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Volume 3: regulations 99.005–137.300

Volume 4: regulations 139.005–202.900
Dictionary and Endnotes

Each volume has its own contents

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About this compilation

This compilation

This is a compilation of the *Civil Aviation Safety Regulations 1998* that shows the text of the law as amended and in force on 5 March 2016 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 139—Aerodromes

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Subpart 139.A—General

139.005 Applicability of this Part

This Part deals with the operation of aerodromes and includes rules about the following matters:

- (a) certification of aerodromes and the requirements that apply to operators of certified aerodromes;
- (b) registration of aerodromes and the requirements that apply to operators of registered aerodromes;
- (c) reporting officer and safety inspection requirements that apply to operators of certain other aerodromes used for regular public transport operations or charter operations;
- (d) obstacles and hazards at aerodromes;
- (e) obligations of aerodrome operators in relation to radio communication services and rescue and fire fighting services.

139.010 Definitions for this Part

In this Part (other than Subpart 139.H):

Manual of Standards means the document called ‘Manual of Standards (MOS) – Part 139 Aerodromes’ published by CASA, as in force from time to time.

MBZ means mandatory broadcast zone.

time-limited works has the same meaning as in the Manual of Standards.

139.015 Standards for aerodromes

The standards for aerodromes are those set out in the Manual of Standards.

139.025 Access to aerodromes

- (1) The operator of a certified aerodrome or a registered aerodrome must allow CASA to conduct tests of aerodrome facilities, equipment or operating procedures at the aerodrome for the purpose of ensuring the safety of aircraft.
- (2) The operator must allow CASA access to any part of the aerodrome or any aerodrome facilities, equipment or records for the purposes of subregulation (1).
- (3) CASA:
 - (a) must give reasonable notice of any tests to be conducted to the operator; and
 - (b) must carry out the tests at a reasonable time.
- (4) Subregulations (1) and (2) do not limit the operation of regulation 305 of CAR.

139.030 Restrictions on use of terminal instrument flight procedures

- (1) The operator of an aerodrome commits an offence if:
 - (a) the aerodrome is not a certified aerodrome or registered aerodrome; and
 - (b) there is a terminal instrument flight procedure for the aerodrome; and
 - (c) the terminal instrument flight procedure is not only for use in a specialised helicopter operation.

Penalty: 10 penalty units.

- (2) The operator of an aerodrome commits an offence if:
 - (a) there is a terminal instrument flight procedure for the aerodrome; and
 - (b) the terminal instrument flight procedure is not only for use in a specialised helicopter operation; and
 - (c) the aerodrome:
 - (i) ceases to be a certified aerodrome and does not become a registered aerodrome; or

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- (ii) ceases to be a registered aerodrome and does not become a certified aerodrome; and
- (d) the operator does not, in writing and as soon as possible after the cessation, tell each of the following of the cessation:
 - (i) the AIS;
 - (ii) the certified designer of the procedure.

Penalty: 10 penalty units.

- (3) An offence against subregulation (1) or (2) is an offence of strict liability.

- (4) In this regulation:

certified designer has the meaning given by regulation 173.015.

139.035 No effect on operation of *Airports (Building Control) Regulations 1996* etc

Nothing in this Part affects the operation of the *Airports (Building Control) Regulations 1996*, the *Airports (Protection of Airspace) Regulations 1996* or the *Airports (Control of On-Airport Activities) Regulations 1997*.

Subpart 139.B—Certified aerodromes

Division 139.B.1—Aerodrome certificate

139.040 When an aerodrome certificate is required

- (1) A person must not operate an aerodrome to which subregulation (3) applies if the aerodrome is not a certified aerodrome.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) This subregulation applies to an aerodrome that:
- (a) has a runway that is suitable for use by aircraft having:
 - (i) a maximum passenger seating capacity of more than 30 seats; or
 - (ii) a maximum carrying capacity of more than 3 400 kilograms; and
 - (b) is available for use in regular public transport operations or charter operations by such aircraft.

Note: See also regulation 139.030 for restrictions on the use of terminal instrument flight procedures.

139.045 Application for aerodrome certificate

A person (the *applicant*) may apply to CASA for an aerodrome certificate authorising the person to operate an aerodrome at the place specified in the application.

139.050 Grant of aerodrome certificate

Subject to regulation 11.055, CASA must grant an aerodrome certificate to an applicant if CASA is satisfied that:

- (a) the aerodrome's facilities and equipment are in accordance with the standards specified in the Manual of Standards for a certified aerodrome; and

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- (b) the aerodrome's operating procedures make satisfactory provision for the safety of aircraft; and
- (c) an aerodrome manual, in accordance with regulation 139.095, has been prepared for the aerodrome; and
- (d) the applicant would, if the certificate is granted, be able properly to operate and maintain the aerodrome.

139.070 Suspension or cancellation by CASA

- (1) CASA may, by written notice given to the holder of an aerodrome certificate, suspend or cancel the certificate if there are reasonable grounds for believing that:
 - (a) a condition to which the certificate is subject has been breached; or
 - (b) the aerodrome facilities, operations or maintenance are not of the standard necessary in the interests of the safety of air navigation; or
 - (c) the holder has failed to comply with regulation 139.025.
- (2) Before suspending or cancelling an aerodrome certificate, CASA must:
 - (a) give to the holder a show cause notice that:
 - (i) sets out the facts and circumstances that, in the opinion of CASA, would justify the suspension or cancellation; and
 - (ii) invites the holder to show cause, in writing, within 30 days after the date of the notice, why the certificate should not be suspended or cancelled; and
 - (b) take into account any written submissions that the holder makes to CASA within the time allowed under subparagraph (a)(ii).

139.085 Temporary aerodrome certificate

- (1) Subject to regulation 11.055, CASA must grant a temporary aerodrome certificate to an applicant under regulation 139.045 if:
 - (a) the applicant's application is for a certificate to operate an aerodrome for which an existing aerodrome certificate is in force; and

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- (b) the holder of the existing aerodrome certificate has given CASA a request under regulation 11.130 for the certificate to be cancelled; and
 - (c) the cancellation of the existing aerodrome certificate will have effect before CASA can fully consider the applicant's application; and
 - (d) CASA is satisfied that the applicant will be able to properly operate and maintain the aerodrome for the duration of the temporary certificate.
- (2) A temporary aerodrome certificate must not be granted for a period of longer than 60 days.

Division 139.B.2—Aerodrome manual

139.090 Preparation and location of aerodrome manual

- (1) The operator of a certified aerodrome must have an aerodrome manual, in accordance with regulation 139.095, for the aerodrome.

Penalty: 10 penalty units.

- (2) The operator must give CASA a copy of the manual and must keep another copy at the operator's principal place of business or at the aerodrome.

Penalty: 10 penalty units.

- (3) The operator must make the copy of the manual kept at the operator's principal place of business or at the aerodrome available to authorised persons during normal business hours.

Penalty: 10 penalty units.

- (4) Strict liability applies to the physical element of an offence against subregulation (1) that the operator is required to have an aerodrome manual for the aerodrome.

- (5) An offence against subregulation (2) or (3) is an offence of strict liability.

139.095 Information to be included in aerodrome manual

For subregulation 139.090(1), the aerodrome manual must include:

- (a) the following information, to the extent that the information is applicable to the aerodrome:
 - (i) the particulars of the aerodrome site mentioned in Appendix 1 to this subparagraph;
 - (ii) the particulars of the aerodrome administration and operating procedures mentioned in Appendix 1 to this subparagraph;

- (iii) the particulars of the aerodrome to be notified in AIP-ERSA, mentioned in Appendix 1 to this subparagraph;
- (iv) particulars of any condition to which the operator's aerodrome certificate is subject;
- (v) particulars of any direction given to the operator by CASA under regulation 139.105; and
- (b) if particular information referred to in paragraph (a) is not included in the manual because it is not applicable to the aerodrome:
 - (i) a statement to the effect that the information is not applicable; and
 - (ii) the reasons why it is not applicable; and
- (c) if CASA grants the operator an exemption under regulation 11.160 in relation to the aerodrome:
 - (i) any identifying number given to the exemption by CASA; and
 - (ii) the date on which the exemption came into effect; and
 - (iii) any condition subject to which the exemption is granted.

Appendix 1 to subparagraph 139.095(a)(i) (Particulars of the aerodrome site)

Aerodrome site

For subparagraph 139.095(a)(i), the particulars are as follows:

- (a) a plan of the aerodrome showing the main aerodrome facilities, including the wind direction indicators, for the operation of the aerodrome;
- (b) a plan of the aerodrome showing the aerodrome boundaries;
- (c) a plan showing the distance of the aerodrome from the nearest city, town or other populous area, and the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome;
- (d) either:
 - (i) particulars of title of the aerodrome site; or
 - (ii) if the boundaries of the aerodrome are not defined in the documents of title—the particulars of the title to, or

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interests in, the property on which the aerodrome is located and a plan showing the boundaries and position of the aerodrome.

Appendix 1 to subparagraph 139.095(a)(ii) (Particulars of the aerodrome administration and operating procedures)

For subparagraph 139.095(a)(ii), the particulars are as follows:

Aerodrome administration

- (a) particulars of the aerodrome administration including the following:
 - (i) the organisational structure;
 - (ii) the management positions responsible for the operation and maintenance of the aerodrome;
 - (iii) contact details of the person who is the aerodrome manual controller;
 - (iv) contact details for the main persons responsible for aerodrome operations and safety functions;

Aerodrome emergency plan

- (b) particulars of the aerodrome emergency plan, including details of the following:
 - (i) the composition of the aerodrome emergency committee and contact details for the emergency service organisations represented on the committee;
 - (ii) a description of the role of each emergency service organisation involved in the plan;
 - (iii) the activation, control and coordination of the emergency service organisations during an emergency;
 - (iv) the aerodrome's emergency facilities and arrangements for keeping them in readiness;
 - (v) the operational response to an emergency, including arrangements for aerodrome access and assembly areas;
 - (vi) the response to a local stand-by call out;
 - (vii) the response to a full emergency call out;
 - (viii) the arrangements to return the aerodrome to operational status after an emergency;

- (ix) the arrangements for periodic review and testing of the aerodrome emergency plan;

Aerodrome lighting

- (c) particulars of the procedures for the inspection and maintenance of the aerodrome lighting (including obstacle lighting) and the supply of stand-by power (if any), including details of the following:
 - (i) the arrangements for carrying out inspections and the checklist for inspections;
 - (ii) the arrangements for recording the results of inspections and for taking follow-up action to correct deficiencies;
 - (iii) the arrangements for switching lights on and off, including back-up arrangements for pilot-activated lighting;
 - (iv) the arrangements for carrying out routine maintenance and emergency maintenance;
 - (v) the arrangements for stand-by power, if any, and, if applicable, particulars of any other method of dealing with partial or total system failure;
 - (vi) the names and roles of the persons who are responsible for the inspection and maintenance of the lighting and the telephone numbers for contacting them during and after working hours;

Aerodrome reporting

- (d) particulars of the procedures for reporting any changes to the aerodrome information set out in AIP and procedures for requesting the issue of NOTAMS, including details of the following:
 - (i) the arrangements for reporting any changes that may affect aircraft operations to AIS and local air traffic services and recording the reporting of changes during and outside the normal hours of aerodrome operation;
 - (ii) the contact details for the persons and organisations to which changes are to be reported;

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- (iii) the name of the reporting officer responsible for reporting the changes and the telephone numbers for contacting him or her during and after working hours;
- (iv) the arrangements for reporting changes of aerodrome information published in AIP to AIS and CASA;
- (v) the arrangements for keeping records of reports made;

Unauthorised entry to aerodrome

- (e) particulars of the procedures for preventing the unauthorised entry of persons, vehicles, equipment, plant or animals, or other things that may endanger aircraft safety, into the movement area, including details of the following:
 - (i) the arrangements for controlling airside access;
 - (ii) the names and roles of the persons who are responsible for controlling access to the movement area and the telephone numbers for contacting them during and after working hours;

Aerodrome serviceability inspections

- (f) particulars of the procedures for carrying out aerodrome serviceability inspections, including details of the following:
 - (i) the arrangements for carrying out the inspections during and after working hours;
 - (ii) details of the intervals at which the inspections are carried out and the times of the inspections;
 - (iii) the arrangements for keeping an inspection logbook and the place where the logbook is kept;
 - (iv) details of the inspection checklist;
 - (v) the arrangements for communicating with air traffic control during the inspections;
 - (vi) the arrangements for reporting the results of the inspections and for taking prompt follow-up action to ensure correction of unsafe conditions;
 - (vii) the names and roles of the persons who are responsible for carrying out the inspections and the telephone numbers for contacting them during and after working hours;

Aerodrome technical inspections

- (g) particulars of the procedures for carrying out aerodrome technical inspections, including details of the following:
 - (i) the items that need to be technically inspected and when the inspections are to be carried out;
 - (ii) the arrangements for technically qualified people to carry out the technical inspections;
 - (iii) the arrangements for recording the results of the inspections and for taking prompt follow-up action to ensure correction of defects;

Aerodrome works safety

- (h) particulars of the procedures for planning and safely carrying out aerodrome works (including works that may have to be carried out at short notice), including details of the following:
 - (i) the preparation of a method-of-working plan identifying areas of the aerodrome affected during each stage of the work and steps taken to ensure safety standards are met;
 - (ii) the distribution list for the method-of-working plan;
 - (iii) the arrangements for telling aircraft operators and other aerodrome users of the method-of-working plan and the telephone numbers for contacting those operators and users during and after working hours;
 - (iv) the arrangements for communicating with air traffic control and aircraft during the carrying out of the works;
 - (v) the arrangements for carrying out time-limited works;
 - (vi) the names, telephone numbers and roles of the persons and organisations responsible for planning and carrying out the works, and the arrangements for contacting those persons and organisations at all times;

Aircraft parking control

- (i) particulars of the procedures for aircraft parking control, if established, including details of the following:
 - (i) the arrangements between air traffic control and apron management;
 - (ii) the arrangements for allocating aircraft parking positions;

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- (iii) the arrangements for initiating engine start and ensuring clearances for aircraft push-back;
- (iv) an inventory and description of the activation and deactivation of any visual docking guidance system used at the aerodrome;
- (v) the marshalling service;
- (vi) the leader (van) service or follow-me service;
- (vii) the names, telephone numbers and roles of the persons responsible for planning and implementing aircraft parking control;

Airside vehicle control

- (j) if procedures have been established at the aerodrome for the control of surface vehicles operating on or near the movement area, particulars of those procedures, including details of the following:
 - (i) the applicable traffic rules (including speed limits) and the means of enforcement of the rules;
 - (ii) the method of instructing and testing drivers in relation to the applicable traffic rules;
 - (iii) the names, telephone numbers and roles of the persons who are responsible for airside vehicle control;

