Policy proposal - Continuing airworthiness management and maintenance for future air transport operations - (PP 1915SS)

Overview

CASA is seeking your feedback on a policy proposal to complete continuing airworthiness regulation reform for the current charter sector, and to support the transition of regular public transport (RPT) and charter operations into the future air transport flight operations regulations, commencing March 2021.

### Proposed policy changes

The proposal primarily sets out continuing airworthiness management and maintenance policies for operators, maintenance providers and people providing continuing airworthiness management services in the current charter sector. In the future, these operations will fall under ‘air transport’ and will transition into the new CASR Parts 121, 135 and 133—depending on the class (aeroplane vs helicopter) and size (weight and passenger capacity) of the aircraft. The proposed policies also have some effects for other aircraft that will transition into the future air transport sectors.

While the status quo will remain for most of the proposed policies, some adjustments are proposed to ensure compatibility with the new risk-based framework of the flight operations regulations. This includes proportionate requirements of continuing airworthiness across the new air transport sectors.

Areas of policy change are:

* continuing airworthiness management
* who may carry out maintenance
* maintenance performance rules
* approved maintenance organisations.

Please see Policy Proposal PP 1915SS for further information. This proposed policy is framed in terms of the new flight operations classifications.

The implementation of these proposed changes will have a commencement date independent of the flight operations regulations. The date is yet to be determined and CASA will ensure industry has sufficient time to transition.

**Regulations to be amended**

The proposed changes will supersede the requirements in Parts 4, 4A and 4B of CAR that currently apply to aircraft engaged in charter operations.

**Related issues**

In response to industry feedback, CASA has commissioned an independent risk review of the passenger limits of Parts 135 and 121 of CASR.

In consultation with industry we will assess the outcomes of that review to determine any impact on the policies proposed in this consultation.

Transition from current rules to the new flight operations regulations will have consequential effects on the continuing airworthiness and maintenance sectors. We are developing transitional measures scheduled to be published for consultation in the coming months. These measures will prioritise safety and take commercial issues into consideration.

### Register for industry briefing sessions

We are hosting continuing airworthiness and maintenance industry briefing sessions at a range of locations across Australia (2-17 December 2019) to support this consultation.

[Book](https://www.casa.gov.au/about-us/events) your place by 28 November 2019.

**Background (Fact Bank)**

In June 2013, aircraft engaged in regular public transport (RPT) operations were transitioned to a new set of continuing airworthiness legislation comprising Parts 42 and 145 of the *Civil Aviation Safety Regulations 1998* (CASR) and their associated Manuals of Standards (MOS).

Aircraft engaged in charter operation remain subject to the continuing airworthiness requirements of Parts 4, 4A and 4B of the *Civil Aviation Regulations 1988* (CAR) and the relevant Civil Aviation Orders (CAOs). The CARs are a set of unique Australian regulations that are outdated, inefficient and overly complex. They rely on numerous legislative instruments and advisory materials for proper operation and interpretation. The CARs are gradually being replaced by a more contemporary, proportionate requirements in the CASRs.

On commencement of the new flight operations regulations in March 2021, existing RPT and charter operations, will transition into new air transport operations classifications under Parts 121, 133 or 135 of CASR, based on the class (aeroplane vs helicopter) and size (weight and/or passenger capacity) of the aircraft.

There are three stages in the reformation of continuing airworthiness legislation for the transition of current RPT and charter operations into future air transport operations under Parts 121, 133 and 135 of the CASR.

* Stage 1 - development of the detailed policies for the new legislation. We are working with industry towards development of a practical outcome. Ongoing consultation throughout 2019 via the CASA Consultation Hub, the [Technical Working Group](https://www.casa.gov.au/about-us/working-industry/aviation-safety-advisory-panel/technical-working-groups) (TWG) and Sector Risk Profile workshops. Finalisation of policy target expected December 2019.
* Stage 2 - development of the legislation that enacts the policies established in Stage 1 and development of advisory materials. Development completion target date expected June 2020.
* Stage 3 - implementation of the legislation. Consultation on finalisation of legislation and implementation schedule with relevant stakeholders, with consideration given to commencement of the new flight operations regulations.

We are currently in Stage 1. The current continuing airworthiness legislation in the CAR and CAOs will be available to existing charter operators until the completion of Stage 3.

# Why we are consulting

We recognise the valuable contribution community and industry consultations make to the policy decision-making process and future regulatory change. For this reason, we asked the [Aviation Safety Advisory Panel](https://www.casa.gov.au/about-us/working-industry/aviation-safety-advisory-panel/technical-working-groups) (ASAP) to appoint a [Technical Working Group](https://www.casa.gov.au/about-us/working-industry/aviation-safety-advisory-panel/technical-working-groups) (TWG). This group has met twice since its establishment in August 2019, to assist in the reformation and development of this policy. The policy proposed in this consultation document has been endorsed by the TWG. We are now seeking your feedback Please take this opportunity to provide your views on the policy proposal.

The survey has been designed to give you the option to provide feedback on the survey in its entirety or to provide feedback on the policy topics applicable to you. Comments on the PP 1915SS should only be submitted through the online response form.

### Documents for review

A copy of the Summary of proposed policy PP 1915SS and other documents related to this consultation are provided below in the ‘Related’ section. This includes a downloadable MS Word copy of this consultation for ease of distribution and feedback within your organisation.

Note: The word document and PDF are not to be used as an emailed submission, unless there are extenuating circumstances and this form of submission has been agreed to by the consultation project lead.

Policy proposal PP 1915SS, is accompanied by three annexes that provide detail on policy specific to that subject matter. These are:

* Annex A - Continuing airworthiness policies for air transport operation under Part 121 of CASR
* Annex B - Continuing airworthiness policies for air transport operation under Parts 133 and 135 of CASR
* Annex C - Maintenance organisation policies for organisations that provide maintenance for aircraft in air transport operation under Parts 133 and 135 of CASR

Please read the *Policy proposal – PP 1915SS* consultation document and accompanying annexes before providing your feedback in the online survey.

**General comments and file upload option**

There is a general comments box at the end of the consultation, into which you can place your comments on matters related to the proposed policy, which you have not already addressed in the consultation.

*Note: CASA can no longer offer the option to upload files because of the potential risk of malware.*

Information about how we consult and how to make a confidential submission is available on the [CASA website](https://www.casa.gov.au/rules-and-regulations/changing-rules/consultation-and-project-history/consultation-industry-and-public).

To be notified of any future consultations, you can subscribe to our [consultation and rulemaking mailing list](https://mailinglist.casa.gov.au/lists/?p=subscribe&id=3).

