely.

take-off minima means the minimum values of the following that are used to determine whether an aerodrome may be used for the take-off of aircraft:

- (a) visibility, including runway visibility and runway visual range;
- (b) cloud ceiling height.

take-off minima requirements for an aerodrome: see subregulation @91.420(1).

take-off weight, for a flight of an aircraft, means the total weight of the aircraft, including its load, at the start of:

- (a) for an aeroplane—its take-off run; or
- (b) for a rotorcraft—its take-off manoeuvre.

TAWS-Class A means a terrain awareness and warning system that complies with TSO-C151b or ETSO-C151b, as in force from time to time.

TAWS-Class B means a terrain awareness and warning system that:

(a) gives aural alerts; and

(b) complies with:

(i) TSO-C151, TSO-C151a and TSO-C151b, as in force from time to time; or

(ii) ETSO-C151, ETSO-C151a and ETSO-C151b, as in force from time to time.

terminal instrument flight procedure means an instrument approach procedure or instrument departure procedure.

tethered, in relation to a lighter-than-air aircraft, means attached to the ground, or an object on the ground, by flexible restraints that limit movement.

tethered balloon: see regulation 101.105.

these Regulations includes CAR.

threshold, of a runway, means the beginning of that portion of a runway that is useable for landing.

time-in-service means:

(a) for an aircraft—each period starting when the aircraft takes off for a flight and ending when the aircraft lands at the end of the flight; and

(b) for an aircraft engine or propeller that is fitted to an aircraft—each period starting when the aircraft takes off for a flight and ending when the aircraft lands at the end of the flight.

tour of duty, for a flight crew member:

(a) means a period from when the member begins any duties associated with his or her employment before making a flight or series of flights until the member is finally relieved of all such duties after the end of the flight or flights; and

(b) includes a period during which the member is required by an operator to hold himself or herself available at an aerodrome for the performance of any such duties.

track means the projection on the earth's surface of the path of an aircraft, the direction of which at any point is usually expressed in degrees from North (true or magnetic).

training endorsement: see regulation 61.010.

TSO: see paragraph 21.601(2)(ab).

type, for an aircraft, aircraft engine or propeller, means a design and make of aircraft, aircraft engine or propeller and, where appropriate, refers to a group of essentially similar aircraft, aircraft engines or propellers which, although possibly existing in different models, stem from a common basic design.

type acceptance certificate means a type acceptance certificate issued under regulation 21.029A.

type certificate: see regulation 21.041.

type certificated means issued with a type certificate or type acceptance certificate.

type certificate data sheet means a sheet attached to a type certificate for an aircraft, aircraft engine or propeller that sets out the limitations prescribed by the applicable airworthiness requirements for the aircraft, aircraft engine or propeller, and any other

limitations and information necessary for type certification of the aircraft, aircraft engine or propeller.

type certification basis, for an aircraft, aircraft engine or propeller, means the airworthiness standards and any special conditions or other conditions with which the aircraft, aircraft engine or propeller must comply for the issue of a type certificate.

type design: see regulation 21.031.

unmanned free balloon means a balloon other than a manned free balloon.

unpowered aircraft means an aircraft other than a powered aircraft.

variant: see regulation 61.010.

very light aeroplane means an aeroplane of a kind mentioned in clause CS-VLA 1 of EASA CS-VLA, as in force from time to time.

very small RPA means an RPA with a gross weight of more than 100 g but less than 2 kg.

VFR means the rules and procedures [under these Regulations] for flight in VMC.

VFR flight means a flight conducted under the VFR.

visibility means the ability, as determined by atmospheric conditions and expressed in units of distance, to see and identify prominent unlighted objects by day and prominent lighted objects by night.

VMC means meteorological conditions that meet the VMC criteria.

VMC criteria means:

- (a) for a class of aircraft (other than a balloon) and a class of airspace, (including flight visibility and distance from cloud)—the criteria prescribed for the class of aircraft and class of airspace prescribed by the Part 91 Manual of Standards; or
- (b) for a balloon and a class of airspace, (including flight visibility and distance from cloud)—the criteria prescribed for the balloon and class of airspace by the Part 131 Manual of Standards.

V_{so} means the stalling speed or the minimum steady flight speed in the landing configuration.