Bird and animal hazard management

- (k) particulars of the procedures to deal with danger to aircraft operations caused by the presence of birds or animals on or near the aerodrome, including details of the following:
 - (i) the arrangements for assessing any bird or animal hazard;
 - (ii) the arrangements for the removal of any bird or animal hazard;
 - (iii) the names and roles of the persons responsible for dealing with bird or animal hazards, and the telephone numbers for contacting them during and after working hours;

Obstacle control

- (l) particulars of the following:
-

- (i) the procedures for monitoring the obstacle limitation surfaces and the Type A chart take-off surface for obstacles;
- (ii) the procedures for monitoring building developments (in relation to the height of buildings and other structures) within the horizontal limits of the obstacle limitation surfaces;
- (iii) if the aerodrome has instrument approach procedures—the procedures for monitoring for new objects or building developments in any other areas nominated by the instrument procedure designers;
- (iv) the arrangements between CASA, local planning authorities and other relevant organisations in relation to the approval of building developments that may infringe the obstacle limitation surfaces;
- (v) the names, telephone numbers and roles of the persons responsible for planning and implementing obstacle control;

Disabled aircraft removal

- (m) particulars of the procedures for removing an aircraft that is disabled on or near the movement area, including details of the following:
 - (i) the roles of the aerodrome operator and the holder of the aircraft's certificate of registration;
 - (ii) the arrangements for telling the holder of the certificate of registration;
 - (iii) the arrangements for liaising with air traffic control and the Australian Transport Safety Bureau;
 - (iv) the arrangements for obtaining equipment and persons to remove the aircraft;
 - (v) the names and roles of the persons who are responsible for arranging for the removal of an aircraft which is disabled, and the telephone numbers for contacting them during and after working hours;

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Handling of hazardous materials

- (n) particulars of the procedures for the safe handling of hazardous materials on the aerodrome, including details of the following:
 - (i) the names, telephone numbers and roles of the persons who are to receive and handle hazardous materials;
 - (ii) the arrangements for special areas on the aerodrome to be set up for the storage of flammable liquids (including aviation fuels) and any other hazardous materials;
 - (iii) the methods to be followed for the delivery, storage, dispensing and handling of these materials;

Note 1: Hazardous materials include explosives, flammable liquids and solids, corrosive liquids, compressed gases, and magnetised or radioactive materials.

Note 2: The arrangements to deal with an accidental spillage of hazardous materials are to be set out in the aerodrome emergency plan.

Protection of radar and navigational aids

- (o) particulars of the procedures for the protection of radar and navigational aids located on the aerodrome to ensure that their performance will not be degraded, including details of the following:
 - (i) the arrangements for the control of activities near radar and navigational aid installations;
 - (ii) the arrangements, made in consultation with the provider of the navigational aid installation, for the supply and installation of signs warning of hazardous microwave radiation;
 - (iii) the arrangements for ground maintenance near these installations;

Low visibility operations

- (p) particulars of the procedures for the management of ground activities at an aerodrome where low visibility operations are conducted, including details of the following:
 - (i) the arrangements for measuring visibility along a runway and passing the information to air traffic control, if required;

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- (ii) the arrangements for minimising vehicular traffic within the movement area during periods of low visibility operations;
- (iii) the arrangements for runway inspections during periods of low visibility operations;
- (iv) the names and roles of the persons who are responsible for managing low visibility operations, and the telephone numbers for contacting them during and after work hours.

Appendix 1 to subparagraph 139.095(a)(iii) (Particulars of the aerodrome to be notified in AIP-ERSA)

For subparagraph 139.095(a)(iii), the particulars are:

General information

- (a) the following general information about the aerodrome:
 - (i) the name of the aerodrome;
 - (ii) the State or Territory where the aerodrome is located;
 - (iii) the geographic coordinates of the aerodrome reference point;
 - (iv) the elevation of the aerodrome, based on the Australian Height Datum;
 - (v) details of the aerodrome beacon;
 - (vi) the name of the aerodrome operator and the address and telephone numbers at which the aerodrome operator may be contacted at all times; and

Information for runways

- (b) the following information for each runway at the aerodrome:
 - (i) the magnetic bearing of the runway and the runway number;
 - (ii) the runway reference code number for the approach and take-off areas that have been surveyed;
 - (iii) the length, width and slopes of the runway;
 - (iv) the length and width of the graded and overall runway strip;
 - (v) the pavement surface type and its strength rating;

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- (vi) the runway declared distances and take-off gradient;
- (vii) the supplementary take-off distances;
- (viii) the Aerodrome Obstacle Chart Type A, if applicable;
- and

Information about visual aid systems

- (c) the following information about visual aid systems at the aerodrome:
 - (i) the type of runway lighting and the stand-by power, if any, for that lighting;
 - (ii) the type of approach lighting;
 - (iii) the visual approach slope indicator system, if any;
 - (iv) a description of the visual docking guidance systems at any aprons used by aircraft conducting international operations, and the aircraft parking positions where the systems are installed; and

Local information

- (d) the following local information about the aerodrome:
 - (i) the hours of operation, if applicable;
 - (ii) the available ground services;
 - (iii) any special procedures;
 - (iv) any local precautions.

139.100 Form of aerodrome manual

- (1) The operator of a certified aerodrome must keep the copies of the aerodrome manual for the aerodrome in a printed form.

Penalty: 10 penalty units.

- (2) Other copies of the manual may be kept in an electronic form.
- (3) If CASA approves, the manual may consist of more than 1 document.
- (4) The operator must keep the manual in a way that tells a person reading the manual:

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- (a) when changes have been made to the information in the manual; and
- (b) whether the manual is up-to-date.

Penalty: 10 penalty units.

- (5) An offence against subregulation (1) or (4) is an offence of strict liability.

139.105 Amendments of aerodrome manual

- (1) The operator of a certified aerodrome must amend the aerodrome manual for the aerodrome, whenever it is necessary to do so, to maintain the accuracy of the manual.

Penalty: 10 penalty units.

- (2) To maintain the accuracy of the aerodrome manual, CASA may give written directions to the operator requiring the operator to amend the manual in accordance with the direction.
- (3) An operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

139.110 Notice of amendments

- (1) The operator of a certified aerodrome must tell CASA, in writing, of any amendment that the operator makes to the aerodrome manual for the aerodrome within 30 days after the amendment is made.

Penalty: 5 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

139.115 Aerodrome manual controller

- (1) The operator of a certified aerodrome must appoint a person to be the aerodrome manual controller for the aerodrome's aerodrome manual.

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Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The functions of the aerodrome manual controller are to ensure that:
 - (a) a record is kept of the persons who hold copies of the whole or a part of the aerodrome manual; and
 - (b) updates of information for the manual are distributed to those persons.

Division 139.B.3—Operation and maintenance of a certified aerodrome

139.120 Care and diligence in operation and maintenance

The operator of a certified aerodrome must ensure that the aerodrome is operated and maintained with a reasonable degree of care and diligence.

Penalty: 20 penalty units.

139.125 Reporting officer

- (1) The operator of a certified aerodrome must appoint 1 or more reporting officers for the aerodrome.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The functions of a reporting officer are:
- (a) to monitor the serviceability of the aerodrome; and
 - (b) to report to the NOTAM Office and air traffic control any changes in conditions, or any other occurrences, at the aerodrome that must be reported under subregulation 139.155(1).
- (4) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.

Penalty: 10 penalty units.

139.130 Works safety officer for aerodrome works other than time-limited works

- (1) If aerodrome works (other than time-limited works) are being carried out at a certified aerodrome, the operator of the aerodrome must appoint 1 or more persons as works safety officers for the aerodrome works.

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Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The function of a works safety officer is to ensure aerodrome safety while the aerodrome works are being carried out.
- (4) The operator must not appoint a person as a works safety officer for the aerodrome works if the person has not been trained, in accordance with the Manual of Standards, to perform the works safety officer's function.

Penalty: 10 penalty units.

139.135 Works safety officer for time-limited works

If time-limited works are being carried out at a certified aerodrome, the operator of the aerodrome must ensure that a person who has been trained, in accordance with the Manual of Standards, to perform the function of a works safety officer performs that function for those works.

Penalty: 10 penalty units.

139.140 Training of aerodrome personnel

The operator of a certified aerodrome must ensure that all personnel of the operator are trained in accordance with the standards for training aerodrome personnel set out in the Manual of Standards.

Penalty: 20 penalty units.

139.145 Aerodrome manual procedures

- (1) Subject to any directions issued under subregulation (2), the operator of a certified aerodrome must operate and maintain the aerodrome in accordance with the procedures set out in the aerodrome manual for the aerodrome.

Penalty: 25 penalty units.

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- (2) CASA may direct the operator of a certified aerodrome to change the procedures set out in the aerodrome manual, if CASA considers it necessary in the interests of the safety of aircraft.
- (3) An operator must comply with a direction given to the operator under subregulation (2).

Penalty: 25 penalty units.

139.150 Notice of deviation

- (1) This regulation applies if a deviation from a procedure set out in the aerodrome manual for a certified aerodrome is made to ensure the safety of aircraft.
- (2) The operator of the aerodrome must tell CASA, in writing, of the deviation within 30 days after the deviation was made.

Penalty: 5 penalty units.

- (3) An offence against subregulation (2) is an offence of strict liability.

139.155 Notice of changes in physical condition etc of aerodrome

- (1) The operator of a certified aerodrome must, in accordance with the Manual of Standards, give notice to the NOTAM Office of:
 - (a) any temporary or permanent change in the physical condition of the aerodrome that may affect the safety of aircraft; and
 - (b) any other occurrence relating to the operation or maintenance of the aerodrome that may affect the safety of aircraft.

Penalty: 10 penalty units.

- (2) If the aerodrome is a controlled aerodrome, the notice must also be given to air traffic control.

Penalty: 10 penalty units.

139.160 Notice of changes in information published in AIP-ERSA

- (1) To maintain the accuracy of the information published in AIP-ERSA in relation to a certified aerodrome, the operator of the

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aerodrome must tell AIS, in writing, as soon as practicable of any change required to that information (other than a change that is published in NOTAMS).

Penalty: 5 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

139.165 Physical characteristics of movement area

The operator of a certified aerodrome must ensure that the physical characteristics of the movement area comply with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

139.170 Aerodrome markings

- (1) The operator of a certified aerodrome must mark the following areas of the aerodrome in accordance with the standards set out in the Manual of Standards:
- (a) the movement area;
 - (b) any unserviceable area;
 - (c) any works area on or near the movement area.

Penalty: 10 penalty units.

- (2) The operator must ensure that all aerodrome markings are maintained in accordance with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

- (3) In this regulation:

unserviceable area means a part of the movement area that is unavailable for use by aircraft.

works area means a part of the aerodrome in which maintenance or construction works are in progress that may endanger the safety of aircraft.

139.175 Signal area

- (1) The operator of a certified aerodrome that does not have a continuous air traffic service provided by air traffic control during the day must provide a signal area in accordance with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

- (2) The operator must display an appropriate signal in the signal area in any circumstances set out in the Manual of Standards that require such a signal to be displayed.

Penalty: 10 penalty units.

- (3) The operator must ensure that the signal area and any signal displayed in it are clearly visible to any aircraft intending to use the aerodrome.

Penalty: 10 penalty units.

139.180 Wind direction indicators—general

The operator of a certified aerodrome must, in accordance with the standards for wind direction indicators set out in the Manual of Standards, install and maintain at least 1 wind direction indicator at the aerodrome.

Penalty: 10 penalty units.

139.185 Wind direction indicators—requirement for certain runways

- (1) If a runway at a certified aerodrome is used in non-precision approach operations, the operator of the aerodrome must ensure that there is a wind direction indicator near the end or ends of the runway at which instrument non-precision approach operations can be conducted.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

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- (3) CASA may grant an exemption to the operator under regulation 11.160 from compliance with subregulation (1) only if CASA is satisfied that surface wind information is passed to the pilots of aircraft approaching the runway by:
 - (a) an automatic weather observing system that:
 - (i) is compatible with the Bureau of Meteorology's weather observing system; and
 - (ii) provides surface wind information through an aerodrome weather information broadcast; or
 - (b) an approved observer having a communication link with pilots through which timely information about surface wind can be clearly passed to pilots; or
 - (c) any other approved means of providing surface wind information.

139.190 Visual approach slope indicator system

- (1) The operator of a certified aerodrome must, in accordance with the standards for visual approach slope indicator systems set out in the Manual of Standards, provide an approved visual approach slope indicator system for the end of a runway at the aerodrome if that end is regularly used as the approach end for jet-propelled aircraft conducting regular public transport operations or charter operations.

Penalty: 10 penalty units.

Note: On 2 May 2003, the visual approach slope indicator systems approved by CASA are the systems known as T-VASIS, AT-VASIS and PAPI.

- (2) CASA may direct the operator to provide an approved visual approach slope indicator system for the approach end or ends of a runway to which subregulation (1) does not apply, if CASA considers it necessary in the interests of the safety of aircraft.
- (3) The operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

139.195 Lighting of movement area

- (1) If a certified aerodrome is available for an aircraft to land or take-off at night, or in less than VMC during the day, the operator of the aerodrome must provide and maintain a lighting system for the movement area of the aerodrome that is in accordance with subregulations (2) and (3).

Penalty: 20 penalty units.

- (2) The lighting system must include:
- (a) lighting of runways, taxiways and aprons intended for use at night or in less than VMC during the day; and
 - (b) lighting of at least 1 wind direction indicator; and
 - (c) lighting of obstacles within the movement area; and
 - (d) if the aerodrome has a runway intended to serve Category I, II or III precision approach operations—approach, runway and taxiway lighting for the runway and taxiway.
- (3) The lighting system must:
- (a) if the lighting system is of a kind for which standards are specified in the Manual of Standards—meet those standards; or
 - (b) in any other case—be, or be of a kind, approved by CASA.

139.200 Checking of lighting systems

- (1) The operator of a certified aerodrome must not put a new lighting system of a kind mentioned in subregulation (3) into service at the aerodrome if both of the following requirements are not met:
- (a) an approved pilot has conducted a flight check of the system;
 - (b) an electrical engineer or a licensed electrician has checked the system for compliance with any applicable electrical specifications and technical standards set out in the Manual of Standards.

Penalty: 10 penalty units.

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- (2) If checking compliance with a specification requires the use of survey instruments, the operator must ensure that the checking is done by:
- (a) a person with a degree, diploma or certificate in surveying or civil engineering; or
 - (b) a person with experience and competence in surveying that is acceptable to CASA.

Penalty: 10 penalty units.

- (3) For subregulation (1), the kinds of lighting systems are as follows:
- (a) an approach lighting system;
 - (b) a runway lighting system for instrument approach runways;
 - (c) a visual approach slope indicator system for jet-propelled aircraft (other than a system intended for use on a temporary basis for a period not longer than 30 days);
 - (d) a pilot-activated lighting system.