## Using an iPad

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

**What happens next**

Once the consultation has closed, we will review each submission. All submissions will be made publicly available on the Consultation Hub, unless you request your submission remain confidential. Once all submissions have been considered, we will publish a Summary of Consultation which summarises the feedback received, and the action we plan to take regarding that feedback. Relevant feedback that improves upon the proposed regulations and is consistent with the regulations and other CASA policy, will be incorporated into the final ruling.

After all comments have been considered and the policies refined accordingly, we will finalise the policy proposal in consultation with the TWG and ASAP, and then commence the legislative drafting process. The draft legislation will be consulted in 2020 to ensure the policies have been accurately captured. We are working towards finalising the policies for the future continuing airworthiness requirements by March 2020. This will give certainty to affected parties one year prior to commencement of the new flight operations regulations.

**Implementation and transition**

Commencement and transition details will be determined and settled in consultation with industry after the policies have been finalised and at the completion of Stage 1.

The next stage (Stage 2) will be the development of legislation based on the agreed policy and the replacement of associated Civil Aviation Advisory Publications (CAAPs) with guidance material (GM), acceptable means of compliance (AMC) and advisory circulars (AC) as needed.

We are committed to transition strategies that minimise disruption to industry and will work in collaboration with the TWG and consultation with the wider industry accordingly.

Give Us Your Views

[Online Survey](https://consultation.casa.gov.au/regulatory-program/pp1816us/consultation/)

**Related**

**Links**

Exposure draft - CASR Part 119 - Australian air transport operators - certification and management - 2018

**Documents**

List of documents to attach to the consultation

* Policy Proposal - PP 1915SS
* Annex A - Continuing airworthiness policies for air transport operation under Part 121 of CASR
* Annex B - Continuing airworthiness policies for air transport operation under Parts 133 and 135 of CASR
* Annex C - Maintenance organisation policies for organisations that provide maintenance for aircraft in air transport operation under Parts 133 and 135 of CASR

## **Audiences & Interest groups**

**Audiences**

[x]  CASA Staff[x]  Air operators

[x]  Airworthiness organisations

[x]  Engineers

[x]  Pilots

**Interests**

[x]  Airworthiness / maintenance

# **Content page for non-linear consultation:**

# **Page: Consultation Contents**

This consultation asks for your feedback on the policy proposal to reform the continuing airworthiness legislation, to transition regular public transport and charter operation into future Parts 121, 133 and 135 of CASR - (PP 1915SS).

The survey has been designed to give you the option to provide feedback on the survey in its entirety or to provide feedback on only the policy areas applicable to you.

There are 49 policy proposal questions in this consultation. We recognise that not all respondents will want to comment on every question. With this in mind, we have created a guide (Section A below) to assist you in the identifying the questions and sections which are relevant to you and/or your organisation. None of the proposed policy questions are mandatory, you can answer as many of the questions as you like.

This survey comprises:

**Section A: (see fact bank below)** Sections and questions of interest to particular audiences **-** provides you with a guide to which questions would be of interest to particular audiences (Information).

**Section B:** Key principals of the proposed policy - outlines the key principles underpinning the proposed policy in sections C and D (information).

**Section C:** Applies to key points of the proposed policy for Part 133 - Rotorcraft and Part 135 - Smaller aeroplanes

Pages

C. Overview of continuing airworthiness policy for Parts 133 and 135 aircraft (information)

C.1 Continuing Airworthiness Management - (Qs1-13)

C.2 Who may carry out maintenance - (Qs14-18)

C.3 Maintenance Performance Rules – (Qs19-25)

C.4 Approved Maintenance Organisations – (Qs26-38)

**Section D:** Applies to to key points of the proposed policy for Part 121 – larger aeroplanes

Pages

D. Overview of continuing airworthiness policy for Part 121 aircraft (information)

D.1 Continuing Airworthiness Management (Qs39-Q43)

D.2 Who may carry out maintenance (Qs44 - 45)

D.3 Maintenance performance rules (Qs46-48)

D.4 Approved maintenance organisations (Q49)

When you have completed the sections on which you wish to provide feedback, select the **‘Finish’** button at the bottom right of this page.

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

# **Fact Bank:** Section A. Sections and questions of interest to particular audiences.

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| --- | --- |
| Page | Table of content |
| 1 | Personal information (required) |
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| 5 | C.1 Continuing Airworthiness Management - Parts 133 and 135 (Qs1-13) |
| 6 | C.2 Who may carry out maintenance - Parts 133 and 135 (Qs14-18) |
| 7 | C.3 Maintenance Performance Rules – Parts 133 and 135 (Qs19-25) |
| 8 | C.4 Approved Maintenance Organisations – Parts 133 and 135 (Qs 26-38) |
| 9 | Section D: Overview of proposed policies for Part 121 – larger aeroplanes |
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| 13 | D.4 Approved maintenance organisations - Part 121 - (Q49) |
| 14 | General comments |

# **Page 1: Personal information**

## First name

(Required)

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## Last name

(Required)

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## Email address

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

## Email

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## Do your views officially represent those of an organisation?

(Required)

*Please select only one item*

* Yes, I am authorised to submit feedback on behalf of an organisation
* No, these are my personal views.

## If yes, please specify the name of your organisation.

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Which of the following best describes the group you represent?

*Please select at least one or more (if applicable) of the options below.*

[ ]  Aircraft owner or registered operator not holding an AOC

[ ]  AOC holder – air transport smaller aeroplanes - Part 133

[ ]  AOC holder – air transport rotorcraft - Part 135

[ ]  AOC holder – air transport larger aeroplanes – Part 121

[ ]  Continuing airworthiness management service provider (incl Part 42 CAMO)

[ ]  Pilot

[ ]  Licenced aircraft maintenance engineer

[ ]  CAR 30 certificate of approval holder

[ ]  Part 145 approved maintenance organisation

[ ]  Other

Please specify “Other” if selected.

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# **Page 2: Consent to publish submission** [Standard page]

**Note:** This page consists of standardised text. Please do not delete it.

In order to provide transparency and promote debate, we intend to publish all responses to this consultation. This may include both detailed responses/submissions in full and aggregated data drawn from the responses received.

Where you consent to publication, we will include:

* **your last name**, if the submission is made by you as an individual
* **the name of the organisation** on whose behalf the submission has been made
* **your responses and comments**

We **will not** include any other personal or demographic information in a published response.