Source FARs section 1.2.

weight and balance documents, for a flight of an aircraft, are the documents that set out the aircraft's load for the flight and the distribution of the load during the flight.

weight and balance limits, for an aircraft, means the weight and balance limits set out in the aircraft flight manual instructions for the aircraft.

wet, for a runway: a runway is **wet** if the surface area required for a take-off or landing:

- (a) is not dry; and
- (b) is not contaminated.

Part 2—Interpretation of certain expressions not defined in Part 1

1 Parts and materials excluded from the definition of *aeronautical product*

- (1) For the definition of *aeronautical product* in section 3 of the Act, a part or material that is part of or used in an aircraft is excluded if:
 - (a) the part or material:
 - (i) is not mentioned in the approved design for the aircraft; and
 - (ii) is not approved in a manner mentioned in regulation 21.305 or 21.305A; or
 - (b) the part or material is mentioned in a legislative instrument issued under subclause (2).
- (2) For subsection 98(5A) of the Act, CASA may issue a legislative instrument that specifies that a part or material is excluded from the definition of *aeronautical product* in section 3 of the Act.

3 Definition of *air transport operation*

- (1) *Air transport operation* means a passenger transport operation, or a cargo transport operation, that:
 - (a) is conducted for hire or reward; or
 - (b) is prescribed by an instrument issued under regulation 201.025.
- (2) However, an operation conducted for a purpose mentioned in paragraph 206(1)(a) of CAR is not an *air transport operation*.

5 When an aircraft is *airworthy*

Note: This clause is reserved for future use.

15 Reference to Annexes to Chicago Convention

In these Regulations, a reference to an Annex to the Chicago Convention is a reference to that Annex as in force from time to time.

18 Meaning of *authorised release certificate*

- (1) For the purposes of CAR:

authorised release certificate, for an aircraft component, means a document that complies with regulation 42WA of CAR.
- (2) For the purposes of CASR:

authorised release certificate, for an aeronautical product, means:

 - (a) if maintenance has not been carried out on the product since its manufacture, and the manufacture of the product was permitted by or under Part 21—a document:
 - (i) issued by the manufacturer of the product; and
 - (ii) that includes a statement to the effect that the product is serviceable, within the meaning given by subregulation 42.015(1); or
 - (b) if maintenance has not been carried out on the product since its manufacture, and the manufacture of the product was permitted by the law of a foreign country—a

document of a kind specified in the Part 42 Manual of Standards as being equivalent to a document mentioned in paragraph (a); or

- (c) if maintenance has been carried out on the product under these Regulations—a certificate of release to service for the product in relation to the maintenance issued under Division 42.H.4 that is in the approved form; or
- (d) if maintenance has been carried out on the product under the law of a foreign country—a document of a kind specified in the Part 42 Manual of Standards as being equivalent to a document mentioned in paragraph (c).

Note 1: For paragraph (a), Part 21 permits the manufacture of aeronautical products in a number of ways, including under APMAs, ATSO authorisations, type certificates and production certificates.

Note 2: For paragraph (c):

- (a) a certificate of release to service for an aeronautical product in relation to maintenance carried out on an aeronautical product that is not in-house maintenance must be in the approved form: see subregulation 42.810(1); and
- (b) a certificate of release to service for an aeronautical product in relation to in-house maintenance carried out on an aeronautical product must either be in the approved form or be in the form of an in-house release document: see subregulation 42.810(2).

25 Extended meaning of *charged with* in relation to certain offences

- (1) In these Regulations:

charged with has, in addition to its ordinary meaning, the meaning given by subclause (2).

- (2) For the purposes of these Regulations, a person is taken to have been *charged with* a psychoactive substance offence if:
 - (a) a law provides for the issue, in relation to the offence, of an expiation notice; and
 - (b) such a notice is issued to the person in relation to the offence.

35 Extended meaning of *convicted*

- (1) In these Regulations:

convicted has, in addition to its ordinary meaning, the meaning given by subclauses (2), (3) and (4).

- (2) For the purposes of these Regulations, a person is taken to have been *convicted* of an alleged offence if:
 - (a) the person has not been found guilty of the offence but asks for the offence to be taken into account when being sentenced for another offence; or
 - (b) the person has been found guilty of the offence but discharged without conviction.
- (3) In addition, a person is taken to have been *convicted* of a psychoactive substance offence if:
 - (a) a law provides for the issue, in relation to the offence, of an expiation notice; and
 - (b) such a notice was issued to the person in relation to the offence; and
 - (c) the person paid the penalty required by the notice.
- (4) However, a conviction that is spent (within the meaning of Part VIIC of the *Crimes Act 1914*), or has been quashed, is not taken to be a conviction for the purposes of these Regulations.