139.205 Aerodrome emergency committee

- (1) The operator of a certified aerodrome must establish an aerodrome emergency committee.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The committee must include a representative from any fire, police or other emergency service that, having regard to the location of the aerodrome, would be likely to be asked to assist if there were an emergency at the aerodrome.

139.210 Aerodrome emergency plan

- (1) The aerodrome emergency committee for a certified aerodrome must prepare an aerodrome emergency plan.
- (2) The plan must include:
- (a) procedures for coordinating the responses of all emergency service organisations referred to in the plan; and

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- (b) any other matters that are required to be included in the emergency plan by the Manual of Standards.
- (3) The committee must review the emergency plan at least once a year and make any changes to the plan that are necessary to ensure that it operates properly.
- (4) The review must be carried out in consultation with the emergency service organisations referred to in the emergency plan.
- (5) As soon as practicable after an emergency exercise has been carried out at the aerodrome, or if an emergency has occurred at the aerodrome, as soon as practicable after the emergency, the operator of the aerodrome must arrange for the committee to:
 - (a) review the effectiveness of the responses to the exercise or the emergency; and
 - (b) assess the adequacy of the emergency plan to deal with emergencies at the aerodrome; and
 - (c) take such corrective action as is necessary to ensure that the plan operates properly.
- (6) The operator must ensure that:
 - (a) records of each review of the emergency plan carried out under this regulation are kept; and
 - (b) each record is retained for at least 3 years after the review to which the record relates was carried out.

Penalty: 10 penalty units.

- (7) An offence against subregulation (6) is an offence of strict liability.

139.215 Testing of aerodrome emergency plan

- (1) Subject to this regulation, the operator of a certified aerodrome must conduct an emergency exercise at least once every 2 years to test:
 - (a) the coordination of the emergency service organisations referred to in the aerodrome's emergency plan; and
 - (b) the adequacy of the procedures and facilities provided for in the plan.

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Penalty: 10 penalty units.

- (2) If a real emergency occurs at the aerodrome within 6 months before an emergency exercise is due, the operator may ask CASA to extend the period within which the next emergency exercise must be conducted.
- (3) CASA must grant the request if it is satisfied that:
 - (a) all emergency service organisations referred to in the plan responded to the real emergency; and
 - (b) the real emergency adequately tested the plan.
- (4) In granting the request, CASA may extend the period until the end of 2 years after the real emergency occurred.

139.220 Aerodrome serviceability inspections

- (1) An *aerodrome serviceability inspection* is an inspection of the aerodrome to ensure that it is safe for aircraft operations.
- (2) The inspection must include the following:
 - (a) an inspection of the movement area to check its surface condition (including for the presence of foreign objects);
 - (b) an inspection of aerodrome markings, lighting, wind direction indicators and ground signals;
 - (c) an inspection for any obstacles infringing the take-off, approach and transitional surfaces;
 - (d) an inspection for any birds or animals on or near the movement area;
 - (e) an inspection of any measures to control the inadvertent entry of persons or animals into the movement area (including aerodrome fencing);
 - (f) an empirical assessment of the bearing strength of unrated runway pavements;
 - (g) an empirical assessment of the runway strip or each runway strip where the runway concerned is not marked and the whole runway strip may be used for aircraft operations;
 - (h) an inspection of the aerodrome's frequency confirmation system (if any);

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- (i) a check of whether any NOTAMS for the aerodrome are current and accurate.
- (3) The inspection must comply with all applicable standards for aerodrome serviceability inspections set out in the Manual of Standards.

139.225 When aerodrome serviceability inspections must be conducted

- (1) The operator of a certified aerodrome must conduct an aerodrome serviceability inspection:
 - (a) on each day on which an airline service operates at the aerodrome; or
 - (b) in any other case—at least twice a week.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The operator of a certified aerodrome must also conduct an aerodrome serviceability inspection:
 - (a) after a gale, storm or other severe weather; and
 - (b) at any time that air traffic control or CASA requires the inspection.

Penalty: 10 penalty units.

139.230 Aerodrome technical inspections

- (1) An *aerodrome technical inspection* is an inspection of aerodrome facilities for an aerodrome to ensure that any deterioration that could make a facility unsafe for aircraft operations is detected.
- (2) The inspection must include the following:
 - (a) an instrument survey of the approach, take-off and transitional surfaces;
 - (b) an inspection and testing of the aerodrome lighting and electrical reticulation systems, including the visual approach slope indicator;
 - (c) an electrical testing of any earthing points at the aerodrome;

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- (d) an inspection and assessment of the movement area pavements and drainage;
 - (e) an inspection of signs on the movement area;
 - (f) an inspection of facilities at the aerodrome used for any of the following:
 - (i) aerodrome emergencies;
 - (ii) the handling of hazardous materials;
 - (iii) bird and animal hazard management;
 - (iv) stand-by and emergency aerodrome lighting;
 - (g) an inspection of airside vehicle control arrangements (if any);
 - (h) a check of the currency and accuracy of:
 - (i) aerodrome information published in AIP; and
 - (ii) aerodrome operating procedures specified in the aerodrome manual for the aerodrome.
- (3) The inspection must comply with all applicable standards for aerodrome technical inspections set out in the Manual of Standards.

139.235 When aerodrome technical inspections must be conducted etc

- (1) The operator of a certified aerodrome must ensure that:
- (a) an aerodrome technical inspection is conducted at intervals of not more than 12 months; or
 - (b) if the operator has elected to have a part or parts of the inspection conducted at different times under subregulation (2), each facility for the aerodrome to be inspected is inspected at intervals of not more than 12 months.

Penalty: 10 penalty units.

- (2) The operator may elect to have a part or parts of an aerodrome technical inspection conducted at different times from the other parts.
- (3) If it appears from an aerodrome serviceability inspection that a particular facility at the aerodrome requires an aerodrome technical

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inspection, the operator must ensure that the necessary technical inspection of the facility is conducted as soon as practicable.

Penalty: 10 penalty units.

- (4) The operator:
- (a) must, if the operator has elected to have a part or parts of an aerodrome technical inspection conducted at different times under subregulation (2):
 - (i) keep records of each part of each inspection; and
 - (ii) retain each record for at least 3 years after the part of the inspection to which the record relates was conducted; or
 - (b) must, in any other case:
 - (i) keep records of each inspection; and
 - (ii) retain each record for at least 3 years after the inspection to which the record relates was conducted.

Penalty: 10 penalty units.

- (5) An offence against subregulation (1) or (4) is an offence of strict liability.

139.240 Who may conduct aerodrome technical inspections

- (1) The operator of a certified aerodrome must ensure that an aerodrome technical inspection is conducted by a person or persons with appropriate technical qualifications and experience.

Penalty: 10 penalty units.

- (2) In particular:
- (a) the movement area, other pavements and drainage must be inspected by a person who has a recognised degree, diploma or certificate in civil engineering or appropriate technical experience; and
 - (b) the lighting and electrical facilities must be inspected by an electrical engineer or a licensed electrician; and
 - (c) the obstacle limitation surfaces must be inspected by a person who:
 - (i) is technically qualified or experienced in surveying; and

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- (ii) has a sound knowledge and understanding of the standards and survey procedures for obstacle limitation surfaces.

139.245 Planning and execution of aerodrome works

- (1) The operator of a certified aerodrome must ensure that any aerodrome works at the aerodrome are carried out in a way that does not create a hazard to aircraft, or confusion to pilots.

Penalty: 10 penalty units.

- (2) The operator must comply with the standards set out in the Manual of Standards in relation to planning and notice requirements that must be satisfied before aerodrome works may be carried out.

Penalty: 10 penalty units.

139.250 Safety management system

- (1) This regulation applies:
 - (a) to an aerodrome used by aircraft engaged in international operations—on and after 1 November 2005; and
 - (b) to any other certified aerodrome—on and after 1 January 2007.
- (2) The operator of a certified aerodrome to which this regulation applies must ensure that the aerodrome has a safety management system that complies with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

Note: This regulation is based on an ICAO requirement that is to come into effect in November 2005.

Division 139.B.4—Aerodromes to which A-SMGCS applies

139.251 Definition for Division 139.B.4

In this Division:

A-SMGCS means Advanced Surface Movement Guidance and Control System, as defined in ICAO Document 9830 (Advanced Surface Movement Guidance and Control Systems (A-SMGCS) Manual) approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time.

139.252 Designation of aerodromes to which A-SMGCS applies

- (1) CASA may designate a certified aerodrome as an aerodrome to which A-SMGCS applies.
 - (2) However, CASA may designate the aerodrome as an aerodrome to which A-SMGCS applies only if:
 - (a) an ATS provider for the aerodrome:
 - (i) asks CASA to designate the aerodrome as an aerodrome to which A-SMGCS applies; and
 - (ii) gives CASA a safety assessment demonstrating that the use of A-SMGCS is necessary to ensure the safe control of aircraft and vehicles operating on the aerodrome's manoeuvring area; and
 - (b) CASA is satisfied, on the basis of the safety assessment, that the use of A-SMGCS is necessary to ensure the safe control of aircraft and vehicles operating on the aerodrome's manoeuvring area.
 - (3) The designation must:
 - (a) be in writing; and
 - (b) set out the date it takes effect, which must be not less than 6 months after the day it is made.
 - (4) CASA must give a copy of the designation to:
 - (a) the operator of the aerodrome; and
-

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- (b) the ATS provider who made the request under paragraph (2)(a).
- (5) If CASA:
 - (a) receives a request and safety assessment under paragraph (2)(a) for a certified aerodrome from an ATS provider for the aerodrome; and
 - (b) decides not to designate the aerodrome as an aerodrome to which A-SMGCS applies;CASA must tell the ATS provider, in writing, as soon as practicable, of the decision and the reasons for it.

139.254 Vehicles at aerodromes to which A-SMGCS applies

- (1) This regulation applies to an aerodrome that is designated as an aerodrome to which A-SMGCS applies.
- (2) The operator of the aerodrome commits an offence if the operator does not, before the designation takes effect:
 - (a) establish the procedures mentioned in subregulations (3) and (4); and
 - (b) publish the procedures in its aerodrome manual.

Penalty: 25 penalty units.

- (3) The procedures must require any vehicle that enters, or moves on, the aerodrome's manoeuvring area:
 - (a) to be fitted with:
 - (i) serviceable electronic surveillance equipment that meets the technical standards for the equipment published in the Manual of Standards; and
 - (ii) serviceable radiocommunications equipment capable of maintaining two-way radio communication with air traffic control; or
 - (b) to be accompanied by another vehicle that meets the requirements mentioned in paragraph (a).
- (4) The procedures must require the driver of a vehicle that is fitted with the equipment mentioned in paragraph (3)(a):

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- (a) to monitor the air traffic control radio frequency for surface traffic at all times that the vehicle is on the aerodrome's manoeuvring area; and
 - (b) to communicate with air traffic control as necessary to ensure the safety of persons, vehicles and aircraft on the manoeuvring area.
- (5) The operator commits an offence if, after the designation takes effect:
 - (a) the operator does not comply with the procedures mentioned in subregulations (3) and (4); or
 - (b) the operator does not ensure that a person who operates a vehicle on the aerodrome's manoeuvring area complies with the procedures; or
 - (c) the operator does not ensure that a driver of a vehicle on the aerodrome's manoeuvring area complies with the procedures.

Penalty: 25 penalty units.

- (6) An offence against subregulation (2) or (5) is an offence of strict liability.

Subpart 139.C—Registered aerodromes

139.255 Definition for this Subpart

In this Subpart:

aerodrome register means the register established and maintained under regulation 139.275.

139.260 Application for registration of aerodrome

- (1) The operator of an aerodrome (other than a aerodrome to which regulation 139.040 applies) may apply to CASA for registration of the aerodrome.

Note: See also regulation 139.030 for restrictions on the use of terminal instrument flight procedures.

- (2) An application must be in the approved form and must be accompanied by:
 - (a) the information about the aerodrome required by Appendix 1 to this paragraph, including a diagram of the aerodrome in accordance with that Appendix; and
 - (b) a written statement, signed by a person approved under regulation 139.320, to the effect that:
 - (i) the person has conducted a safety inspection of the aerodrome; and
 - (ii) the aerodrome meets the applicable standards referred to in regulation 139.295 for registered aerodromes and is safe for operation; and
 - (c) the name or names of the person or persons who are to be the reporting officers for the aerodrome.
- (3) Despite paragraph (2)(b), until the end of 1 May 2006, the statement mentioned in that paragraph may be given by a person who is not approved by CASA under regulation 139.320 but is a person CASA is satisfied meets the requirements of subregulation 139.320(2).

Appendix 1 to paragraph 139.260(2)(a) (Diagram and information for application for registration of aerodrome)

- (1) The diagram of the aerodrome must show the following:
 - (a) the layout of runways, their designations (runway numbers) and length in metres;
 - (b) the layout of taxiways and aprons;
 - (c) the location of the aerodrome reference point;
 - (d) the location of all wind direction indicators;
 - (e) the elevation of the aerodrome at the highest point of the landing surface;
 - (f) the magnetic bearing and distance to the nearest population centre, and what that centre is.
- (2) The information about the aerodrome must include:

Aerodrome administration

- (a) the following information about the aerodrome and its administration:
 - (i) the name of the aerodrome;
 - (ii) the name of the aerodrome operator and the address and telephone numbers at which the aerodrome operator may be contacted at all times;
 - (iii) the State or Territory in which the aerodrome is located and the latitude and longitude for the location;
 - (iv) whether the aerodrome is a public or private aerodrome;
 - (v) the charges for use of the aerodrome;
 - (vi) the name and contact details for the persons who are to be the reporting officers for the aerodrome; and

Runways

- (b) the following information for each runway at the aerodrome:
 - (i) the runway reference code number for the approach and take-off areas that have been surveyed;
 - (ii) runway width and slope;
 - (iii) runway strip width (grade and overall);
 - (iv) declared distances and supplementary take-off distances;

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- (v) pavement strength rating; and

Aerodrome lighting

- (c) for each runway at the aerodrome that may be used at night—the following information:
 - (i) whether the runway edge lights are low, medium or high intensity lights;
 - (ii) whether approach lighting is provided;
 - (iii) whether pilot-activated lighting is provided and, if pilot-activated lighting is provided, its frequency;
 - (iv) whether T-VASIS or PAPI lighting systems are provided;
 - (v) whether there is an aerodrome beacon;
 - (vi) whether there is stand-by power or portable lighting;
 - (vii) information about any other lighting provided; and

Ground services

- (d) the following information about ground services available to visiting pilots:
 - (i) the types of aviation fuel available and contact details for fuel suppliers;
 - (ii) contact details for local weather information;
 - (iii) details of the universal communication system; and

Special procedures

- (e) information about any special procedures that pilots need to observe or follow; and

Notices

- (f) the following local safety information:
 - (i) the presence of obstacles or other hazards (including animals or birds);
 - (ii) restrictions on the use of taxiways or aprons;
 - (iii) other activities at the aerodrome (for example, sport aviation activities).