Information about how we consult and how to make a confidential submission is available on the **CASA website** [*<https://www.casa.gov.au/rules-and-regulations/landing-*](http://www.casa.gov.au/rules-and-regulations/landing-) *page/consultation-process>* .

## Do you give permission for your response to be published?

(Required)

*Please select only one item*

[ ]  Yes - I give permission for my response/submission to be published.

[ ]  No - I would like my response/submission to remain confidential but understand that de-identified aggregate data may be published.

[ ]  I am a CASA officer.

**Page:** Section B: Policy aims

The proposed policies have been developed to meet the following key principles:

* Ensure compliance with the standards set by ICAO for commercial air transport operations:
	+ Annex 6 Part 1 — International Commercial Air Transport — Aeroplanes
	+ Annex 6 Part III, Section II — International Commercial Air Transport — Helicopters
* Facilitate harmonisation with legislation of leading aviation states, as applicable for the Australian environment
* Ensure compatibility with the new flight operations regulations
* Ensure regulatory requirements are proportionate to the risk associated with the relevant operational classification
* Provide transitional strategies to minimise the disruption to the industry.
* Consider the economic and cost impact on individuals, businesses and the community in the development and finalisation of new or amended regulatory changes.

**Page:** Section C: Overview of proposed policies for Part 133 - Rotorcraft and Part 135 - Smaller aeroplanes

Part 133 will cover air transport operations in rotorcraft. This would include some operations that are currently aerial work (such as medical transport) that will become air transport under Part 133.

Part 135 will cover air transport operations in smaller aeroplanes. This includes any current charter or RPT operations in smaller aeroplanes. Including some operations that are currently aerial work (such as medical transport) that will become air transport under Part 135. Smaller aeroplanes are those that meet both of the following criteria:

* + fitted with nine or fewer passenger seats in an approved configuration
	+ a maximum take-off weight (MTOW) up to 8,618 kg.

The following sections provide a summary of the significant policies across the four main elements of continuing airworthiness:

C.1 - Continuing airworthiness management

C.2 - Who may carry out maintenance

C.3 - Maintenance performance rules

C.4 - Approved maintenance organisations.

**Page:** C.1 - Continuing Airworthiness Management – Parts 133 and135 – (Qs 1-13)

C.1.1 Responsibility for continuing airworthiness of an aircraft:

**Person responsible for the aircraft**

On this page, the 'person responsible for the aircraft' refers to the ‘*person responsible for continuing airworthiness for an aircraft’*, whether that person is:

* The air operator certificate (AOC) holder

or

* an individual or organisation contracted to be the 'person responsible for the aircraft'.
1. **Do you agree with the proposal for the AOC holder to be ultimately responsible for the airworthiness of the aircraft before flight and to perform, or to ensure the proper performance of, the continuing airworthiness management tasks?**

**(Q1) Proposed policy**

Reference section(s): Annex B - B.02

The AOC holder would be ultimately responsible for the airworthiness of the aircraft before flight.

* this policy would officially transfer primary responsibility for airworthiness from the registered operator to the AOC holder. This is a fundamental improvement to ensure a clear definition of the roles and responsibilities of the various entities and is consistent with ICAO standards.

Reference section(s): Annex B - B.02(b)&(c), B.03(5), B.05-B.10, Appendix B.1

Even if an AOC holder contracts the management of continuing airworthiness to someone else, the AOC holder would still have ultimate responsibility to ensure the airworthiness of the aircraft before flight and to ensure the proper performance of the continuing airworthiness management tasks by the 'person responsible for the aircraft':

* The AOC holder would be required to have a continuing airworthiness manager to provide oversight of the continuing airworthiness management tasks. An existing HAAMC (required under the Civil Aviation Act) or maintenance controller would be able to fill this role.
* The AOC Holder would be assessed by CASA for the ability to manage AOC airworthiness responsibility, and approval would be combined with the issue of the AOC.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

1. **Do you agree with the proposal that an AOC holder can contract the continuing airworthiness management tasks for an aircraft to another person or organisation?**

Note: The AOC holder would remain ultimately responsible for aircraft airworthiness prior to flight and for ensuring the *'person responsible for the aircraft'* properly performs the continuing airworthiness management tasks.

**(Q2) Proposed policy**

Reference section(s): Annex B - B.03(1), B.04)

The AOC holder would be the ‘person responsible for the aircraft’ however, they would be able to contract another individual or organisation to be the ‘person responsible for the aircraft’.

* Under the proposal, the contract between an AOC holder and the ‘person responsible for the aircraft’ would need to be in writing and address minimum specified content.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

1. **Do you agree with the proposal that multiple AOC holders who operate the same aircraft would be required to contract the continuing airworthiness management tasks to one of the AOC holders or another person?**

**(Q3) Proposed policy**

Reference section(s): Annex B - B.03(2), B.04)

If an aircraft is to be operated under multiple AOCs, one of the AOC holders or a separate person or organisation would have to be contracted by each of the AOC holders as the ‘person responsible for the aircraft’.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

1. **Do you agree with the proposal that the ‘person responsible for the aircraft’ would be required to be assessed and approved by CASA, with regard to the necessary capabilities and resources?**

**(Q4) Proposed policy**

Reference section(s): Annex B - B.02(a), B.03(3), G

The ‘person responsible for the aircraft’, would have the responsibility to perform the continuing airworthiness management tasks for the aircraft and would be assessed and approved by CASA for this purpose. The ‘person responsible for the aircraft’ would be required to:

* meet minimum capability standards
* have a procedures manual including procedures for managing:
	+ maintenance program tasks
	+ airworthiness directives
	+ review of instructions for continued airworthiness
	+ aircraft modification
* have access to instructions for continuing airworthiness
* have appropriate facilities and resources
* have a quality or independent audit system.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.1.2 Aircraft Maintenance Programs:

1. **Do you agree with the proposal that aircraft used in air transport operations would be required to have a maintenance program appropriate for the aircraft, taking into account the manufacturer’s instructions for continued airworthiness of the aircraft?**

**(Q5 and Q6) Proposed policy**

(Reference section(s): Annex B - C.07-C.09, C.12)

The ‘person responsible for the aircraft’ would be required to ensure there is a maintenance program for the aircraft.

* A program that complies with the manufacturers’ instructions (including manufacturer’s ICA for recurring maintenance) would not require approval.
* Variations from the manufacturers’ instructions would need to be justified and approved.
* Schedule 5 (or similar) could be used for developing or supplementing the maintenance program if necessary.
	+ - Currently the registered operator of a small aircraft used in charter operations may elect to use Schedule 5 for their aircraft. The responsibility to ensure that it is appropriate is implied and not clearly defined. This policy would ensure that all aircraft used in air transport operations have a maintenance program that is appropriate for the aircraft.

