Under section 98 of the Civil Aviation Act 1988, the Governor-General may make regulations for the purposes of the Act and in the interests of the safety of air navigation. Under regulation 39.001 of the Civil Aviation Safety Regulations 1998, CASA may issue airworthiness directives (ADs) for kinds of aircraft or aeronautical products. Subregulation 39.001(5) of the Civil Aviation Safety Regulations 1998 provides that an AD is a disallowable instrument for the purposes of section 46A of the Acts Interpretation Act 1901. Therefore, in accordance with section 6 of the Legislative Instruments Act 2003, an AD is a legislative instrument.

Under Annex 8 to the Convention on International Civil Aviation, the State of Design has overall responsibility for continuing airworthiness of an aircraft type, and must provide any information necessary to ensure the continuing airworthiness of a type to appropriate States of Registry. ADs (and their equivalents) are the most common form of continuing airworthiness information, and are issued by most ICAO Contracting States.

The USA FAA issued AD 2005-07-19, affecting Boeing 737 aircraft, in 2005. USA is the State of Design for this type. As a result of a request from industry, CASA has amended Australian AD/B737/242 to identify that accomplishment of one of the requirements is terminating action for CASA ADB737/10 Amdt 2. The amended AD, AD/B737/242, Amendment 1, will become effective on 13 April 2006. This AD cancels and replaces the previous issue.

As this AD is issued because of Australia’s obligations under Convention on International Civil Aviation, and because it is issued in response to an AD raised by the relevant State of Design, no consultation of the Australian public has taken place on this AD. The Office of Regulatory Review has determined that ADs do not require a Regulatory Impact Statement.

The AD has been made by the Manager, Airframes, in the Manufacturing, Certification and New Technologies Office, on behalf of CASA, in accordance with subsection 84A (2) of the Act.