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139.265 Registration of aerodromes

CASA must, if the operator of an aerodrome has applied for registration of the aerodrome in accordance with regulation 139.260:

- (a) register the aerodrome by entering the following information about the aerodrome in the aerodrome register:
 - (i) the name of the aerodrome;
 - (ii) the details of the location of the aerodrome;
 - (iii) the name and address of the operator; and
- (b) tell the operator, in writing, that the aerodrome is registered; and
- (c) direct AIS to publish in AIP-ERSA details of the registration and the information about the aerodrome required by Appendix 1 to paragraph 139.260(2)(a).

139.270 Notice of refusal to register aerodrome

If CASA refuses to register an aerodrome, CASA must, no later than 14 days after it refuses to register the aerodrome, give the operator of the aerodrome written notice of the refusal and the reasons for it.

139.275 Register

- (1) CASA must establish and keep, in the approved form, a register of aerodromes registered under this Subpart.
- (2) CASA must make the aerodrome register available for inspection by members of the public at reasonable times and places, and subject to reasonable conditions.
- (3) CASA may comply with subregulation (2) by making the information recorded in the aerodrome register accessible on the Internet.
- (4) CASA must alter the information recorded in the aerodrome register if that information is not up to date.

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- (5) CASA must correct the information in the aerodrome register if there is an error in that information.

139.280 Duration of registration

- (1) The registration of an aerodrome remains in force unless it is cancelled.
- (2) However, the registration is not in force during any period in which it is suspended.

139.285 Cancellation of registration on request

- (1) If the operator of a registered aerodrome wishes the registration of the aerodrome to be cancelled, the operator must give CASA not less than 30 days' written notice of the date on which the operator wishes the registration to be cancelled.
- (2) CASA must cancel the registration on the date specified in the notice and arrange for:
 - (a) the cancellation to be notified in NOTAMS; and
 - (b) details of the registration and any other information about the aerodrome to be removed from AIP-ERSA.

139.290 Suspension or cancellation of registration by CASA

- (1) CASA may, by written notice given to the operator of a registered aerodrome, suspend or cancel the registration of the aerodrome if there are reasonable grounds for believing that:
 - (a) the aerodrome fails to meet any of the standards applicable to the aerodrome under regulation 139.295; or
 - (b) the operator of the aerodrome has failed to comply with regulation 139.025, 139.300, 139.305, 139.310 or 139.315.
- (2) Before suspending or cancelling the registration of an aerodrome, CASA must:
 - (a) give to the operator a show cause notice that:
 - (i) sets out the facts and circumstances that, in the opinion of CASA, would justify the suspension or cancellation; and

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- (ii) invites the operator to show cause, in writing, within 30 days after the date of the notice, why the registration should not be suspended or cancelled; and
- (b) take into account any written submissions that the operator makes to CASA within the time allowed under subparagraph (a)(ii).

139.295 Applicable standards for registered aerodromes

The standards applicable to registered aerodromes are:

- (a) the standards applicable to certified aerodromes in relation to the following matters:
 - (i) physical characteristics of the movement area;
 - (ii) obstacle limitation surfaces;
 - (iii) aerodrome markings;
 - (iv) lighting;
 - (v) wind direction indicators;
 - (vi) signal circle and ground signals; and
- (b) any other standards set out in the Manual of Standards that are applicable to registered aerodromes.

139.300 Reporting officer

- (1) The operator of a registered aerodrome must appoint 1 or more reporting officers for the aerodrome.
- (2) The functions of a reporting officer are:
 - (a) to monitor the serviceability of the aerodrome in accordance with the Manual of Standards; and
 - (b) to report to the NOTAM Office and air traffic control any changes in conditions, or any other occurrences, at the aerodrome that must be reported under regulation 139.305.
- (3) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.

Regulation 139.305

139.305 Notice of changes in physical condition etc of aerodrome

- (1) The operator of a registered aerodrome must, in accordance with the Manual of Standards, give notice to the NOTAM Office of:
 - (a) any temporary or permanent change in the physical condition of the aerodrome that may affect the safety of aircraft; or
 - (b) any other occurrence relating to the operation or maintenance of the aerodrome that may affect the safety of aircraft.
- (2) If the aerodrome is a controlled aerodrome, the notice must also be given to air traffic control.

139.310 Notice of changes in information published in AIP-ERSA

To maintain the accuracy of the information published in AIP-ERSA in relation to a registered aerodrome, the operator of the aerodrome must tell AIS, in writing, as soon as practicable of any change required to that information (other than a change that is published in NOTAMS).

139.315 Safety inspections

- (1) This regulation applies to a registered aerodrome that is used by an aircraft that:
 - (a) is engaged in regular public transport operations or charter operations; and
 - (b) has a maximum passenger seating capacity of more than 9 seats.
- (2) The operator of the aerodrome must arrange for a safety inspection of the aerodrome to be conducted at least once each year.
- (3) The safety inspection must be conducted by a person approved under regulation 139.320.
- (4) The approved person must give the operator a written report that:
 - (a) deals with the matters set out in Appendix 1 to this paragraph; and
 - (b) specifies any remedial work that is necessary for the aerodrome to comply with the applicable standards.

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- (5) Within 30 days after receiving the report, the operator must give to CASA:
 - (a) a copy of the report; and
 - (b) if the report specifies any remedial work as being necessary—a statement as to when and how the operator intends to do the remedial work.
- (6) Despite subregulation (3), until the end of 1 May 2006, the safety inspection may be conducted by a person who is not approved by CASA under regulation 139.320 but met the requirements of Part 1 of Schedule 11 of CAR as in force immediately before that commencement.

Appendix 1 to paragraph 139.315(4)(a) (Matters to be dealt with in safety inspections)

Details of aerodrome

- (1) Check that the following details relating to the aerodrome, published in AIP-ERSA or given to air transport operators, are correct:
 - (a) details of the location of the aerodrome;
 - (b) the name and address of the aerodrome operator;
 - (c) details of the movement area;
 - (d) details of runway distances available;
 - (e) details of the aerodrome lighting;
 - (f) details of ground services;
 - (g) notice of special conditions and procedures, if any.

Aerodrome operating procedures

- (2) Check aerodrome operating procedures to ensure that the following matters are dealt with:
 - (a) recording of aerodrome inspections;
 - (b) recording of notices given to the NOTAM Office and AIS or to air transport operators;
 - (c) recording of aerodrome works.

Regulation 139.320

Reporting officer

- (3) Check that each person appointed as a reporting officer is competent to carry out the reporting officer's functions.

Details relating to movement area etc

- (4) Check the following:
- (a) dimensions and surface conditions of runways, taxiways and aprons;
 - (b) aerodrome lighting, including back-up lighting and obstacle lighting;
 - (c) wind direction indicators and their illumination;
 - (d) aerodrome markings and signs;
 - (e) obstacle limitation surfaces applicable to the aerodrome;
 - (f) two-way radios (whether hand-held or installed in vehicles) used by the aerodrome operator on the movement area;
 - (g) equipment used for dispersing birds;
 - (h) aerodrome fencing.

139.320 Approval of persons to conduct aerodrome safety inspections

- (1) A person may apply to CASA for approval to conduct aerodrome safety inspections for this Subpart.

Note 1: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

Note 2: Part 11 deals with applications and decision making.

- (2) Subject to regulation 11.055, CASA must approve the person if CASA is satisfied that the person:
- (a) has:
 - (i) a recognised degree, diploma or certificate in civil engineering, surveying or a related field and a sound knowledge of the parts of these Regulations and the standards, practices and procedures that are applicable to the operation and maintenance of aerodromes; or

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- (ii) other qualifications, knowledge and experience that CASA considers suitable for conducting an aerodrome safety inspection; and
- (b) would, if the approval is given, be able to perform properly the aerodrome safety inspection function.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

139.325 Duration of approval

- (1) Unless sooner cancelled, an approval under regulation 139.320 remains in force until the end of 5 years after it is given.
- (2) An approval is not in force during any period in which it is suspended, but the period of suspension counts as part of the 5 year approval period.

139.330 Suspension or cancellation of approval by CASA

- (1) CASA may suspend or cancel an approval of a person under regulation 139.320, by written notice given to the person, if the person has not properly carried out, or is no longer properly carrying out, the aerodrome safety inspection function.
- (2) Before cancelling or suspending the approval, CASA must:
 - (a) give the person written notice:
 - (i) stating the reasons that, in the opinion of CASA, would justify the cancellation or suspension; and
 - (ii) advising the person that he or she may, within 30 days after the date of the notice, give CASA written reasons why the approval should not be suspended or cancelled; and
 - (b) take into account any written reasons given to it by the person within the time allowed under subparagraph (a)(ii).

Regulation 139.335

Subpart 139.D—Reporting officer and safety inspection requirements for certain other aerodromes

139.335 Aerodromes to which this Subpart applies

- (1) This Subpart applies to an aerodrome that:
 - (a) is not a certified aerodrome or a registered aerodrome; and
 - (b) is used at least once a week by an aircraft that:
 - (i) is engaged in regular public transport operations or charter operations; and
 - (ii) has a maximum passenger seating capacity of more than 9 seats but not more than 30 seats.
- (2) To establish the applicability of this Subpart to an aerodrome, CASA may direct the operator of the aerodrome to give to CASA statistics about the number of movements at the aerodrome, in a specified period, of aircraft to which subparagraphs (1)(b)(i) and (ii) apply.
- (3) An aerodrome operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

139.340 Reporting officer

- (1) The operator of an aerodrome to which this Subpart applies must appoint 1 or more reporting officers for the aerodrome.

Penalty: 10 penalty units.
- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The functions of a reporting officer are:
 - (a) to monitor the serviceability of the aerodrome in accordance with the Manual of Standards; and

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- (b) to report to the operators that use the aerodrome any changes in conditions, or any other occurrences, at the aerodrome that may affect the safety of aircraft operations.
 - (4) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.
- Penalty: 10 penalty units.

139.345 Safety inspections

- (1) The operator of an aerodrome to which this Subpart applies must arrange for a safety inspection of the aerodrome to be conducted at least once each year.
- Penalty: 10 penalty units.
- (2) An offence against subregulation (1) is an offence of strict liability.
 - (3) The safety inspection must be conducted by a person approved, under regulation 139.320, to conduct safety inspections for Subpart 139.C.
- Penalty: 10 penalty units.
- (4) The approved person must give the operator a written report that:
 - (a) deals with the matters set out in Appendix 1 to this paragraph; and
 - (b) specifies any remedial work that is necessary for the aerodrome to comply with the applicable standards.
 - (5) Within 30 days after receiving the report, the operator must give to CASA:
 - (a) a copy of the report; and
 - (b) if the report specifies any remedial work as being necessary—a statement as to when and how the operator intends to do the remedial work.

Penalty: 10 penalty units.

Regulation 139.345

- (6) Despite subregulation (3), until the end of 1 May 2006, the safety inspection may be conducted by a person who is not approved by CASA under regulation 139.320 but is a person CASA is satisfied meets the requirements of subregulation 139.320(2).

Appendix 1 to paragraph 139.345(4)(a) (Matters to be dealt with in safety inspections)

Details of aerodrome

- (1) Check that the following details relating to the aerodrome, published in AIP-ERSA or given to air transport operators, are correct:
- (a) details of the location of the aerodrome;
 - (b) the name and address of the aerodrome operator;
 - (c) details of the movement area;
 - (d) details of runway distances available;
 - (e) details of the aerodrome lighting;
 - (f) details of ground services;
 - (g) notice of special conditions and procedures, if any.

Aerodrome operating procedures

- (2) Check aerodrome operating procedures to ensure that the following matters are dealt with:
- (a) recording of aerodrome inspections;
 - (b) recording of notices given to the NOTAM Office and AIS or to air transport operators;
 - (c) recording of aerodrome works.

Reporting officer

- (3) Check that each person appointed as a reporting officer is competent to carry out the reporting officer's functions.

Details relating to movement area etc

- (4) Check the following:

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- (a) dimensions and surface conditions of runways, taxiways and aprons;
- (b) aerodrome lighting, including back-up lighting and obstacle lighting;
- (c) wind direction indicators and their illumination;
- (d) aerodrome markings and signs;
- (e) obstacle limitation surfaces applicable to the aerodrome;
- (f) two-way radios whether hand-held or installed in vehicles used by the aerodrome operator on the movement area;
- (g) equipment used for dispersing birds;
- (h) aerodrome fencing.

Subpart 139.E—Obstacles and hazards

139.350 Monitoring of airspace

- (1) The operator of a certified aerodrome or a registered aerodrome must monitor the airspace around the aerodrome for infringement of the obstacle limitation surfaces by:
 - (a) any object, building or structure; or
 - (b) any gaseous efflux having a velocity exceeding 4.3 metres per second.
- (2) The monitoring must be in accordance with the standards set out in the Manual of Standards.

139.355 Establishment of obstacle limitation surfaces

An aerodrome operator must ensure that obstacle limitation surfaces are established for the aerodrome in accordance with the standards set out in the Manual of Standards.

139.360 Notice of obstacles

- (1) An aerodrome operator must take all reasonable measures to ensure that obstacles at, or within the vicinity of, the aerodrome are detected as quickly as possible.
- (2) If the operator becomes aware of the presence of an obstacle, the operator must:
 - (a) tell the NOTAM Office immediately; and
 - (b) give the NOTAM Office details of:
 - (i) the height and location of the obstacle; and
 - (ii) amended declared distances and gradients, if applicable.

Penalty: 10 penalty units.

- (3) If the operator becomes aware of any development or proposed construction near the aerodrome that is likely to create an obstacle, the operator must:

Regulation 139.365

- (a) tell CASA as soon as practicable; and
- (b) give to CASA details of the likely obstacle.

Penalty: 10 penalty units.

139.365 Structures 110 metres or more AGL

A person who proposes to construct a building or structure the top of which will be 110 metres or more AGL must inform CASA of that intention and the proposed height and location of the building or structure.

Penalty: 10 penalty units.

139.370 Hazardous objects etc

- (1) CASA may determine, in writing, that:
 - (a) an obstacle, or any proposed development or other proposed construction that is likely to create an obstacle; or
 - (b) a building or structure the top of which is 110 metres or more AGL; or
 - (c) a proposed building or structure the top of which will be 110 metres or more AGL;is, or will be, a hazardous object because of its location, height or lack of marking or lighting.
- (2) CASA may determine, in writing, that a gaseous efflux having a velocity exceeding 4.3 metres per second is, or will be, a hazard to aircraft operations because of the velocity or location of the efflux.
- (3) If CASA makes a determination under subregulation (1) or (2), it must:
 - (a) publish in AIP or NOTAMS particulars of the hazardous object or gaseous efflux to which the determination relates; and
 - (b) give written notice of the determination in accordance with subregulation (4).
- (4) CASA must give a copy of the notice:

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- (a) in the case of a hazardous object that is a proposed building or structure:
 - (i) to the person proposing to construct the building or structure; and
 - (ii) to the authority or, if applicable, one or more of the authorities whose approval is required for the construction; and
- (b) in any other case, if a person who owns or is in occupation or control of the hazardous object, or owns or is in control of the installation that produces the gaseous efflux, can reasonably be identified—to that person.