Reference section(s): Annex B - G.03(2), J

Maintenance program approvals may be granted by CASA or, if assessed and approved for this, the ‘person responsible for the aircraft’. (That is, appropriately authorised industry personnel similar to CAR 42M and 42R, or individuals within an AOC).

Reference section(s): Annex B - C.10, G.03(2)(c)

A system would need to be in place to ensure the ongoing effectiveness of the maintenance program—for example, periodic review or a reliability program:

* currently the responsibility to ensure that the aircraft maintenance program remains appropriate for the aircraft is not clearly defined. This policy would ensure that all aircraft used in air transport operations have a maintenance program that is appropriate for the aircraft.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

1. **Do you agree with the proposal that for air transport aircraft, variations to the manufacturer’s recommended maintenance program may be approved by competent industry personnel?**

**(Q5 and Q6) Proposed policy**

(Reference section(s): Annex B - C.07-C.09, C.12

The ‘person responsible for the aircraft’ would be required to ensure there is a maintenance program for the aircraft.

* A program that complies with the manufacturers’ instructions (including manufacturer’s ICA for recurring maintenance) would not require approval.
* Variations from the manufacturers’ instructions would need to be justified and approved.
* Schedule 5 could be used for developing or supplementing the maintenance program if necessary.
	+ - Currently the registered operator of a small aircraft used in charter operations may elect to use Schedule 5 for their aircraft. The responsibility to ensure that it is appropriate is implied and not clearly defined. This policy would ensure that all aircraft used in air transport operations have a maintenance program that is appropriate for the aircraft.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.1.3 Instructions for continuing airworthiness

1. **Do you agree with the proposed policy and requirements for reviewing and dealing with manufacturers' instructions for continuing airworthiness?**

**(Q7) Proposed policy**

Reference section(s): Annex B - C.06, C.12

Arrangements would need to be in place to assess manufacturers' instructions for continuing airworthiness such as service bulletins.

* For non-recurring instructions, the instructions would either have to be complied with, or a reason for non-compliance would need to be recorded.
* For recurring instructions, the ‘person responsible for the aircraft’ would be required to add the instruction to the aircraft’s maintenance program unless there was justification not to.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.1.4 Continuing airworthiness records

1. **Do you agree with the proposed policy and requirements for aircraft continuing airworthiness records?**

**(Q8) Proposed policy**

Reference section(s): Annex B - C.15-C.17, C.20-C.21

The ‘person responsible for the aircraft’ would need to have a continuing airworthiness records system. The system could be electronic. The existing CASA logbooks would be acceptable.

* Information in the annex sets out the specific information that would be recorded in an aircraft’s continuing airworthiness records, and the retention periods for each type of information.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.1.5 Flight technical log

1. **Do you agree with the proposed policy and requirements for a flight technical log?**

**(Q9) Proposed policy**

Reference section(s): Annex B - C.18-C.19

The ‘person responsible for the aircraft’ would be required to have a flight and technical log to record aircraft utilisation information, defects, defect deferral, maintenance certification, certificate of release to service, and maintenance due (unless another system is used for maintenance due).

* The flight technical log would fulfil many of the functions of the current CASA maintenance release document however it would not be linked to a particular ‘maintenance release inspection’ like the current system for issuing a maintenance release document.
* Note: A certificate of release to service is a signed statement similar to the final certification for maintenance under CAR Schedule 6.
* Note: The proposed aircraft airworthiness review would replace the current annual maintenance release inspection requirement to ensure that all required maintenance has been carried out.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.1.6 Managing defects

1. **Do you agree with the proposed policy and requirements for managing defects?**

**(Q10) Proposed policy**

Reference section(s): Annex B - B.08, D.11, L.03 – L.05, L.07-L.09

The AOC holder would be required to have a system to manage defects which addresses the recording, rectifying and deferral of defects discovered during operation of the aircraft.

The proposal includes the circumstances under which a defect in an aircraft could be deferred (i.e. to permit operation of the aircraft with the defect) and includes provisions for the deferral to be carried out by either:

* A maintenance person, or
* A pilot of the aircraft.

The proposal also includes:

* the circumstances under which an aircraft may operate with a defect, if the defect is discovered during taxi and prior to take-off.
* requirements for a pilot to record exceedance of an operating limit. The proposal would allow that an exceedance may not necessarily be a defect if there is no corresponding maintenance action required.

The proposal introduces the concept of a superficial defect which would be defined as - a defect in an item of the aircraft that affects the appearance of the item only and which has no effect on the operation, function, or mechanical or structural integrity of the item.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.1.7 Major Defects – ‘person responsible for the aircraft’

1. **Do you agree with the proposed policy and requirements for reporting major defects?**

**(Q11) Proposed policy**

Reference section(s): Annex B - C.22, C.23

The person responsible for the continuing airworthiness for an aircraft, would be required to report any major defect in the aircraft to CASA and to Type Certificate (TC) holders for the aircraft, engine and propeller as applicable.

* + Currently major defect reports only need to be sent to CASA. Reporting to the TC holder would improve the efficiency of the airworthiness safety system.

The person responsible for the continuing airworthiness for an aircraft, would be responsible for investigating major defects to the extent necessary to establish if there is a need for any immediate action by the AOC holder. This may be part of an SMS function.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.1.8 Modifications

1. **Do you agree with the proposed policy and requirements for aircraft modifications?**

**(Q12) Proposed policy**

Reference section(s): Annex B - C.05

Aircraft modifications would need to be made in accordance with data approved or acceptable under Part 21. Part 21 allows approval under Subpart 21.M by industry personnel. It also allows acceptance of data that has been approved by the TC holder or by the NAA of a recognised country.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.1.9 Periodic Aircraft Airworthiness Review:

1. **Do you agree with the proposed requirement for aircraft airworthiness review?**

**(Q13) Proposed policy**

Reference section(s): Annex B - B.05, I

A periodic airworthiness review of the aircraft would be required. It would primarily be a review of an aircraft’s continuing airworthiness records to establish that the key continuing airworthiness requirements have been complied with.

* + Periodic airworthiness reviews would be a new requirement. This policy would expand on the current maintenance release requirements, which would not be a requirement in the future. This policy is a desirable safety improvement that is a common element of comparable international standards and has received positive reports from users in Australia.
	+ The validity period may be up to three years providing the continuing airworthiness of the aircraft is managed by the same entity.