36 References to particular kinds of flight crew licences, ratings and endorsements

A reference in these Regulations to a particular kind of flight crew licence, rating or endorsement:

- (a) means a flight crew licence, rating or endorsement of that kind that may be granted under Part 61 (Flight crew licensing); and
- (b) includes a certificate of validation of an overseas flight crew licence that is equivalent to that kind of flight crew licence, rating or endorsement.

Example 1: For paragraph (a), a reference to a commercial pilot licence is a reference to a commercial pilot licence granted under Part 61.

Example 2: For paragraph (a), a reference to an aeroplane low-level endorsement is a reference to an aeroplane low-level endorsement granted under Part 61.

Example 3: For paragraph (b), a reference to a commercial pilot licence includes a reference to a certificate of validation of an overseas flight crew licence that is equivalent to a commercial pilot licence granted under Part 61.

37 Definition of *flight manual*

(1) An aircraft's *flight manual* is:

- (a) if the aircraft's type certification basis required the provision of an aircraft flight manual—that manual; or
- (b) if regulation 21.005 applies to the aircraft—the manual that must be given to the owner of the aircraft under that regulation; or
- (c) for an aircraft not mentioned in paragraph (a) or (b)—a document that contains the aircraft's operating limitations and other information required for safe operation of the aircraft.

(2) An aircraft's *flight manual* also includes the following:

- (a) each amendment to the flight manual that:
 - (i) is approved by CASA or an authorised person under regulation 21.006A; or
 - (ii) is made at the direction of CASA under Subpart 11.G; or
 - (iii) relates to a foreign type certificate in relation to which CASA has issued a type acceptance certificate or a foreign supplemental type certificate, and is approved by the national aviation authority that issued the foreign type or supplemental type certificate;
- (b) each supplement to the flight manual that:
 - (i) is approved by CASA or an authorised person under regulation 21.006A; or
 - (ii) is made at the direction of CASA under Subpart 11.G; or
 - (iii) relates to a foreign type certificate in relation to which CASA has issued a type acceptance certificate or a foreign supplemental type certificate, and is approved by the national aviation authority that issued the foreign type or supplemental type certificate.

40 References to operating an aircraft in an area

In these Regulations, a reference to operating an aircraft in an area is a reference to operating the aircraft in the airspace above the area.

45 References to EASA certification specifications

In these Regulations, a reference to EASA, followed by the letters CS, a hyphen and a number, letter or letters, is a reference to the certification specifications, including

airworthiness codes and acceptable means of compliance, produced by EASA and identified by that number, letter or letters.

50 References to pilot-in-command

Note: This clause is reserved for future use.

60 Meaning of *psychoactive substance*

(1) In these Regulations:

psychoactive substance has, subject to subclause (2), the meaning given by section 1.1 of Annex 1, *Personnel Licensing*, to the Chicago Convention.

Note: The definition in that Annex is:

Psychoactive substances. Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded.

(2) To avoid doubt, in these Regulations:

psychoactive substance:

(a) includes:

- (i) a therapeutic substance that is a psychoactive substance within the meaning given by Annex 1 to that Convention; and
- (ii) a therapeutic substance of which a psychoactive substance (within the meaning given by that Annex) is an ingredient; but

(b) does not include:

- (i) tea, cocoa, chocolate or any other non-alcoholic drink containing caffeine or guarana; or
- (ii) confectionery containing caffeine or guarana.

(3) In paragraph (a) of the definition of *psychoactive substance* in subclause (2):

therapeutic substance means a substance that is therapeutic goods, within the meaning given by the *Therapeutic Goods Act 1989*.

65 Recognised foreign training providers

Note: This clause is reserved for future use.

75 Definition of *eligible emergency locator transmitter*

(1) An *eligible emergency locator transmitter* is a transmitter that meets the requirements mentioned in subclause (2).