Subpart 139.F—Aerodrome radio communication services

Division 139.F.1—General

139.375 Aerodrome operators to collect statistics if directed

- (1) If CASA considers it necessary in the interests of the safety of air navigation, CASA may, in writing, give directions to an aerodrome operator about collecting:
 - (a) statistics about:
 - (i) the types of aircraft using the aerodrome; and
 - (ii) the times of aircraft movements at the aerodrome; and
 - (b) other information, specified by CASA in the direction, that is relevant to deciding what radio communication services or air traffic services should be provided at the aerodrome.
- (2) An aerodrome operator must comply with a direction given to the operator under subregulation (1).

Penalty: 10 penalty units.

Division 139.F.2—Frequency confirmation system

139.380 Definitions for Division 139.F.2

In this Division:

frequency confirmation system means a ground radio system at an aerodrome that, if it receives a transmission from an aircraft on the radio frequency for the aerodrome, sends a signal or message to the aircraft confirming that the transmission has been received.

non-controlled aerodrome means an aerodrome at which an air traffic control service is not operating.

139.385 Aerodromes that must have a frequency confirmation system

- (1) The operator of a non-controlled aerodrome must ensure that there is a frequency confirmation system for the aerodrome in accordance with subregulation (2) if:
 - (a) the aerodrome is located in an MBZ; or
 - (b) the aerodrome is used at least 5 times a week by aircraft that:
 - (i) are engaged in regular public transport operations or charter operations; and
 - (ii) have a maximum passenger seating capacity of more than 9 seats.

Penalty: 10 penalty units.

- (2) The frequency confirmation system must comply with the standards for frequency confirmation systems set out in the Manual of Standards.

Division 139.F.3—Air/ground radio service

139.390 Definitions for Division 139.F.3

In this Division:

AAIS (automatic aerodrome information service) means the service that provides current, routine information for aircraft arriving at or departing from an aerodrome by means of repetitive broadcasts on a discrete frequency.

air/ground radio service means an aerodrome radio information service that provides aircraft operating in the MBZ of an aerodrome with the services and information specified in section 14.2 of the Manual of Standards.

certified air/ground radio operator, or ***CA/GRO***, means a person who is certified as a CA/GRO under regulation 139.430.

certified air/ground radio service, or ***CA/GRS***, in relation to an aerodrome, means an air/ground radio service for the aerodrome certified in accordance with regulation 139.410.

139.395 Air/ground radio service must be certified

- (1) The operator of an aerodrome must not operate, or permit to be operated, at the aerodrome an air/ground radio service that is not a CA/GRS.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) Subregulation (1) does not apply if the operator has CASA's written approval to operate the service for the purpose of conducting tests necessary to determine whether the service meets the standards for a CA/GRS set out in the Manual of Standards.

Regulation 139.400

139.400 Direction by CASA to provide CA/GRS

- (1) CASA may direct the operator of an aerodrome to provide a CA/GRS at the aerodrome.
- (2) CASA must not give a direction under subregulation (1) unless an aeronautical study for the aerodrome has found that a CA/GRS is required at the aerodrome for the safety of air navigation.
- (3) An operator must comply with a direction given to the operator under subregulation (1).

Penalty: 10 penalty units.

139.405 Voluntary provision of CA/GRS

An aerodrome operator who has not been given a direction under regulation 139.400 may provide a CA/GRS at the aerodrome.

139.410 Certification of air/ground radio service

- (1) The operator of an aerodrome may ask CASA to certify an air/ground radio service for the aerodrome as meeting the standards for a CA/GRS set out in the Manual of Standards.
- (2) A request must be made to CASA in accordance with the Manual of Standards.
- (3) If the operator asks CASA to certify an air/ground radio service under this regulation, or because of a direction under regulation 139.400, CASA must certify the service if it meets the standards for a CA/GRS set out in the Manual of Standards.

139.415 General obligations of aerodrome operator

The operator of an aerodrome that has a CA/GRS must ensure that:

- (a) the CA/GRS is provided with the facilities required for a CA/GRS by the Manual of Standards; and
- (b) only a CA/GRO operates the CA/GRS; and

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- (c) if the aerodrome is a certified aerodrome—the aerodrome manual for the aerodrome includes the operational procedures for the CA/GRS; and
- (d) the CA/GRS is operated in accordance with regulation 139.420.

Penalty: 10 penalty units.

139.420 When CA/GRS must be operating

- (1) The CA/GRS must be operating for the arrival and departure of an aircraft that:
 - (a) is engaged in regular public transport operations or charter operations; and
 - (b) has a maximum passenger seating capacity of more than 30 seats.
- (2) Subregulation (1) does not apply if:
 - (a) an air traffic control service is operating at the aerodrome; or
 - (b) an exemption from the requirement is in effect under regulation 11.160.
- (3) Also, subregulation (1) does not apply for the limited period mentioned in subregulation (4) if:
 - (a) the CA/GRO is absent from duty because of sickness or injury; or
 - (b) the CA/GRS is unserviceable.
- (4) The **limited period** is the lesser of:
 - (a) 7 days; and
 - (b) the period of the absence from duty or the unserviceability.

139.425 Information about operating hours to be given to NOTAM Office

- (1) The operator of an aerodrome that has a CA/GRS must give the NOTAM Office the following information, in writing:
 - (a) the hours of operation of the CA/GRS;
 - (b) the radio frequency and the call-sign of the CA/GRS;

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(c) the radio frequency of the AAIS for the aerodrome.

Penalty: 10 penalty units.

(2) An offence against subregulation (1) is an offence of strict liability.

(3) If the CA/GRS becomes unavailable at the hours of operation notified under paragraph (1)(a), the operator must tell the NOTAM Office as soon as practicable.

Penalty: 10 penalty units.

139.430 Certified air/ground radio operators

(1) A person may apply to CASA for certification as a CA/GRO.

(2) The application must be made to CASA in accordance with the Manual of Standards.

(3) Subject to regulation 11.055, on receiving an application under this regulation, CASA must grant the application if the applicant meets the standards for a CA/GRO set out in the Manual of Standards.

139.435 Offences

(1) When a CA/GRO is providing a CA/GRS, he or she must not perform any other duties that are unrelated to the provision of the CA/GRS.

Penalty: 5 penalty units.

(2) The operator of an aerodrome must not allow a CA/GRO to provide a CA/GRS at the aerodrome if:

(a) the CA/GRO:

(i) has consumed any alcohol in the 8 hours before the service is to be provided; or

(ii) is suffering from an incapacity that is likely to impair his or her efficiency in providing the service; and

(b) the operator knows of that fact.

Penalty: 5 penalty units.

Subpart 139.H—Aerodrome rescue and firefighting services

Note: As a signatory to the Chicago Convention, Australia is obliged to require, as part of its domestic law, that certain classes of airport provide rescue and firefighting services of an adequate standard. (See generally section 9.2 of chapter 9 of Annex 14 to the Chicago Convention.) To satisfy that obligation, this Subpart requires operators of aerodromes that have scheduled international traffic, or specified levels of domestic passenger traffic, to provide those services, and sets out the standards that apply to such services. Aerodromes that are not obliged to provide an ARFFS may choose to do so, and this Subpart will apply to a service so provided until the operator gives reasonable notice that it will no longer provide such a service.

Division 139.H.1—General

139.700 Applicability of this Subpart

- (1) This Subpart applies to aerodrome rescue and firefighting services.
- (2) This Subpart sets out:
 - (a) how a person receives approval as a provider of an aerodrome rescue and firefighting service; and
 - (b) the operating and technical standards applicable to such a service.

Note: In addition to the provisions of this Subpart, Part 11 contains provisions relating to an application for approval as a provider of an aerodrome rescue and firefighting service.

- (3) This Subpart does not apply to:
 - (a) a person who is providing an aerodrome rescue and firefighting service in the course of his or her duties for the Defence Force; or
 - (b) any aerodrome rescue and firefighting service provided by the Defence Force.

139.705 Definitions for this Subpart

- (1) In this Subpart:

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airside of an aerodrome has the same meaning as ***airside*** of an airport in the *Airports Act 1996*.

ARFFS means aerodrome rescue and fire-fighting service.

ARFFS operation means an operation undertaken in carrying out a function mentioned in paragraph 139.710(1)(a) or (b).

ARFFS provider for an aerodrome means the person or organisation that provides ARFFS for the aerodrome.

category of an aerodrome means its category worked out by the method set out in section 9.2 of chapter 9 of Annex 14 to the Chicago Convention.

ERSA means the part of AIP known as En Route Supplement Australia.

Manual of Standards means the document called ‘Manual of Standards (MOS) – Subpart 139.H’ issued by CASA under regulation 139.712, as in force from time to time.

- (2) A reference in this Subpart to an AFC certificate of a particular level is a reference to:
- (a) a certificate of that level issued under the Australian Fire Competencies Scheme (that is, the training scheme administered by the Australian Fire Authorities Council); or
 - (b) a certificate accepted by CASA as indicating that the certificate holder has successfully completed a training program of a standard equivalent to that required for the issue of an AFC certificate of that level.

139.710 Functions of ARFFS

- (1) The functions of an ARFFS for an aerodrome are:
- (a) to rescue persons and property from an aircraft that has crashed or caught fire during landing or take-off; and
 - (b) to control and extinguish, and to protect persons and property threatened by, a fire on the aerodrome, whether or not in an aircraft.

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- (2) Nothing in subregulation (1) prevents the ARFFS provider for an aerodrome from performing fire control services or rescue services elsewhere than on an aerodrome, but the provider must give priority to operations mentioned in subregulation (1).

139.711 Person not to provide service without approval

- (1) A person must not provide an ARFFS at an aerodrome unless the person is approved, under Division 139.H.5, to provide the ARFFS.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

139.712 Issue of Manual of Standards

- (1) CASA may issue a Manual of Standards for this Subpart that provides for the following matters:
- (a) standards and criteria for the establishment and disestablishment of an ARFFS;
 - (b) standards relating to the procedures, systems and documents required for the provision of an ARFFS;
 - (c) standards for facilities and equipment used to provide an ARFFS;
 - (d) standards, including competency standards, minimum qualifications and training standards, for persons engaged in an ARFFS;
 - (e) any matter required or permitted by these Regulations to be provided for by the Manual of Standards;
 - (f) any matter necessary or convenient to be provided for the effective operation of this Subpart.

Note: A Manual of Standards is a legislative instrument—see subsections 98(5A) and (5B) of the Act. It must be registered in accordance with the *Legislation Act 2003* and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

- (2) CASA must give a copy of a notice about a Manual of Standards for this Subpart (being a notice referred to in

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subregulation 11.275(3) or regulation 11.280) to each ARFFS provider.

Note: Subpart 11.J (including regulations 11.275 and 11.280) sets out procedures for the issue, amendment and revocation of a MOS.

139.715 Effect of Manual of Standards

- (1) If CASA sets out, in the Manual of Standards, a way of complying with a requirement of this Subpart, an ARFFS provider who uses that way is taken to have complied with the requirement unless the contrary is shown.
- (2) CASA may take the extent to which an ARFFS provider complies with the Manual into account in deciding whether the service provided by the provider is adequate.

Division 139.H.3—Requirements to be complied with by ARFFS provider

139.750 Requirements in this Division

A requirement in this Division for there to be a system or procedure to do something is a requirement that the system or procedure:

- (a) must exist; and
- (b) must be in use.

139.755 Definition for Division—*applicable standards and requirements*

- (1) In this Division:

applicable standards and requirements, for an aerodrome of a particular category, means:

- (a) for an aerodrome to which subregulation (2) applies—the standards and requirements for an aerodrome of its category set out in:
 - (i) Chapter 9 of Annex 14 to the Chicago Convention; and
 - (ii) the Manual of Standards; or
 - (b) for any other aerodrome—the standards and requirements for an aerodrome of its category set out in the Manual of Standards.
- (2) This subregulation applies to:
- (a) an aerodrome from or to which an international passenger air service operates; and
 - (b) any other aerodrome through which more than 350 000 passengers passed on air transport flights during the previous financial year.

- (3) In paragraph (2)(a):

international passenger air service means:

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Division 139.H.3 Requirements to be complied with by ARFFS provider

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- (a) an international air service (within the meaning given by subsection 3(1) of the *Air Navigation Act 1920*) that carries passengers, other than a non-scheduled service (within the meaning given by that subsection); or
 - (b) a non-scheduled passenger-carrying flight, or program of non-scheduled passenger-carrying flights, carried out under a permission granted under section 15D of the *Air Navigation Act 1920*; or
 - (c) a non-scheduled passenger-carrying flight, or program of non-scheduled passenger-carrying flights, in a category in respect of which the Secretary to the Department has determined, under subsection 15A(3) of that Act, that such a permission is not required.
- (4) For paragraph (2)(b), the number of passengers that pass through an aerodrome is to be determined according to statistics published by the Department.

Note: **Department** means the Department administered by the Minister who administers these Regulations (see section 19A of the *Acts Interpretation Act 1901* as it applies because of section 13 of the *Legislation Act 2003*).

139.760 Inconsistency between Manual and chapter 9 of Annex 14

If a requirement of the Manual of Standards, as it applies to a particular aerodrome, is inconsistent with a requirement of chapter 9 of Annex 14 to the Chicago Convention, as it applies to that aerodrome, the requirement of the Manual prevails to the extent of the inconsistency.

139.765 Knowledge, equipment and expertise to deal with aviation hazards

An ARFFS provider must have the knowledge, equipment and expertise to deal with any hazard likely to arise during an aviation accident or incident, including any hazard mentioned in the Manual of Standards.

139.770 General obligation to maintain service

- (1) An ARFFS provider must ensure that the service is available during the period or periods published in ERSA as the period or periods of its availability.
- (2) Subregulation (1) does not prevent the level of protection provided during predictable periods of reduced activity at the aerodrome from being reduced, within the limit allowed by Chapter 9 of Annex 14 to the Chicago Convention.

139.771 Response time of ARFFS

- (1) An ARFFS must be able to meet the criteria for response time set out in Chapter 9 of Annex 14 to the Chicago Convention.
- (2) Subregulation (1) applies to an ARFFS whether or not Annex 14 to the Chicago Convention applies to the ARFFS.