Reviews would need to be carried out by competent personnel appointed by the person responsible for continuing airworthiness for an aircraft.

CASA would provide adequate time and necessary guidance to carry out the initial review for older aircraft.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

**Page:** C.2 - Who may carry out maintenance – Parts 133 and 135 – (Qs14-18)

C.2.1 Maintenance organisations

1. **Do you agree with the proposal to allow maintenance organisations holding an approval from either the USA, an EASA member state, New Zealand or Singapore, to perform maintenance outside of Australia on an aircraft conducting unscheduled operations?**

**(Q14 and Q15) Proposed policy**

Reference section(s): Annex B - D.03, D.04

Maintenance organisations approved by CASA would be able to carry out maintenance of aircraft and aeronautical products inside and outside Australia. This includes Part 145 approved maintenance organisations.

* + CASA will develop legislation for a second kind of maintenance organisation for Part 133 and 135 aircraft if it is considered necessary after the policies are finalised.

Maintenance organisations approved by the following countries would be able to carry out maintenance outside Australia on aircraft conducting unscheduled operations.

* + USA
	+ an EASA member state
	+ New Zealand
	+ Singapore

Maintenance organisations approved by the following countries would be able to carry out maintenance on aeronautical products outside Australia.

* + USA
	+ an EASA member state
	+ New Zealand
	+ Singapore
	+ Canada

Currently maintenance may generally be sourced from a wider range of countries. This would limit the acceptance to countries with which Australia has an agreement, plus FAA and EASA approved maintenance organisations. This policy is intended to strike a reasonable balance between safety assurance, cost and flexibility for unscheduled air transport operations.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

1. **Do you agree with the proposal to allow a maintenance organisation holding an approval from either the USA, an EASA member state, New Zealand, Singapore or Canada to perform maintenance outside of Australia on an aircraft component?**

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.2.2 Independent Licensed Aircraft Maintenance Engineer

1. **Do you agree with the proposal to allow an independent licensed aircraft maintenance engineer to maintain Part 133 and 135 aircraft with privileges similar to those in Schedule 7?**

**(Q16) Proposed policy**

Reference section(s): Annex B - D.03(4)

For maintenance of Part 133 and 135 aircraft, privileges would remain similar to current Schedule 7 of the CAR, both in form and content.

Currently, under Schedule 7 a licensed aircraft maintenance engineer is allowed to perform maintenance except the maintenance listed in schedule 7 such as:

* + - the inspection of an aircraft for the purpose of issuing a maintenance release (for example the annual/100 hourly inspection complete jacking of the aircraft
		- repair of primary structure
		- disassembly of an engine crankcase, etc.

Under these proposals, the maintenance exceptions for an independent licensed aircraft maintenance engineer would be described using broad based principles linked with safety outcomes

Where appropriate, maintenance privileges may differentiate between aeroplane and rotorcraft.

An independent licensed aircraft maintenance engineer would be required to comply with the applicable performance rules (reference sections D, E, and H, of Annex B) when carrying out maintenance of aircraft, and would not be required to comply with requirements that are applicable only to a maintenance organisation. (Reference section D of Annex B, and Annex C).

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.2.3 Non-destructive testing (NDT) and Welding

1. **Do you agree with the proposed policy for recognising aviation industry NDT and welding qualifications?**

**(Q17) Proposed policy**

Reference section(s): Annex B - D.03(1), D.04(1), and Annex C – Appendix 1 paragraphs 7.4(g) and (h)

Maintenance organisations would be able to assess and authorise individuals to carry out and certify for NDT and welding without the need for the individual to hold a specific CASA authorisation.

CASA would continue to grant individual NDT and welding authorisations; however, an organisation would also be able to authorise an individual on the basis of other aviation industry recognised qualifications for NDT and welding.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.2.4 Pilot Maintenance

1. **Do you agree with the proposed policy and requirements for pilot maintenance?**

**(Q18) Proposed policy**

Reference section(s): Annex B - D.03(5)

Privileges for pilot maintenance would remain similar to the existing Schedule 8 privileges. However, the privileges will be reviewed to ensure that they support future operations under Parts 133 and 135. Where appropriate, pilot maintenance privileges may differentiate between aeroplane and rotorcraft.

Privileges would be described using broad based principles linked with safety outcomes.

Pilots would have to be trained by a maintenance organisation and be authorised by the operator based on their competency

* + this policy would clarify the requirement to establish the competency and scope of pilots for carrying out maintenance.

Pilot maintenance privileges would not be authorised by the aircraft’s maintenance program (currently called system of maintenance)

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

**Page:** C.3 - Maintenance performance rules – Parts 133 and 135 – (Qs19-25)

C.3.1 Use of parts and materials

1. **Do you agree with the proposed policy and requirements for the use of parts and materials?**

**(Q19) Proposed policy**

(Reference section(s): Annex B - E)

Parts would be required to be fitted in accordance with the approved design.

Traceability and authenticity of parts would need to be established by authorised release certificate, or certificate of conformity for standard parts or materials.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.3.2 Independent verification of critical control system maintenance

1. **Do you agree with the proposed policy and requirements for independent verification of critical control systems?**

**(Q20) Proposed policy**

Reference section(s): Annex B - D.09

Independent verification would be required after maintenance of critical control systems.

* + this would be an expansion of the current independent inspection requirements from flight controls to verification of critical control systems. This is an improvement that better covers the safety intent and modern technology.

Verifications could be performed by licensed aircraft engineers and appropriately trained and authorised pilots.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.3.3 Removal of tools etc. after maintenance

1. **Do you agree with the proposed policy and requirements for removal of tools after maintenance?**

**(Q21) Proposed policy**

Reference section(s): Annex B - D.08

Individuals and organisations who carry out maintenance would be required to ensure that tools and other extraneous items are removed from the aircraft or aeronautical products prior to releasing the aircraft or aeronautical product.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.3.4 Maintenance records

1. **Do you agree with the proposed policy and requirements for maintenance records?**

**(Q22) Proposed policy**

Reference section(s): Annex B - D.13 - D.16; Annex C – Appendix 1 Section 10

Maintenance records would be required for all maintenance.

* + If the maintenance is carried out by a maintenance organisation, then the record of the maintenance would be made in the worksheets used by the organisation.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.3.5 Certification of maintenance

1. **Do you agree with the proposed policy and requirements for certification of maintenance?**

**(Q23) Proposed policy**

Reference section(s): Annex B - H.02 - H.04; Annex C – Appendix 1 Section 7

Individuals who carried out or supervised maintenance would be required to certify for proper completion of the maintenance.