(2) The requirements are as follows:

(a) the transmitter must be one of the following:

- (i) an emergency locator transmitter;
- (ii) an emergency position-indicating radio beacon of a type that meets the requirements of AS/NZS 4280.1:2003;
- (iii) a personal locator beacon of a type that meets the requirements of AS/NZS 4280.2:2003;

(b) if the transmitter is activated, the transmitter must operate simultaneously:

- (i) in the frequency band 406 MHz—406.1 MHz; and
- (ii) on 121.5 MHz;

- (c) if the transmitter is to be fitted to, or carried on, an Australian aircraft—the transmitter must be registered with the Australian Maritime safety Authority and with no other authority;
- (d) if the transmitter is to be fitted to, or carried on, a foreign registered aircraft—the transmitter must be registered with the authority of the aircraft's State of registry that is responsible for search and rescue services, and not with the Australian Maritime Safety Authority;
- (e) the transmitter must, for identification purposes, be coded in accordance with the requirements for the transmitter in Appendix 1 to Chapter 5 of Part II, *Voice Communications*, of Volume III of Annex 10, *Aeronautical Telecommunications*, to the Chicago Convention, as in force from time to time;
- (f) if the transmitter is fitted with a lithium-sulphur dioxide battery—the battery must be of a type authorised by the FAA in accordance with TSO-C142a.

80 Definition of *approved emergency locator transmitter*

- (1) An *approved emergency locator transmitter* is an eligible emergency locator transmitter that meets the requirements mentioned in subclause (2).
- (2) The requirements are as follows:
 - (a) the transmitter must be automatically activated on impact;
 - (b) the transmitter must be one of the types mentioned in subclause (3).
- (3) For the purposes of paragraph (2)(b), the types are as follows:
 - (a) a type authorised by the FAA in accordance with TSO-C126 for operation on 121.5 MHz and 406 MHz;
 - (b) a type authorised by EASA in accordance with:
 - (i) ETSO-2C91a for operation on 121.5 MHz; and
 - (ii) ETSO-2C126 for operation on 406 MHz;
 - (c) a type approved by CASA that is operationally equivalent to, and performs at a level that is at least equivalent to the level of performance of, a type of transmitter mentioned in paragraph (a) or (b).

85 Definition of *approved portable emergency locator transmitter*

- (1) An *approved portable emergency locator transmitter* is an eligible emergency locator transmitter that meets the requirements mentioned in subclause (2).
- (2) The requirements are as follows:
 - (a) the transmitter must be portable;
 - (b) the transmitter must be one of the types mentioned in subclause (3).
- (3) For paragraph (2)(b), the types are as follows:
 - (a) an emergency position-indicating radio beacon of a type that meets the requirements of AS/NZS 4280.1:2003;
 - (b) a personal locator beacon of a type that meets the requirements of AS/NZS 4280.2:2003;
 - (c) a type authorised by the FAA in accordance with TSO-C126 for operation on 121.5 MHz and 406 MHz;
 - (d) a type authorised by EASA in accordance with:
 - (i) ETSO-2C91a for operation on 121.5 MHz; and
 - (ii) ETSO-2C126 for operation on 406 MHz;
 - (e) a type approved by CASA that:

- (i) is operationally equivalent to a type mentioned in paragraph (a), (b), (c) or (d);
and
- (ii) performs at a level that is at least equivalent to the level of performance of that type.

Part 3—Definitions for this Part, Parts 42, 66, 145 and 147 and Subparts 202.BA, 202.CG, 202.GE and 202.GG

1 General

In this Part, Parts 42, 66, 145 and 147, and Subparts 202.BA, 202.CG, 202.GE and 202.GG:

aircraft type training, for a rating, means the training for the rating delivered by a maintenance training organisation in accordance with a course plan for the training approved by CASA under regulation 147.030.

approval rating:

- (a) for a Subpart 42.F organisation—has the meaning given by subregulation 42.015(1); and
- (b) for a Part 145 organisation—has the meaning given by subregulation 145.010(1).

approved maintenance organisation means a Subpart 42.F organisation or a Part 145 organisation.

aviation industry standard means a document specified in the Part 42 Manual of Standards as an aviation industry standard.

base maintenance, for a Part 145 organisation, means maintenance on an aircraft that CASA has approved in the organisation's exposition as being base maintenance for the organisation.

CAR maintenance activities means the following activities conducted under Part 4A of CAR:

- (a) carrying out maintenance on a registered aircraft to which Part 42 does not apply, or on an aircraft component or aircraft material for an aircraft of that kind;
- (b) certifying the completion of maintenance carried out on an aircraft or aircraft component;
- (c) issuing a maintenance release for an aircraft;
- (d) endorsing a maintenance release for an aircraft;
- (e) issuing an authorised release certificate for an aircraft component.