139.772 Buildings and emergency facilities

- (1) An ARFFS provider for an aerodrome to which subregulation 139.755(2) applies must ensure that the necessary buildings and facilities for the service, including the following, are at the aerodrome:
 - (a) a fire station;
 - (b) communications facilities;
 - (c) facilities for the maintenance of vehicles and equipment;
 - (d) training facilities;
 - (e) storage facilities;
 - (f) if there is a body of water within 1 000 metres of a runway threshold—a boat ramp and boat launching facilities.
- (2) The ARFFS provider must ensure that those buildings and facilities comply with any applicable requirements (including requirements as to location) in the Manual of Standards.
- (3) The ARFFS provider must ensure that there is a facility, in accordance with the requirements of the Manual of Standards, for replenishing the water supply of a fire fighting vehicle.

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- (4) The ARFFS provider must ensure that there are the appropriate emergency roads on the aerodrome in accordance with the requirements of the Manual of Standards.
- (5) An ARFFS provider must ensure that there are, at an aerodrome other than one to which subregulation 139.755(2) applies, the following facilities:
 - (a) a standby point for an emergency vehicle that will allow the vehicle to achieve the response time required by the Manual of Standards;
 - (b) storage for a reserve stock of extinguishing agents.

139.773 Officer in charge

- (1) An ARFFS provider must appoint, as officer in charge of ARFFS operations for an aerodrome, a person who is based at the aerodrome and who holds:
 - (a) for an aerodrome categorised as Category 6 or above—an AFC Advanced Diploma that meets the standards in the Manual of Standards; or
 - (b) for an aerodrome categorised as Category 5 or below—an AFC Diploma that meets the standards in the Manual of Standards.
- (2) In paragraphs (1)(a) and (b):

AFC means Australian Fire Competencies.

139.775 Notice about times service is available etc

- (1) An ARFFS provider must ensure that notice is published in ERSA of the hours during which the service is available.
- (2) If for some reason (such as an emergency on the aerodrome) it becomes temporarily impossible to provide an ARFFS to the standard required by this Subpart, the provider must tell the Australian NOTAM Office:
 - (a) of the reduction in the service; and
 - (b) how long it is likely to be before the full service is restored.

- (3) The provider must tell CASA in writing of any proposed reduction in the standard of service that:
 - (a) will last longer than 24 hours; or
 - (b) reduces the standard of ARFFS provided at the airport concerned to a greater extent than is permissible under Chapter 9 of Annex 14 to the Chicago Convention.

139.780 Agreements with other fire fighting bodies

- (1) An ARFFS provider may make an arrangement:
 - (a) for an aerodrome that is a joint user airport (within the meaning of the *Airports Act 1996*)—with the Defence Force for the provision of the ARFFS provider's services to the Defence Force for the part of the aerodrome under the control of the Force; or
 - (b) with a State or Territory, or another person or body, for the services of the provider for firefighting or rescue in the State or Territory beyond the airside of the aerodrome concerned.
- (2) If a provider makes such an arrangement, the provider must ensure that it is recorded in writing.

139.785 Stock of fire extinguishing agents

- (1) There must be, on the aerodrome, a stock of fire-extinguishing agents of the kind or kinds, and meeting the performance standards, required by the applicable standards and requirements.
- (2) The fire-extinguishing agents must be held in at least the quantities required by those standards and requirements.

139.795 Extinguishing equipment and vehicles

- (1) There must be, on the aerodrome, vehicles and equipment for delivering extinguishing agent onto a fire.
- (2) There must be at least as many vehicles, and at least as much equipment, as required by the applicable standards and requirements.
- (3) Each vehicle or piece of equipment:

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- (a) must be capable of delivering extinguishing agent onto a fire at at least the rate required by the applicable standards and requirements; and
 - (b) must have at least the performance (in other respects) required by those standards and requirements.
- (4) The vehicles must carry ancillary equipment in accordance with the applicable standards and requirements.
- (5) Each vehicle and piece of equipment must be in good working order.
- (6) The vehicles must be of a colour permitted by the applicable standards and requirements.
- (7) The provider must keep maintenance instructions for each vehicle and each piece of the equipment, including all the information necessary to permit an appropriately qualified and technically competent person to carry out maintenance, performance monitoring, defect reporting, fault reporting and record-keeping on or for the vehicle or equipment.

139.800 Other vehicles and equipment

- (1) There must be, at the aerodrome, enough vehicles and equipment (other than vehicles and equipment for delivering extinguishing agent onto a fire) to provide the service, in accordance with the applicable standards and requirements.
- (2) The performance of the vehicles and equipment must be in accordance with the applicable standards and requirements.
- (3) The vehicles must carry ancillary equipment in accordance with the applicable standards and requirements.
- (4) The provider must keep maintenance instructions for each piece of the provider's equipment, including all the information necessary to permit a technically competent person to carry out maintenance, performance monitoring, defect reporting, fault reporting and record-keeping on or for the equipment.

139.805 Vehicles and equipment for firefighting and rescue in difficult environments

- (1) If a significant proportion of aircraft movements at the aerodrome take place over water, swamp or another difficult environment, there must be appropriate vehicles, boats and equipment for firefighting and rescue in that environment within 1 000 metres of the threshold of each runway.
- (2) The vehicles, boats and equipment must be in at least the numbers and quantity required by the applicable standards and requirements.
- (3) The vehicles and boats must be of a colour required or permitted by the applicable standards and requirements.

139.810 Commissioning of certain equipment

An ARFFS provider must not begin to use a piece of operational equipment for the purpose of an ARFFS unless the equipment has been approved by CASA as conforming to specifications and any applicable standards, in accordance with the operator's aerodrome manual, and any applicable standards or requirements in the Manual of Standards.

139.815 Protective clothing and equipment

At the aerodrome there must be, for the firefighters and rescue personnel:

- (a) protective clothing that complies with:
 - (i) if there is a relevant Australian Standard (as in force immediately before this regulation commences)—that Standard; or
 - (ii) if there is no such Australian Standard—any relevant internationally recognised standard;in at least the quantity required by the applicable standards and requirements; and
- (b) other protective equipment in the quantity required by, and of a kind in accordance with, those standards and requirements.

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139.820 Communications

- (1) There must be, on the aerodrome, sufficient communications equipment available to provide communication during an ARFFS operation.
- (2) The vehicles used for the service must carry suitable communications equipment.
- (3) A person who is required to operate the equipment must hold an aeronautical radio operator certificate.
- (4) The equipment must not interfere, when in use, with communications equipment used by the air traffic service at the aerodrome.

139.825 Test and maintenance equipment

- (1) The provider must have the necessary equipment and tools, in accordance with the applicable standards and requirements, to test and maintain the equipment used to provide the service.
- (2) If the applicable standards and requirements require particular test or maintenance equipment, particular kinds of test or maintenance equipment, or particular numbers or quantities of a particular type of test or maintenance equipment, the provider must have that equipment or that number or quantity of that type of equipment.

139.830 Commissioning of new vehicles and equipment

The provider must not put a new vehicle, or a new item of equipment that affects the quality or rate of discharge of extinguishing agent, into service unless:

- (a) the vehicle or equipment has been approved by CASA, for conformity to specification and the applicable standards and requirements, in accordance with the provider's operations manual; and
- (b) CASA has acknowledged that the vehicle or equipment meets the applicable standards and requirements; and
- (c) any necessary personnel training has been completed.

139.835 Number of operating personnel

- (1) During any period announced in ERSA as a period during which ARFFS is available at an aerodrome, there must be enough trained personnel available at the aerodrome to operate the equipment and vehicles required to provide the service at full capacity.
- (2) Those personnel must be stationed at places that allow the ARFFS to respond to an emergency at least as quickly as required by the applicable standards and requirements.

139.840 Medical standard of firefighters

- (1) The people employed as firefighters must meet the medical standard for firefighters set out in the Manual of Standards.
- (2) There must be a system of continuing medical checks for the people employed as firefighters that ensures that the ARFFS provider knows whether or not those people continue to meet that standard.

139.845 Qualifications and training of firefighters

- (1) The people employed as firefighters must already be trained to at least AFC Certificate 2 standard, or, if for a particular position the Manual of Standards specifies a higher standard, that higher standard.
- (2) Before being used in any operational capacity, those people must also receive, or have received, appropriate training in dealing with hazards specific to aviation accidents and incidents, to the extent that such training is not part of the training required for an AFC Certificate 2.
- (3) The people employed as firefighters must receive appropriate training to familiarise them with local conditions.
- (4) There must be ongoing training for the people employed as firefighters to ensure that they continue to meet that standard.
- (5) If a significant proportion of aircraft movements at the aerodrome take place over water, swamp or another difficult environment, the

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firefighters must be appropriately trained to carry out their functions in that environment.

139.850 Operations manual

- (1) There must be an operations manual for the service that complies with the standards set out in the Manual of Standards.
- (2) The operations manual must include a chart showing the organisations that provide services to the provider, setting out the roles and responsibilities of those organisations and how those roles and responsibilities affect the Aerodrome Emergency Procedures for the aerodrome concerned.
- (3) The operations manual must be kept up to date.
- (4) Each of the provider's employees must have ready access to an up-to-date copy of the operations manual.
- (5) The provider must give CASA a copy of the operations manual, and of any changes to it.
- (6) There must be an up-to-date copy of the operations manual at each operational station.
- (7) The provider must comply with the requirements of the operations manual.

139.855 Amendment of operations manual

- (1) An ARFFS provider may amend its operations manual, but an amendment is of no effect until approved in writing by CASA.
- (2) CASA may direct an ARFFS provider to amend its operations manual in a way specified in the direction.
- (3) The provider must comply with the direction.

139.860 Voice data recording

There must be a system to record electronically, in accordance with the standards or requirements set out in the Manual of Standards,

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any voice communication by radio or telephone in the course of an ARFFS operation.

139.865 Record of accidents or incidents

There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to record the details of any aircraft accident or incident, or building fire, in relation to which the service is required to take any action.

139.870 Contingency plan

- (1) There must be a plan, in accordance with the standards or requirements set out in the Manual of Standards, of the procedures to be used in the event of an emergency that results, or may result, in the service being interrupted.
- (2) The plan must include at least the following:
 - (a) actions to be taken by firefighters and rescue personnel;
 - (b) possible alternative arrangements for providing the service (including arrangements for procuring any necessary replacement vehicles or spare parts, or supplies of extinguishing materials);
 - (c) notification procedures;
 - (d) procedures for re-establishing normal services.

139.875 Records management

- (1) There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to collect, index, store and maintain the records relating to the service.
- (2) The records must include:
 - (a) voice records made under regulation 139.860; and
 - (b) records of accidents or incidents made under regulation 139.865.
- (3) A record must be kept for 5 years (or a shorter period specified for the particular kind of record in the Manual) after the date to which it relates.

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139.880 Organisation

The provider must, at all times, maintain an appropriate organisation with a sound and effective management structure, having regard to the nature of the service it provides.

139.885 System for rectification of service failures

There must be a system, in accordance with the standards or requirements in the Manual of Standards, to rectify any failure that results or may result in an interruption in the service or a reduction in the standard of the service.

139.890 Quality control

There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to ensure that the service complies with the requirements of this Subpart.

139.895 Change management

There must be a system, in accordance with the Manual of Standards, to manage changes in:

- (a) equipment and procedures; and
- (b) what the service does; and
- (c) the level or kinds of service provided; and
- (d) the way the service is provided.

139.900 Safety management

There must be a safety management system for the service, in accordance with the standards or requirements in the Manual of Standards, including the policies, procedures and practices necessary to provide the service safely.

139.905 Applicant's organisation

- (1) The provider must tell CASA in writing:
 - (a) who its managers are; and
 - (b) its organisational structure; and
-

- (c) how many staff of each class it uses to provide the service.
- (2) The provider must tell CASA in writing about any change in a matter mentioned in paragraph (1)(a), (b) or (c) within 14 days after the change.

139.910 Telling users and CASA about changes

- (1) There must be a procedure, in accordance with the standards and requirements in the Manual of Standards, for an ARFFS provider to give, to aerodrome users, safety-related information about changes, faults or interruptions to the service.
- (2) The procedure must comply with CASA's requirements for reporting information to the Aeronautical Information and Data Service and the Australian NOTAM Office.
- (3) If the provider fails, for a period of 24 hours or longer, to provide the service at the standard required by Division 139.H.3, the ARFFS provider for the aerodrome must tell CASA in writing as soon as practicable:
 - (a) why the service is not being provided at that standard; and
 - (b) how long it is likely to be before the service can be resumed; and
 - (c) what action the service provider has taken and will take to resume the service at that standard.

Division 139.H.4—Conduct of ARFFS operations

139.915 Powers of officer in charge or firefighter

- (1) In this regulation:

firefighter, in relation to an ARFFS operation for an aerodrome, means:

- (a) somebody employed as a firefighter by the ARFFS provider for the aerodrome; or
- (b) a member of a fire brigade, or of a rescue or fire fighting service, who is taking part in the operation in accordance with an arrangement made with such a brigade or service.

officer in charge, in relation to an ARFFS operation for an aerodrome, means:

- (a) the person appointed under regulation 139.773 as officer in charge of ARFFS operations at the aerodrome; or
- (b) if, in accordance with an arrangement made with a fire brigade, or a rescue or fire fighting service, the person in control of the operation is a member of such a brigade or service—that person.

volunteer, in relation to an ARFFS operation, means somebody who has volunteered to help in the operation under the direction of the officer in charge.

- (2) For an ARFFS operation for an aerodrome under this Subpart, the officer in charge may:
- (a) give directions that he or she thinks proper to firefighters and volunteers under his or her control; and
 - (b) take measures that he or she thinks proper.
- (3) Without limiting paragraph (2)(b), the officer in charge may do the following things for the purpose of the ARFFS operation:
- (a) enter (by force, if necessary), take possession of and deal with in any appropriate way, premises, an aircraft or other property;
 - (b) close a road or other thoroughfare to traffic;

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- (c) use a convenient water supply (including shutting off water supply from a main or pipe to obtain greater pressure or supply);
 - (d) disconnect electricity supply to premises;
 - (e) remove flammable, explosive or other dangerous material from premises, an aircraft or other property;
 - (f) order a person to leave premises, an aircraft or other property;
 - (g) remove from the vicinity of the operation a person or thing the presence of whom or which is interfering, or is likely to interfere, significantly with the operation;
 - (h) take a fire engine or other fire appliance onto land or premises;
 - (i) shore up or destroy a wall or building that is insecure or may be dangerous to persons or property;
 - (j) direct or authorise a firefighter or a volunteer to do something that, under this regulation, the officer may do.
- (4) For an ARFFS operation, a firefighter may do something mentioned in paragraph (3)(a), (b), (c), (d), (e), (f) or (h) without authorisation under paragraph (3)(j) if there are reasonable grounds for believing that, for the operation:
- (a) it is necessary or desirable to do the thing; and
 - (b) it is not practicable for him or her to get authorisation to do so.
- (5) A person is guilty of an offence punishable by a fine of 10 penalty units if he or she fails to comply with:
- (a) a direction of the officer in charge under paragraph (3)(f); or
 - (b) a direction of the kind mentioned in that paragraph, given by a firefighter or volunteer, if:
 - (i) the firefighter or volunteer has been authorised under paragraph (3)(j) by the officer in charge to give it; or
 - (ii) the conditions in paragraphs (4)(a) and (b) are satisfied in relation to the direction.