* + A maintenance organisation would be required to authorise its certification personnel based on their competency.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.3.6 Certificate of release to service / maintenance release

1. **Do you agree with the proposed policy and requirements for certificates of release to service?**

**(Q24) Proposed policy**

Reference section(s): Annex B - H.05-H.09; Annex C – Appendix 1 Section 7

After the completion of aircraft maintenance, the maintenance organisation or independent maintainer would have to issue a certificate in the aircraft’s flight technical log stating that the maintenance is completed and has been carried out in accordance with the requirements of the applicable legislation.

* + The certificate of release to service is similar to the final certification for maintenance under CAR and Schedule 6.
	+ The aircraft flight technical log is similar to the current CASA maintenance release document
	+ The proposed aircraft airworthiness review would replace the current annual maintenance release inspection requirement to ensure that all required maintenance has been carried out.

A maintenance organisation would be required to authorise its certification personnel based on their competency.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.3.7 Major defect reporting - maintainers

1. **Do you agree with the proposed policy and requirements for major defect reporting?**

**(Q25) Proposed policy**

Reference section(s): Annex B - D.12

Aircraft maintainers would have to report any major defect to the person responsible for the continuing airworthiness for an aircraft.

Maintenance organisations carrying out maintenance on an aeronautical product would have to report any major defect to CASA

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

**Page:** C.4 - Approved Maintenance Organisations (AMOs) - Parts 133 and 135 – (Qs 26-38).

**Overview:**

The proposed policies for maintenance organisations for Parts133 and135 aircraft have been developed using CAAP 30-4 and the outcomes of the recent maintenance sector risk profile.

* + in addition to existing elements of CAAP 30-4, Human Factors and Safety Management Systems requirements are proposed to address an elevated risk to safety that was identified by CASA’s sector risk profiling, and for compliance with ICAO standards and harmonisation with leading aviation states.

We will develop legislation for a second kind of maintenance organisation (for example in addition to Part 145) for Parts 133 and135 aircraft if it is considered necessary after the policies are finalised.

If a second kind of maintenance organisation is established:

* + it would not be permitted to carry out maintenance on Part 121 aircraft or aeronautical products for Part 121 aircraft, however
	+ a Part 145 approved maintenance organisation would still be permitted to carry out maintenance of a Part 133 and135 aircraft.

Creation of an additional kind of AMO or inclusion of policies in Part 145.

1. Do you think that a second kind of maintenance organisation approval limited to Part 133 and 135 aircraft should be created, or that it would be sufficient to include the proposed maintenance organisation policies into Part 145 of CASR to improve its scalability and proportionality for Part 133 and 135 aircraft?

(Please select one of the options below)

[ ]  Yes, a second kind of maintenance organisation approval limited to Part 133 and 135 aircraft should be created.

☐ No, it would be sufficient to include the proposed policies in Part 145 of CASR.

☐ Don’t know.

If you have selected either Yes or No, please enter the reasons for your response here.

C.4.1 Scope of Approval

1. **Do you agree with the proposed policy for the terms and scope of approval of a maintenance organisation?**

**(Q27) Proposed policy**

Reference section(s): Annex C – B.01, B.02

Scope would be granted broadly according to capability and procedures.

Separate aircraft and component maintenance scope would continue.

The approval would be expressed in terms of:

* + The type of aircraft and kind of aeronautical products on which maintenance may be carried out, or
	+ The types of maintenance (for example, NDT or welding) that may be carried out on an aircraft or aeronautical product.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.2 Procedures Manual

1. **Do you agree with the proposed policy and requirements for a maintenance organisation’s procedures manual?**

**(Q28) Proposed policy**

Reference section(s): Annex C – Appendix 1 Section 1

Maintenance organisations would be required to have a procedures manual describing:

* + the organisation’s structure
	+ the roles and responsibilities of key personnel
	+ location of maintenance facilities
	+ scope of approval
	+ general description of the facilities at each location
	+ procedures for carrying out maintenance.

The complexity of the manual would depend on the organisation’s size, scope and the complexity of its activity.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.3 Maintenance location approvals

1. **Do you agree with the proposed policy and requirements for the approval of the organisation’s maintenance facility locations?**

**(Q29) Proposed policy**

Reference section(s): Annex C – C.03

Locations where the maintenance organisation intends to carry out maintenance would have to be approved

* + A maintenance location would be approved for the maintenance that is proposed to be carried out there, and in consideration of the facilities and resources available at the location.
	+ Unscheduled maintenance at locations not approved would be permitted.
	+ Limited scheduled maintenance at locations not approved would also be permitted in accordance with procedures.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.4 Changes to maintenance approval

1. **Do you agree with the proposed policy, that changes to the original maintenance approval such as the scope of maintenance, location and accountable manager would require CASA approval?**

**(Q30) Proposed policy**

Reference section(s): Annex C – D.01 – D.03

The following changes would require approval by CASA:

* + Change of scope of maintenance
	+ Change of the accountable manager
	+ Change to an approved location.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.5 Key Personnel

1. **Do you agree with the proposed policy and requirements for key personnel?**

**(Q31) Proposed policy**

Reference section(s): Annex C – Appendix 1 Sections 5 & 6

Maintenance organisations would be required to have the following management personnel:

* + an accountable manager with ultimate authority
	+ responsible manager(s) for controlling the organisation’s maintenance activities
	+ a head of quality with responsibility for internal audit processes
	+ a head of safety with responsibility for the safety management system.

It would be possible to have one individual occupying all of the abovementioned positions depending on the size and complexity of the organisation.

* + The individuals performing internal audits would have to be independent of the activity being audited.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.6 Maintenance and other personnel

1. **Do you agree with the proposed policy and requirements for maintenance and other personnel?**

**(Q32) Proposed policy**

Reference section(s): Annex C – Appendix 1 Sections 5 & 7

Maintenance organisations would be required to have appropriately qualified maintenance personnel to carry out maintenance under the scope of approval.

The organisation would be required to authorise certification personnel based on their competency (i.e. listing certification personnel in a register and making the personnel aware of their scope of authorisation).

Individuals performing internal audits would have to be competent in auditing.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.7 Training

1. **Do you agree with the proposed policy and requirements for training?**

**(Q33) Proposed policy**

Reference section(s): Annex C – Appendix 1 Section 8

Personnel would have to be trained on the organisation’s procedures and activities as applicable to their role to ensure competency for maintenance.

Human factors awareness training would have to be provided to maintenance personnel.