CAR maintenance activities subcontractor, for an approved maintenance organisation: see clause 21.

carries out maintenance, in relation to an approved maintenance organisation, has the meaning given by subclause 5(5).

carrying out maintenance on an aeronautical product has the meaning given by subclause 5(2).

carrying out maintenance on an aircraft has a meaning affected by clause 5.

category A licence means a subcategory A1, A2, A3 or A4 aircraft engineer licence.

category B1 licence means a subcategory B1.1, B1.2, B1.3 or B1.4 aircraft engineer licence.

category B2 licence means a category B2 aircraft engineer licence.

category C licence means a category C aircraft engineer licence.

category training, for a category A, B1 or B2 licence, means training in the required units of competency for the licence or rating.

certification authorisation means an authorisation that an approved maintenance organisation grants to an individual in accordance with the Part 42 Manual of Standards or the Part 145 Manual of Standards to do either or both of the following on behalf of the organisation:

- (a) perform maintenance certifications;
- (b) issue certificates of release to service.

certifying employee, for particular maintenance, means an individual who holds a certification authorisation that is in force from an approved maintenance organisation for the maintenance.

employee, in relation to an approved maintenance organisation, includes:

- (a) a maintenance services subcontractor; and
- (b) a CAR maintenance activities subcontractor.

excluded State means a foreign country specified as an excluded State in the Part 66 Manual of Standards.

exempt public authority has the meaning given by section 9 of the *Corporations Act 2001*.

foreign company means:

- (a) a body corporate:
 - (i) that is incorporated in an external Territory, or outside Australia and the external Territories; and
 - (ii) that is not an exempt public authority; or
- (b) an unincorporated body that:
 - (i) is formed in an external Territory, or outside Australia and the external Territories; and
 - (ii) under the law of its place of formation, may sue or be sued, or may hold property in the name of its secretary or of an officer of the body duly appointed for that purpose; and
 - (iii) does not have its head office or principal place of business in Australia.

foreign licence means:

- (a) a licence that:
 - (i) is granted under a national aviation law of a foreign country, other than a foreign country that is an excluded State; and
 - (ii) complies with Annex 1, *Personnel Licensing*, to the Chicago Convention; and
 - (iii) deals with the provision of maintenance services; or
- (b) an authorisation that:
 - (i) is issued by a foreign company, other than a foreign company incorporated or formed in an excluded State; and
 - (ii) deals with the provision of maintenance services; or
- (c) a licence mentioned in paragraph (a) and an authorisation mentioned in paragraph (b) that together deal with the provision of maintenance services.

instructions for continuing airworthiness, for an aircraft or aeronautical product, has the meaning given by clause 10.

large aircraft means:

- (a) an aeroplane that:
 - (i) has a maximum take-off weight of more than 5 700 kg; and
 - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (b)(ii) of the definition of small aircraft; or
- (b) an aeroplane that:
 - (i) has a maximum take-off weight of not more than 5 700 kg; and
 - (ii) is of a type and model specified in the Part 42 Manual of Standards as a large aircraft; or
- (c) a helicopter that:
 - (i) has more than 1 engine; and
 - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (d)(ii) of the definition of small aircraft; or
- (d) a helicopter that:
 - (i) has only 1 engine; and
 - (ii) is of a type and model specified in the Part 42 Manual of Standards as a large aircraft.

line maintenance, for a Part 145 organisation, means maintenance on an aircraft that CASA has approved in the organisation's exposition as being line maintenance for the organisation.

maintenance certification means a certification performed under Division 42.H.2.

maintenance data has the meaning given by clause 15.

maintenance services means the following:

- (a) carrying out maintenance on an aircraft or an aeronautical product;
- (b) performing maintenance certification for maintenance carried out on an aircraft;
- (c) issuing a certificate of release to service for an aircraft or aeronautical product in relation to maintenance carried out on the aircraft or aeronautical product.

maintenance services subcontractor, for an approved maintenance organisation, has the meaning given by clause 20.

maintenance training means category training or aircraft type training.

maintenance training organisation means a person who holds an approval under regulation 147.030 that is in force.

Part 66 Manual of Standards means the Manual of Standards issued by CASA under regulation 66.015.