Division 139.H.5—Administration

139.920 Definition for Division

In this Division:

show cause notice means a notice under regulation 139.1015.

139.925 How to apply for approval as ARFFS provider

- (1A) An eligible person may apply to CASA for approval as an ARFFS provider.
- (1) A person is eligible to apply for approval as an ARFFS provider if:
- (a) the person is mentioned in column 2 of an item in table 139.925; and
 - (b) the application relates to an aerodrome mentioned in column 3 of that item.
- (2) The application must be in writing.
- (3) The application:
- (a) must set out the applicant's name and address; and
 - (b) if the applicant is a corporation (within the meaning given by the *Corporations Act 2001*)—must set out the applicant's registered address and ACN and the names and addresses of its officers.
- (4) In paragraph (3)(b):
- officer* has the meaning given by section 9 of the *Corporations Act 2001*.
- (5) The applicant must include with the application:
- (a) a copy of the applicant's operations manual, prepared as if the applicant were an approved provider; and
 - (b) information that will enable CASA to decide whether or not the applicant is of sound financial standing; and
 - (c) a statement of the intended location and category of the service to be provided.

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Note: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

Table 139.925

Item	Applicant	Aerodrome
1	the Commonwealth	any aerodrome
2	AA	any aerodrome
2A	Delta Fire Service Pty. Ltd.	Townsville Airport
3	Broome Airport Services Pty Ltd	Broome International Airport
4	Administration of Norfolk Island	Norfolk Island International Airport
5	a person who is to provide an ARFFS at a particular aerodrome: (a) in cooperation with AA, in accordance with paragraph 11(3)(b) of the <i>Air Services Act 1995</i> ; or (b) by arrangement with AA, in accordance with paragraph 11(3)(c) of the <i>Air Services Act 1995</i>	the aerodrome mentioned in column 2
6	a person who is to provide an ARFFS in accordance with an arrangement mentioned in paragraph 216(1)(e) of the <i>Airports Act 1996</i>	the aerodrome specified in the arrangement mentioned in column 2

139.965 When CASA must grant approval

- (1) Subject to regulation 11.055 and subregulation (3), if a person has applied for approval as an ARFFS provider under this Subpart, CASA must grant the approval.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

- (3) CASA may approve an application only if CASA approves the applicant's draft operations manual.

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- (4) CASA must not approve the draft operations manual unless the draft manual complies with the relevant requirements in the Manual of Standards.
- (6) Without limiting regulations 11.056 and 11.067, if the application is made by a person mentioned in column 2 of item 1, 2, 5 or 6 of Table 139.925 in relation to an ARFFS at the corresponding aerodrome, CASA may impose any condition necessary to give effect to an arrangement mentioned in subsection 11(3) of the *Air Services Act 1995*.

139.970 When decision must be made

- (1) If CASA does not make a decision about an application within 21 days after receiving it, CASA is taken to have refused the application.
- (2) However, if CASA makes a request under regulation 11.035 or 11.040, the time between when CASA makes the request, and when the applicant's officer or officers participates or participate in the interview, or gives CASA the information or copy requested, does not count towards the period.
- (3) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050(3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (4) Also, if CASA invites an applicant to make a written submission under subregulation 11.050(2), the time between when CASA gives the invitation and when the applicant makes the written submission does not count towards the period.

139.995 Application for variation of approval

- (1) An approved ARFFS provider may apply to vary its approval.
- (2) Regulations 139.965 and 139.970 apply to the application.

Note: Part 11 also contains provisions relating to an application for variation of approval.

139.1005 Suspension or continued suspension of approval by show cause notice

- (1) CASA may state, in a show cause notice, that the approval as an approved ARFFS provider of the ARFFS provider concerned is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.

Note: Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

- (2) If a show cause notice states that the approval is suspended:
 - (a) if the approval is already suspended when the show cause notice is given to the holder—the approval continues to be suspended until CASA revokes the suspension, or the suspension lapses under subregulation (4); or
 - (b) the approval is suspended from when the notice is given to the approved ARFFS provider concerned.
- (3) CASA may revoke the suspension at any time.
- (4) If CASA has not cancelled the approval within 90 days after the day the show cause notice is given to the provider, the suspension lapses at the end of that period.

139.1010 Grounds for cancellation of approval

It is grounds for the cancellation of the approval of an approved ARFFS provider if the provider:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) has otherwise been guilty of conduct that renders the holder's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

Note: Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

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139.1015 Notice to approved ARFFS provider to show cause

- (1) CASA may give an approved ARFFS provider a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the approval.
- (2) A show cause notice must:
 - (a) tell the provider of the facts and circumstances that justify the cancellation of the approval; and
 - (b) invite the holder to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2)(b), the period must not be less than 7 days.

139.1020 Cancellation of approval after show cause notice

- (1) CASA may cancel an approval only if:
 - (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
 - (b) CASA has given the holder a show cause notice in relation to the grounds for the proposed cancellation; and
 - (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the holder; and
 - (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) If CASA has given a show cause notice to an approved ARFFS provider, and it decides not to cancel the approval, it:
 - (a) must tell the provider in writing of the decision; and
 - (b) must, if the approval is suspended, revoke the suspension.

139.1022 Cancellation if holder ceases to provide ARFFS

- (1) CASA must cancel the approval of a person mentioned in column 2 of item 3 or 4 of Table 139.925 if the person ceases to be an ARFFS provider for the aerodrome mentioned in column 3 of the item.

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- (2) CASA must cancel the approval of a person mentioned in column 2 of item 5 of Table 139.925 if the cooperation or arrangement mentioned in that item ceases.
- (3) CASA must cancel the approval of a person mentioned in column 2 of item 6 of Table 139.925 if the arrangement mentioned in that item ceases.

Part 141—Recreational, private and commercial pilot flight training, other than certain integrated training courses

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Part 141 Recreational, private and commercial pilot flight training, other than certain integrated training courses

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Subpart 141.A—General

141.005 What Part 141 is about

This Part:

- (a) deals with the conduct of recreational, private and commercial pilot flight training, other than certain integrated training courses; and
- (b) makes provision for applicants for, and holders of, Part 141 certificates.

141.010 Aircraft and flight simulation training devices to which Part 141 applies

- (1) This Part applies only to the following:
 - (a) an aeroplane, rotorcraft or airship that is permitted by its flight manual to be flown by one pilot;
 - (b) an aeroplane, rotorcraft or airship covered by a type rating mentioned in a legislative instrument under regulation 142.045;
 - (c) a flight simulation training device for an aircraft mentioned in paragraph (a) or (b).
- (2) Accordingly, a reference in this Part to an *aircraft* is a reference to an aeroplane, rotorcraft or airship mentioned in paragraph (1)(a) or (b).

141.015 Definitions of *Part 141 flight training*, *authorised Part 141 flight training*, *Part 141 operator* and *Part 141 certificate*

- (1) ***Part 141 flight training*** is any of the following that is conducted in an aircraft or flight simulation training device:
 - (a) training for the grant under Part 61 of a private pilot licence or commercial pilot licence that is not an integrated training course;
 - (b) training for the grant under Part 61 of a recreational pilot licence;

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- (c) training, other than training conducted as a multi-crew operation, for the grant under Part 61 of a flight crew rating other than a type rating;
 - (d) training for the grant under Part 61 of a type rating mentioned in a legislative instrument under regulation 142.045;
 - (e) training, other than training conducted as a multi-crew operation, for the grant under Part 61 of a flight crew endorsement other than:
 - (i) a design feature endorsement; or
 - (ii) a flight activity endorsement;
 - (f) training, other than training conducted as a multi-crew operation, that is given as part of a flight review;
 - (g) differences training:
 - (i) that is required as mentioned in regulation 61.780 or 61.835 for a variant covered by a type rating mentioned in a legislative instrument under regulation 142.045; and
 - (ii) that is not conducted by a training and checking organisation approved under regulation 217 of CAR.
- (2) **Authorised Part 141 flight training**, for a Part 141 operator, is Part 141 flight training mentioned in the operator's Part 141 certificate.
- (3) A **Part 141 operator** is the holder of a Part 141 certificate.
- (4) A **Part 141 certificate** is a certificate issued under regulation 141.060.

141.020 Definition of key personnel for Part 141

In this Part:

key personnel, for a Part 141 operator, means the people (however described) that hold, or carry out the responsibilities of, the following positions in the operator's organisation:

- (a) chief executive officer;
- (b) head of operations.

141.025 Definition of *significant change* for Part 141

In this Part:

significant change, for a Part 141 operator, means:

- (a) a change in relation to any of the following:
 - (i) the location and operation of any of the operator's training bases, including the opening or closing of training bases;
 - (ii) the operator's key personnel;
 - (iii) a person authorised to carry out the responsibilities of any of the key personnel;
 - (iv) the formal reporting line for a managerial or operational position reporting directly to any of the key personnel;
 - (v) the qualifications, experience and responsibilities required by the operator for any of the key personnel;
 - (vi) the familiarisation training mentioned in regulation 141.115 for any of the key personnel;
 - (vii) the operator's process for making changes:
 - (A) that are significant changes; and
 - (B) that are not significant changes;
 - (viii) the authorised Part 141 flight training conducted by the operator;
 - (ix) if the operator conducts the training in aircraft—the kinds of aircraft used to conduct the training;
 - (x) if the operator conducts the training in flight simulation training devices:
 - (A) the ownership arrangements for a device; or
 - (B) the types of devices; or
- (b) if the operator conducts the training in foreign registered aircraft:
 - (i) a change in the foreign registered aircraft used in the training; or
 - (ii) a change in relation to a foreign registered aircraft used in the training, including a change to its nationality or registration mark; or

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- (c) a change in relation to any of the following that does not maintain or improve, or is not likely to maintain or improve, aviation safety:
 - (i) the procedures by which the operator conducts and manages the training;
 - (ii) training and checking conducted by the operator;
 - (iii) the operator's dangerous goods manual (if any);
 - (iv) the way the operator manages the risk of fatigue in its personnel;
 - (v) the operator's safety policy;
 - (vi) the operator's quality system; or
- (d) a change required to be approved by CASA under these Regulations, other than a change that results in the reissue or replacement of an instrument previously issued by CASA in which the conditions or other substantive content of the instrument are unchanged.

141.030 Definitions for Part 141

In this Part:

aircraft: see regulation 141.010.

authorised Part 141 flight training, for a Part 141 operator: see subregulation 141.015(2).

conducts: a Part 141 operator ***conducts*** Part 141 flight training if an instructor for the operator conducts the training on behalf of the operator.

instructor, for a Part 141 operator, means a person engaged by the operator to conduct authorised Part 141 flight training on behalf of the operator.

key personnel, for a Part 141 operator: see regulation 141.020.

low-flying flight training means flight training that is conducted below 500 feet AGL.

operations manual, for a Part 141 operator, means:

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- (a) the set of documents approved by CASA under regulation 141.065 in relation to the operator; or
- (b) if the set of documents is changed under regulation 141.080, 141.090 or 141.100 or the process mentioned in regulation 141.095—the set of documents as changed.

Part 141 certificate: see subregulation 141.015(4).

Part 141 flight training: see subregulation 141.015(1).

personnel, for a Part 141 operator, includes any of the following persons who have duties or responsibilities that relate to the safe conduct of the operator's authorised Part 141 flight training:

- (a) an employee of the operator;
- (b) a person engaged by the operator (whether by contract or other arrangement) to provide services to the operator;
- (c) an employee of a person mentioned in paragraph (b).

significant change, for a Part 141 operator: see regulation 141.025.

training and checking, for a Part 141 operator, means the training and assessment of proficiency that the operator conducts to ensure that its personnel are competent to perform their duties.

training base, for a Part 141 operator, means a facility from which the operator conducts flight training.

141.035 Approvals by CASA for Part 141

- (1) If a provision of this Part refers to a person holding an approval under this regulation, the person may apply to CASA, in writing, for the approval.
- (2) Subject to regulation 11.055, CASA must grant the approval.
- (3) Subregulation 11.055(1B) applies to the granting of an approval under this regulation.

141.040 Legislative instruments—flight training

For paragraph 98(5A)(a) of the Act, CASA may issue a legislative instrument to prescribe matters for paragraph 141.260(1)(u).

Regulation 141.045

141.045 Regulations 11.070 to 11.075 do not apply in relation to certain matters

Regulations 11.070 to 11.075 do not apply to the following for a Part 141 operator:

- (a) a change of which CASA is notified under regulation 141.080;
- (b) a significant change that is approved by CASA under regulation 141.090;
- (c) a change made under the process mentioned in regulation 141.095;
- (d) a change that is made as a consequence of a change made to the operator's operations manual in accordance with a direction given by CASA under regulation 141.100.

141.050 Part 141 flight training—requirement for Part 141 certificate or approval

- (1) A person commits an offence if:
 - (a) the person conducts Part 141 flight training; and
 - (b) the person does not meet the requirement mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the requirement is that the person must hold:
 - (a) a Part 141 certificate that authorises the person to conduct the training; or
 - (b) an approval under regulation 141.035 to conduct the training.
- (3) An offence against this regulation is an offence of strict liability.

Subpart 141.B—Part 141 certificates

141.055 Part 141 certificates—application

- (1) A person may apply to CASA, in writing, for a Part 141 certificate.
- (2) The application must include the following:
 - (a) the applicant's name (including any operating or trading name), contact details and ABN (if any);
 - (aa) if the address of the applicant's operational headquarters is different from its mailing address—the address of its operational headquarters;
 - (b) if the applicant is an individual—a statement that the individual is, or proposes to be, the applicant's chief executive officer;
 - (c) if the applicant is a corporation registered in Australia that has an ACN—its ACN and the address of its registered office;
 - (d) if the applicant is a corporation not registered in Australia—the place it was incorporated or formed;
 - (e) the Part 141 flight training that the applicant proposes to conduct;
 - (f) a written undertaking from the person appointed, or proposed to be appointed, as the applicant's chief executive officer that, if CASA issues the certificate, the applicant will:
 - (i) be capable of operating in accordance with its operations manual and civil aviation legislation; and
 - (ii) operate in accordance with its operations manual and civil aviation legislation.
- (3) The application must be:
 - (a) accompanied by a copy of the applicant's proposed operations manual; and
 - (b) signed by the person appointed, or proposed to be appointed, as the applicant's chief executive officer.