* + This policy change aims to address an elevated risk to safety identified in CASA’s sector risk profiling.

Organisations would be required to keep records of training provided.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.8 Tools and Equipment

1. **Do you agree with the proposed policy and requirements for tools and equipment?**

**(Q34) Proposed policy**

Reference section(s): Annex C – Appendix 1 Section 3

The organisation would be required to have access to the required tools and equipment for their scope of approval.

Tools that require calibration would have to be calibrated to applicable standards.

Alternate tools and equipment may be used in accordance with procedures.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.9 Maintenance Data

1. **Do you agree with the proposed policy and requirements for maintenance data?**

**(Q35) Proposed policy**

Reference section(s): Annex C – E.02, and Appendix 1 Section 4

The organisation would be required to have access to applicable maintenance data.

* + In specified circumstances and subject to conditions, an individual who is authorised by the organisation would be permitted to approve a change to maintenance data.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.10 Fabrication of parts during maintenance

1. **Do you agree with the proposed policy and requirements for fabrication of parts during maintenance?**

**(Q36) Proposed policy**

Reference section(s): Annex B - E.11; Annex C – E.01

Organisations would be able to fabricate parts in the course of maintenance within the scope of their approval, and within their technical and procedural capabilities.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.11 Human Factors in maintenance

1. **Do you agree with the proposed policy and requirements for human factors in maintenance?**

**(Q37) Proposed policy**

Reference section(s): Annex C – Appendix 1 Section 16

Maintenance performance rules would integrate human factors and human performance issues.

* + This proposal would formally include human factors considerations in maintenance, the objective being to treat an elevated risk to safety recently identified in the sectors risk profiling.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

C.4.12 Safety Management System

1. **Do you agree with the proposed policy and requirements for safety management systems?**

**(Q38) Proposed policy**

Reference section(s): Annex C – Appendix 1 Section 15

An organisation would need to have appropriate and relevant elements of SMS based on the size and complexity of the organisation

* + This proposal would formally include proportionate SMS in all maintenance organisations working on air transport aircraft, which aims to treat an elevated risk to safety identified at the recent sector risk profile
	+ ‘appropriate and relevant’ elements means that an organisation would develop a proportionate SMS over a reasonable implementation timeframe.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments, including a recommended appropriate implementation timeframe, here.

**Page:** Section D. Overview of proposed policies for Part 121 of CASR– larger aeroplanes

Part 121 will cover air transport operations in larger aeroplanes. This includes any current charter or RPT operations in larger aeroplanes. Larger aeroplanes are those that meet either of the following criteria:

* + fitted with more than nine passenger seats in its approved configuration
	+ a maximum take-off weight (MTOW) of more than 8,618 kg.

Note: We are currently considering a request from industry to increase the number of passenger seats for Part 135 operation.

Part 121 aircraft would comply with Part 42 and Part 145 of CASR as currently applicable to RPT aircraft, with the changes as proposed below.

It is proposed that aircraft to which Subpart 121.Z would apply (i.e. certain single engine aeroplanes) should comply with the requirements for Part 135 aircraft.

The following sections provide a summary of the policies across the following elements of continuing airworthiness:

D.1 - continuing airworthiness management

D.2 - who may carry out maintenance

D.3 – maintenance performance rules

D.4 - approved maintenance organisations.

**Page:** D.1 - Continuing Airworthiness Management - Part 121 – (Qs 39-43)

D.1.1 Changes to Part 42 of CASR – Responsibility for continuing airworthiness for an aircraft

**Person responsible**

On this page, the 'person responsible for the aircraft' refers to the ‘*person responsible for continuing airworthiness for an aircraft*’, whether that person is:

* The AOC holder

 or

* another AOC holder contracted to be the 'person responsible for the aircraft'.
1. **Do you agree with the proposal for the AOC holder to be ultimately responsible for the airworthiness of the aircraft before flight, and to perform, or to ensure the proper performance of the continuing airworthiness management tasks?**

**(Q39)** Proposed policy

Reference section(s): Annex A – B.01

The AOC holder would ultimately be responsible for the airworthiness for an aircraft before flight.

* + this policy would officially transfer primary responsibility for airworthiness from the registered operator to the AOC holder. This is a fundamental improvement to ensure a clear definition of the roles and responsibilities of the various entities and is consistent with ICAO standards.

Reference section(s): Annex A – B.01

The AOC holder would be the ‘person responsible for the aircraft’. That is, the ‘person responsible for continuing airworthiness for an aircraft’. However, if an aircraft is operated under multiple AOCs, the AOC holder would be able to contract one of the other AOC holders to be the ‘person responsible for the aircraft’.

The ‘person responsible for the aircraft’ would have the responsibility to perform the continuing airworthiness management tasks for the aircraft and would need to be assessed and approved by CASA as a continuing airworthiness management organisation (CAMO).

 Reference section(s): Annex A – B.01

Even if an AOC holder contracts the management of continuing airworthiness to another AOC holder, the AOC holder (who is not the ‘person responsible for the aircraft’) would:

* + still have ultimate responsibility to ensure the airworthiness of the aircraft before flight and to ensure the proper performance of the continuing airworthiness management tasks by the ‘person responsible for the aircraft’:
	+ be required to have a continuing airworthiness manager to provide oversight of the continuing airworthiness management tasks. An existing HAAMC (required under the Civil Aviation Act) or continuing airworthiness manager (CAM) would be able to fill this role.
	+ be assessed by CASA for the ability to manage AOC airworthiness responsibility, and approval would be combined with the issue of the AOC.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

1. **Do you agree with the proposal that multiple AOC holders who operate the same aircraft would be required to contract the continuing airworthiness management tasks to one of the AOC holders who holds a CAMO approval applicable to the aircraft?**

**(Q40) Proposed policy**

(Reference section(s): Annex A – B.01

If an aircraft is to be operated under multiple AOCs, one of the AOC holders would have to be contracted by each of the other AOC holders as the ‘person responsible for the aircraft’.

* + Under the proposal, the contract between an AOC holder and the ‘person responsible for the aircraft’ would need to be in writing and address minimum specified content.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

D.1.2 Changes to CASR Part 42 – Continuing airworthiness management organisation (CAMO) requirements

1. **Do you agree with the proposed policy and changes to CAMO requirements under Part 42 of CASR?**

**(Q41) Proposed policy**

Reference section(s): Annex A - G.01

Part 42 of CASR CAMO requirements would be made more scalable and outcome-based, which would allow one-person organisations to be approved as a CAMO.