Part 145 Manual of Standards means the Manual of Standards issued by CASA under regulation 145.015.

Part 147 Manual of Standards means the Manual of Standards issued by CASA under regulation 147.015.

permitted aircraft type means an aircraft type, within the meaning given by regulation 66.010, specified in the Part 66 Manual of Standards as one for which an approved maintenance organisation may arrange for the manufacturer of the aircraft or the aircraft engine to provide training and assessment.

permitted training means:

- (a) training and assessment for an aircraft type, within the meaning given by regulation 66.010, aircraft system or subset of an aircraft system specified in the

Part 66 Manual of Standards as one for which a Part 145 organisation may provide training and assessment; or

- (b) training and assessment for a permitted aircraft type.

provides has the meaning given by clause 25.

rating means an authorisation granted under regulation 66.080 or 66.095, being a permission:

- (a) to perform maintenance certification, under a category B1 or B2 licence, for maintenance carried out on a particular aircraft type; or
- (b) to issue a certificate of release to service, under a category B1, B2, or C licence, for an aircraft of a particular aircraft type in relation to maintenance carried out on the aircraft.

recognised State means a foreign country specified as a recognised State in the Part 66 Manual of Standards.

small aircraft means:

- (a) an aeroplane that:
 - (i) has a maximum take-off weight of not more than 5 700 kg; and
 - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (b)(ii) of the definition of large aircraft; or
- (b) an aeroplane that:
 - (i) has a maximum take-off weight of more than 5 700 kg; and
 - (ii) is of a type and model specified in the Part 42 Manual of Standards as a small aircraft; or
- (c) a helicopter that:
 - (i) has only 1 engine; and
 - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (d)(ii) of the definition of large aircraft; or
- (d) a helicopter that:
 - (i) has more than 1 engine; and
 - (ii) is of a type and model specified in the Part 42 Manual of Standards as a small aircraft.

specialist maintenance means:

- (a) for a Subpart 42.F organisation:
 - (i) maintenance specified in the Part 42 Manual of Standards as specialist maintenance; and
 - (ii) maintenance that CASA has approved in the organisation's exposition as being specialist maintenance for the organisation; and
- (b) for a Part 145 organisation:
 - (i) maintenance specified in the Part 145 Manual of Standards as specialist maintenance; and
 - (ii) maintenance that CASA has approved in the organisation's exposition as being specialist maintenance for the organisation.

Subpart 42.F organisation means a person who holds an approval under regulation 42.515 that is in force.

supervising, in relation to maintenance being carried out, has the meaning given by clause 30.

type rated aircraft type, for an aircraft engineer licence, means an aircraft type, within the meaning given by regulation 66.010, specified in the Part 66 Manual of Standards as a type rated aircraft type for the licence.

unit of competency means a unit of the Australian Qualifications Framework Aeroskills Training Package, as in force from time to time.

5 Definitions relating to carrying out maintenance

Meaning of carrying out maintenance on an aircraft

- (1) A reference to carrying out maintenance on an aircraft includes:
 - (a) carrying out maintenance on an aeronautical product that is fitted to the aircraft at the time the maintenance is carried out; and
 - (b) carrying out maintenance on an aeronautical product that is not fitted to the aircraft at the time the maintenance is carried out, in the circumstances mentioned in subclause (3) or (4).

Meaning of carrying out maintenance on an aeronautical product

- (2) A reference to ***carrying out maintenance on an aeronautical product*** is a reference to carrying out maintenance on an aeronautical product that is not fitted to an aircraft at the time the maintenance is carried out, other than in the circumstances mentioned in subclause (3) or (4).
- (3) The circumstances are that:
 - (a) the aeronautical product (the ***removed product***) is removed from a location on the aircraft; and
 - (b) the removal of the removed product is permitted, by the maintenance data for maintenance to be carried out on the removed product, for the purpose of improving access for the carrying out of maintenance on that product; and
 - (c) the removed product is returned to the same location on the aircraft at the completion of the maintenance for which it was removed.
- (4) The circumstances are that:
 - (a) the aeronautical product (the ***removed product***) is removed from a location on the aircraft; and
 - (b) the removal of the removed product is for the purpose of carrying out maintenance that is necessary to rectify a defect in the removed product; and
 - (c) the maintenance data for the maintenance does not require the use of specified tools or equipment for carrying out the maintenance; and
 - (d) the removed product is returned to the same location on the aircraft at the completion of the maintenance; and
 - (e) the serviceability of the removed product can be tested, using an aircraft system, after the removed product is returned to the aircraft.

