Explanatory Statement

Civil Aviation Order 100.16 Amendment Order (No. 1) 2007

Regulation 30 of the Civil Aviation Regulations 1988 (CAR 1988) provides for CASA to issue a certificate of approval to a person to engage in design, distribution or maintenance of aircraft, aircraft components or aircraft materials, or to train or examine an applicant for an aircraft maintenance engineer’s licence.

Subregulation 30 (3) of CAR 1988 provides that CASA may, for the purpose of ensuring the safety of air navigation, endorse a certificate of approval with a condition set out in the Civil Aviation Orders.

Civil Aviation Order 100.16 (CAO 100.16) sets out conditions for the holder of a certificate of approval covering the distribution of aircraft components or aircraft materials.

The Amendment Order amends CAO 100.16 to correct a typographical error identified by the Senate Standing Committee on Regulations and Ordinances.

Legislative Instruments Act

Under subparagraph 6 (d) (i) of the Legislative Instruments Act 2003 (the LIA), an instrument is a legislative instrument for section 5 of the LIA if it is declared to be a disallowable instrument under legislation in force before the commencement of the LIA. The Amendment Order is a legislative instrument and it is subject to tabling and disallowance in the Parliament under sections 38 and 42 of the LIA.

Consultation under section 17 of the LIA has not been undertaken in this case. The amendment is machinery of government in nature.

The Order has been issued by the Director of Aviation Safety in accordance with subsection 84A (2) of the Civil Aviation Act 1988.

The Order came into effect on the day after it was registered.

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