Competency requirements for CAMO personnel would be made less prescriptive and allow more pathways to approval. In particular, CASA would amend the qualification requirements to provide pathways for competent individuals who do not meet the current formal qualification standards. All current maintenance controllers for charter operators would be automatically accepted as that operator’s head of CAMO.

The CAMO approval procedures would be adjusted to ensure that CASA does not need to specifically approve all key personnel. CASA procedures would focus on assessment of the head of the CAMO, provided other key personnel meet the relevant requirements.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

D.1.3 Changes to Part 42 of CASR – Managing defects

1. **Do you agree with the proposed policy and requirements for managing defects?**

**(Q42) Proposed policy**

Reference section(s): Annex A - A.01, B.02, C.02, D.03, M

CASA is proposing changes to the requirements of Part 42 of CASR that would clarify the requirements of an AOC holder’s system for managing defects which addresses the recording, rectifying and deferral of defects discovered during operation of the aircraft.

The proposal includes the circumstances under which a defect in an aircraft could be deferred (i.e. to permit operation of the aircraft with the defect) and includes provisions for the deferral to be carried out by either:

* + a maintenance person, or
	+ a pilot of the aircraft.

The proposal also includes:

* + the circumstances under which an aircraft may operate with a defect, if the defect is discovered during taxi and prior to take-off.
	+ requirement for a pilot to record exceedance of an operating limit. The proposal would allow that an exceedance may not necessarily be a defect if there is no corresponding maintenance action required.

The proposal introduces the concept of a superficial defect which would be defined as - a defect in an item of the aircraft that affects the appearance of the item only and which has no effect on the operation, function, or mechanical or structural integrity of the item.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

D.1.4 Changes to Part 42 of CASR – Periodic aircraft airworthiness review

1. **Do you agree with the proposed policy and requirements for the validity period of an airworthiness review certificate?**

**(Q43) Proposed policy**

Reference section(s): Annex A - I.01

CASA is proposing changes to the requirements of Part 42 of CASR regarding the validity period of an aircraft’s airworthiness review certificate (ARC).

* + The validity period of the ARC would be three years, provided there was no change of the person responsible for continuing airworthiness for an aircraft, who issued the certificate.
	+ The ARC validity period would reduce to 12 months if the ‘person responsible for the aircraft’ changes within 12 months of the date of issue of the certificate.
	+ The ARC would cease to be in force if the ‘person responsible for the aircraft’ changes during the period between 12 months and 3 years after the date of issue of the certificate, or if the aircraft’s certificate of airworthiness stops being in force.

The proposals would improve existing requirements for an ARC to be extended from an initial 12- month validity period.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

**Page:** D.2 - Who may carry out maintenance – Part 121 – (Qs44-45)

D.2.1 Changes to Part 42 of CASR – Who may carry out maintenance

1. **Do you agree with the proposed policy to change requirements under Part 42 of CASR, to allow approved maintenance organisations from specific countries to carry out specific maintenance?**

**(Q44)** Proposed policy

Reference section(s): Annex A - D.01

CASA would amend Part 42 to allow maintenance organisations approved by the following countries to carry out certain maintenance on aircraft outside Australia for unscheduled operations. (the maintenance organisation would not need to be physically located in that country):

* + USA
	+ an EASA member state
	+ New Zealand
	+ Singapore

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

D.2.2 Changes to Part 42 of CASR – Pilot Maintenance

1. **Do you agree with the proposed policy and changes to provisions for pilot maintenance under Part 42 of CASR?**

**(Q45) Proposed policy**

Reference section(s): Annex A - D.02

The Part 42 pilot maintenance privileges would be extended to include:

* + Maintenance that the instruction for continuing airworthiness specifically allows a pilot to carry out
	+ Check aircraft tyre pressure
	+ Inspection after a bird strike, provided the bird has not been ingested into the aircraft engine or an air inlet, or has not impacted any composite structure
	+ Engine compressor or turbine water wash using quick release connection.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

**Page:** D.3 - Maintenance performance rules – Part 121 – (Qs46-48)

D.3.1 Changes to Part 42 of CASR – Use of parts and materials

1. **Do you agree with the proposed policy and requirements for the use of parts and materials?**

**(Q46) Proposed policy**

Reference section(s): Annex A - E

CASA is proposing changes to Part 42 that would further refine and clarify the requirements for the fitting of parts to aircraft. The proposals include provisions and requirements for fitting of a part that has been removed from a registered aircraft.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

D.3.2 Changes to Part 42 of CASR – Maintenance certification for aeronautical products

1. **Do you agree with the proposed policy and requirements for maintenance certification of aeronautical products?**

**(Q47) Proposed policy**

Reference section(s): Annex A - H.01

CASA proposes to introduce requirements for maintenance certification of the maintenance of aeronautical products. The maintenance organisation would need to ensure that maintenance certification for the aeronautical product is performed by the person who:

* + carried out or supervised the carrying out of the maintenance on behalf of the organisation, and
	+ holds an applicable certification authorisation issued by the maintenance organisation.

This proposal would enhance aeronautical product maintenance by aligning certification standards with those that exist for maintenance of aircraft. It would also enhance the existing processes that lead to the issue of the certificate of release to service of an aeronautical product following maintenance.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

D.3.3 Changes to Part 42 of CASR – Certificate of release to service for aeronautical products

1. **Do you agree with the proposed policy and requirements for issuing a certificate of release to service to an aeronautical product, following removal from an unregistered aircraft?**

**(Q48) Proposed policy**

Reference section(s): Annex A - H.02 – H.04

CASA proposes to introduce provisions and requirements for a certificate of release to service to be issued for an aeronautical product that has been removed from an unregistered aircraft.

* + The proposal is consistent with existing CASA guidance for parts salvaged from unregistered aircraft.

(Please select one of the options below)

☐ Yes

☐ Yes, with changes. (Please specify below)

☐ No, requires changes (Please specify below)

☐ Don’t know

If you have selected – Yes, with changes or No, with changes – please enter your comments here.

**Page:** D.4 - Approved maintenance organisations – Part 121 – (Q49)

D.4.1 Part 145 of CASR PIR

Work is underway on a range of improvements to Part 145 under related Project MS 17/03 - Post-implementation review (PIR) of Part 145 of CASR - Approved maintenance organisations.

1. **Do you have any comments about existing Part 145 requirements with regard to any of the policy proposals outlined in this consultation?**

Please enter your comments here.

**Page:** General comments

Do you have any additional comments about the proposed policy for continuing airworthiness management and maintenance, for future air transport operations?

(Please note, this should not include points you have already raised in this consultation)

Comments

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