Carrying out of maintenance by approved maintenance organisations

- (5) An approved maintenance organisation ***carries out maintenance*** if the maintenance is carried out on the organisation's behalf by an individual.

10 Meaning of instructions for continuing airworthiness

- (1) ***Instructions for continuing airworthiness***, for an aircraft or aeronautical product, means written instructions, as in force from time to time:

- (a) that specify requirements, procedures and standards for the continuing airworthiness of the aircraft or aeronautical product; and
 - (b) that are:
 - (i) issued by any of the persons mentioned in subclause (2); or
 - (ii) for an aircraft or aeronautical product for which there is a design for a modification or repair that is taken to have been approved under subregulation 21.465 or 21.470—included, or referred to, in the document that contains the design.
- (2) The persons are the following:
- (a) the holder of the type certificate, foreign type certificate, supplemental type certificate or foreign supplemental type certificate for the aircraft or aeronautical product;
 - (b) the holder of any of the following for the design of a modification of, or a repair to, the aircraft or aeronautical product:
 - (i) a modification/repair design approval; or
 - (ii) an approval mentioned in regulation 21.475; or
 - (iii) an approval that continues in force under regulation 202.054, 202.055 or 202.056;
 - (c) the manufacturer of the aircraft or aeronautical product.

15 Meaning of *maintenance data*

- (1) Subject to subclauses (2), (3) and (4), *maintenance data*, for maintenance to be carried out on an aircraft or aeronautical product, means procedures for carrying out the maintenance, as in force from time to time, that are mentioned in:
- (a) the instructions for continuing airworthiness for the aircraft or aeronautical product; or
 - (b) if the instructions for continuing airworthiness do not include procedures for carrying out the maintenance—an aviation industry standard that applies to the maintenance.
- (2) Subject to subclauses (3) and (4), if, at a particular time:
- (a) a Part 145 organisation is carrying out maintenance on an aircraft or aeronautical product; and
 - (b) the organisation has written a procedure for carrying out the maintenance;
- then, at that time, the procedure written by the organisation is the *maintenance data* for the maintenance for the organisation.
- (3) Subject to subclause (4), if, at a particular time:
- (a) a continuing airworthiness management organisation is providing continuing airworthiness services for an aircraft; and
 - (b) the organisation has written a procedure for carrying out the maintenance on the aircraft or on an aeronautical product fitted to the aircraft;
- then, at that time, the procedure written by the organisation is the *maintenance data* for the maintenance for the aircraft or aeronautical product.
- (4) If, at a particular time, an airworthiness directive that applies to an aircraft or aeronautical product mentions a procedure for carrying out the maintenance, then, at that time, the procedure in the airworthiness directive is the *maintenance data* for the maintenance.

20 Meaning of *maintenance services subcontractor*

- (1) A person is a ***maintenance services subcontractor*** in relation to an approved maintenance organisation if the person is a party to a written contract with the organisation to provide maintenance services on behalf of the organisation.
- (2) An employee of a maintenance services subcontractor under subclause (1) is also a ***maintenance services subcontractor***.

21 Meaning of *CAR maintenance activities subcontractor*

- (1) A person is a ***CAR maintenance activities subcontractor*** in relation to an approved maintenance organisation if the person is a party to a written contract with the organisation to undertake CAR maintenance activities on behalf of the organisation.
- (2) An employee of a CAR maintenance activities subcontractor under subclause (1) is also a ***CAR maintenance activities subcontractor***.

25 Meaning of *provides*

An organisation ***provides*** any of the following services or training if its employees provide the service or training for or on behalf of the organisation:

- (a) maintenance services;
- (b) permitted training;
- (c) continuing airworthiness management services;
- (d) maintenance training.

30 Meaning of *supervising*

A person (the ***supervisor***) is ***supervising*** the carrying out of maintenance done by another person if the supervisor:

- (a) is physically present at the place that the maintenance is being carried out; and
- (b) is observing the maintenance being carried out to the extent necessary to enable the supervisor to form an opinion as to whether the maintenance is being carried out properly; and
- (c) is available to give advice to, and answer questions about the maintenance from, the person carrying it out.