Regulation 141.060

141.060 Part 141 certificate—issue

- (1) Subject to regulation 11.055, CASA must issue the certificate if satisfied of each of the following:
 - (a) the applicant's proposed operations manual complies with regulation 141.260;
 - (b) the applicant can conduct the proposed Part 141 flight training safely and in accordance with its operations manual and civil aviation legislation;
 - (c) the applicant's organisation is suitable to ensure that the training can be conducted safely, having regard to the nature of the training;
 - (d) the chain of command of the applicant's organisation is appropriate to ensure that the training can be conducted safely;
 - (e) the applicant's organisation has a sufficient number of suitably qualified and competent personnel to conduct the training safely;
 - (f) the facilities of the applicant's organisation are sufficient to enable the training to be conducted safely;
 - (g) the applicant's organisation has suitable procedures and practices to control the organisation and ensure the training can be conducted safely;
 - (h) if the applicant is an individual—the applicant is, or proposes to be, the applicant's chief executive officer;
 - (i) each of the applicant's proposed key personnel:
 - (i) is a fit and proper person to be appointed to the position; and
 - (ii) has the qualifications and experience required by Subpart 141.D for the position; and
 - (iii) has the qualifications and experience required by the applicant under subparagraph 141.260(1)(e)(i) for the position (if any); and
 - (iv) has the additional qualifications and experience required by CASA under regulation 141.155 for the position (if any).

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- (2) For paragraph (1)(b), without limiting the matters that CASA may consider, CASA must consider the following:
 - (a) the applicant's proposed operations manual;
 - (b) whether the applicant can comply with the proposed operations manual;
 - (c) the content of the undertaking mentioned in paragraph 141.055(2)(f);
 - (d) details of, and reasons for, any suspension or cancellation of:
 - (i) a civil aviation authorisation issued to the applicant; or
 - (ii) an equivalent authorisation issued to the applicant:
 - (A) under the law of a foreign country; or
 - (B) by a multinational aviation authority;
 - (e) the suitability of the applicant's corporate and organisational structures for the training;
 - (f) any other information:
 - (i) accompanying the application; or
 - (ii) in any other document given to CASA by the applicant for the application, including any document requested by CASA in relation to the application.
- (3) For subparagraph (1)(i)(i), the matters CASA may consider in deciding whether a person is a fit and proper person include the matters mentioned in subregulation 11.055(4).
- (4) If CASA decides to issue the certificate, CASA must determine the Part 141 flight training the applicant is authorised to conduct, including any limitations or conditions in relation to the flight training.
- (5) The certificate must include:
 - (a) the matters mentioned in subregulation (4); and
 - (b) a certificate reference number determined by CASA.
- (6) If CASA approves a significant change to a Part 141 operator under regulation 141.090, CASA may issue a new Part 141 certificate to the operator.

Regulation 141.065

141.065 Part 141 certificate—approval of operations manual

If CASA issues the certificate to the applicant, CASA is taken to have also approved the applicant's proposed operations manual.

141.070 Part 141 certificate—conditions

Each of the following is a condition of a Part 141 certificate issued to an operator:

- (a) the operator must comply with:
 - (i) each provision of this Part that applies to the operator; and
 - (ii) each direction given to the operator, or obligation imposed on the operator, by CASA under a provision of these Regulations; and
 - (iii) each other provision of civil aviation legislation that applies to the operator's authorised Part 141 flight training;
- (b) each of the operator's key personnel must comply with:
 - (i) each provision of this Part that applies to the person; and
 - (ii) each direction given to the person, or obligation imposed on the person, by CASA under a provision of these Regulations; and
 - (iii) each other provision of civil aviation legislation that applies to the operator's authorised Part 141 flight training;
- (c) each of the positions of the operator's key personnel must be filled;
- (d) each of the operator's personnel must comply with each provision of civil aviation legislation that applies to the operator's authorised Part 141 flight training;
- (e) if the operator is an individual—the individual must be the operator's chief executive officer.

Regulation 141.075

141.075 Part 141 certificate—compliance with conditions

- (1) A Part 141 operator commits an offence if the operator contravenes a condition of its Part 141 certificate.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Regulation 141.080

Subpart 141.C—Part 141 operators—changes

141.080 Part 141 operators—changes of name etc

- (1) A Part 141 operator commits an offence if the operator:
 - (a) makes a change mentioned in subregulation (2); and
 - (b) does not, before making the change:
 - (i) amend its operations manual to reflect the change; and
 - (ii) give CASA written notice of the change and a copy of the amended part of the operations manual clearly identifying the change.

Penalty: 50 penalty units.

- (2) For paragraph (1)(a), the changes are the following:
 - (a) a change to its name (including any operating or trading name) or contact details;
 - (b) if the address of its operational headquarters is different from its mailing address—a change to the address of its operational headquarters.
- (3) An offence against this regulation is an offence of strict liability.

141.085 Part 141 operators—application for approval of significant changes

- (1) A Part 141 operator commits an offence if:
 - (a) the operator makes a significant change other than a significant change mentioned in subregulation (2) or (3); and
 - (b) CASA has not approved the significant change.

Penalty: 50 penalty units.

- (2) A Part 141 operator commits an offence if:
 - (a) the operator makes a significant change that is the permanent appointment as any of the operator's key personnel of a person previously authorised to carry out the responsibilities

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of the position in a circumstance mentioned in
subparagraph 141.260(1)(e)(iv); and

- (b) the operator does not apply to CASA for approval of the change, in accordance with subregulation (4), within 7 days after the change is made.

Penalty: 50 penalty units.

- (3) A Part 141 operator commits an offence if:
 - (a) the operator makes a significant change that is the permanent appointment as any of the operator's key personnel of a person not previously authorised to carry out the responsibilities of the position in a circumstance mentioned in subparagraph 141.260(1)(e)(iv); and
 - (b) the operator does not apply to CASA for approval of the change, in accordance with subregulation (4), within 3 days after the change is made.

Penalty: 50 penalty units.

- (4) An application for approval of a significant change must:
 - (a) be in writing; and
 - (b) set out the change; and
 - (c) be accompanied by a copy of the part of the operator's operations manual affected by the change, clearly identifying the change.
- (5) An offence against this regulation is an offence of strict liability.

141.090 Part 141 operators—approval of significant changes

- (1) Subject to regulation 11.055, CASA must approve a significant change for a Part 141 operator if satisfied that the requirements mentioned in subregulation 141.060(1) will continue to be met.
- (2) If CASA approves the significant change, CASA is taken to have also approved the changes to the operator's operations manual covered by the application.

Regulation 141.095

141.095 Part 141 operators—process for making changes

- (1) A Part 141 operator commits an offence if:
 - (a) the operator makes a change; and
 - (b) the change is not made in accordance with the process described in the operator's operations manual for making changes.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.100 Part 141 operators—CASA directions relating to operations manual or key personnel

- (1) If satisfied that it is necessary in the interests of aviation safety, CASA may direct a Part 141 operator to change its operations manual:
 - (a) to remove particular information, procedures or instructions from the operations manual; or
 - (b) to include particular information, procedures or instructions in the operations manual; or
 - (c) to revise or vary the information, procedures or instructions in the operations manual.
- (2) CASA may direct a Part 141 operator to remove any of the operator's key personnel from the person's position if satisfied that the person is not:
 - (a) carrying out the responsibilities of the position; or
 - (b) if the person is the chief executive officer—properly managing matters for which the person is accountable.
- (3) A direction under this regulation must:
 - (a) be in writing; and
 - (b) state the time within which the direction must be complied with.
- (4) A Part 141 operator commits an offence if:
 - (a) CASA gives the operator a direction under this regulation; and

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- (b) the operator does not comply with the direction within the time stated in the direction.

Penalty: 50 penalty units.

- (5) An offence against this regulation is an offence of strict liability.

Part 141 Recreational, private and commercial pilot flight training, other than certain integrated training courses

Subpart 141.D Part 141 operators—organisation and personnel

Regulation 141.105

Subpart 141.D—Part 141 operators—organisation and personnel

141.105 Part 141 operators—organisation and personnel

- (1) A Part 141 operator must maintain an organisational structure that effectively manages its authorised Part 141 flight training, taking into account the following:
 - (a) the nature and complexity of the training;
 - (b) the number and kinds of aircraft or flight simulation training devices used to conduct the training;
 - (c) the number and location of training bases used by the operator;
 - (d) the number of the operator's personnel;
 - (e) the number of course participants undertaking the training.
- (2) A Part 141 operator commits an offence if any of the operator's key personnel carries out a responsibility of the person's position otherwise than in accordance with the operator's operations manual or this Subpart.

Penalty: 50 penalty units.

141.110 Part 141 operators—key personnel cannot carry out responsibilities

- (1) A Part 141 operator commits an offence if:
 - (a) the operator becomes aware that any of its key personnel cannot carry out, or is likely to be unable to carry out, the person's responsibilities for a period of longer than 30 days; and
 - (b) the operator does not tell CASA of the matter mentioned in paragraph (a) within the time mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the time is:

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- (a) if there is not another person authorised to carry out the responsibilities for all or part of the period—24 hours after the operator becomes aware of the matter; or
- (b) if there is another person authorised to carry out the responsibilities for all or part of the period—3 days after the operator becomes aware of the matter.

141.115 Part 141 operators—familiarisation training for key personnel

A Part 141 operator must ensure that before a person appointed as any of the operator's key personnel begins to carry out the responsibilities of the position, the person has completed any training that is necessary to familiarise the person with the responsibilities.

141.120 Part 141 operators—chief executive officer: responsibilities and accountabilities

- (1) The chief executive officer of a Part 141 operator is responsible for the following:
 - (a) ensuring that, for the safe conduct of the operator's authorised Part 141 flight training in accordance with the operator's Part 141 certificate, operations manual and civil aviation legislation, the operator:
 - (i) has sufficient suitably experienced, qualified and competent personnel; and
 - (ii) has a suitable management structure; and
 - (iii) is adequately financed and resourced;
 - (b) ensuring that the operator:
 - (i) sets and maintains standards for the training in accordance with the operator's operations manual; and
 - (ii) complies with civil aviation legislation;
 - (c) if the operator conducts the training in aircraft—ensuring that the operator:
 - (i) tells CASA if the operator enters into a leasing, financing or other arrangement for the supply of a turbine-engined aircraft for use in the training; and

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- (ii) tells CASA if the operator becomes aware that any arrangement mentioned in subparagraph (i) may:
 - (A) affect the operator's safe conduct of the training; or
 - (B) contravene a provision of civil aviation legislation or the law of the country in which the aircraft is registered; and
 - (iii) complies with the aviation safety laws of each foreign country (if any) where the operator conducts the training; and
 - (iv) for each foreign registered aircraft (if any) used in the training—maintains the aircraft in accordance with the law of the country in which the aircraft is registered;
 - (ca) ensuring that the operator has procedures that ensure that all of the operator's personnel understand the operator's safety policy;
 - (cb) ensuring that the operator has processes for identifying and addressing deficiencies in the operator's authorised Part 141 training;
 - (d) if the operator conducts the training in a flight simulation training device—ensuring that the operator implements and manages the operator's quality system;
 - (e) establishing and regularly reviewing the operator's safety performance indicators and targets;
 - (f) ensuring that the operator's operations manual is monitored and managed for continuous improvement;
 - (g) ensuring that key personnel satisfactorily carry out the responsibilities of their positions in accordance with:
 - (i) the operator's operations manual; and
 - (ii) civil aviation legislation.
- (2) The chief executive officer of a Part 141 operator is accountable to the operator and CASA for ensuring the responsibilities mentioned in subregulation (1) are carried out effectively.

141.125 Part 141 operators—head of operations: qualifications and experience

- (1) The head of operations of a Part 141 operator must hold:
 - (a) an instructor rating and either:
 - (i) a grade 1 training endorsement under Part 61; or
 - (ii) the required training endorsements for all the Part 141 flight training the operator proposes to conduct; or
 - (b) an approval under regulation 141.035 to be the head of operations of the operator.
- (2) For paragraph (1)(b), the matters CASA may consider in deciding whether to approve a person as the head of operations of a Part 141 operator include the following:
 - (a) the operator's current and proposed authorised Part 141 flight training;
 - (b) the person's:
 - (i) management experience; and
 - (ii) formal educational qualifications; and
 - (iii) experience as a trainer or educator; and
 - (iv) operational experience; and
 - (v) flight crew qualifications.
- (3) CASA may, by written notice given to a head of operations, or proposed head of operations, of a Part 141 operator, direct the person to undertake an assessment mentioned in subregulation (4).
- (4) For subregulation (3), the assessment:
 - (a) is an assessment conducted by CASA or a person nominated by CASA to demonstrate suitability as head of operations for the operator; and
 - (b) may include assessment in an aeroplane, rotorcraft, airship or flight simulation training device.

141.130 Part 141 operators—head of operations: responsibilities

- (1) The head of operations of a Part 141 operator must safely manage the operator's authorised Part 141 flight training.

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- (2) Without limiting subregulation (1), the responsibilities of the head of operations include the following:
- (a) ensuring that the operator conducts the training in accordance with principles of competency-based training in a consistent and systematic manner;
 - (b) monitoring and maintaining, and reporting to the chief executive officer on, the operator's compliance with the provisions of civil aviation legislation and the operator's operations manual that apply to the training;
 - (c) setting and maintaining the operator's standards for the training in accordance with the operator's operations manual;
 - (d) developing, managing and maintaining the operator's dangerous goods manual (if any);
 - (e) ensuring the proper allocation and deployment of aircraft and personnel for use in the training;
 - (f) ensuring that the operator's personnel are provided with the information and documentation necessary to properly carry out their responsibilities;
 - (g) ensuring that the operator has procedures that include the information mentioned in subregulation (3);
 - (h) ensuring that the requirements mentioned in subregulation (4) are complied with for the training;
 - (i) if the operator conducts the training in a flight simulation training device:
 - (i) ensuring the correct operation and maintenance of the device; and
 - (ii) ensuring that the device is used only in accordance with the operator's operations manual;
 - (j) if the operator conducts the training in a flight simulator or flight training device—ensuring that the simulator or device is qualified under Part 60;
 - (k) if the operator conducts the training in a synthetic trainer—ensuring that the trainer is approved under Civil Aviation Order 45.0;
 - (l) if the operator conducts the training in any other device—ensuring that the device:

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- (i) meets the qualification standards prescribed by a legislative instrument under regulation 61.045; or
- (ii) is qualified (however described) by the national aviation authority of a recognised foreign State (within the meaning of regulation 61.010);
- (m) managing the maintenance and continuous improvement of the operator's fatigue risk management system (if any);
- (n) ensuring the operator's personnel understand the operator's safety policy;
- (o) implementing and managing the operator's processes for identifying and addressing deficiencies in training outcomes for the operator's authorised Part 141 training, including the processes mentioned in subregulation (5).

Note: For the definition of *civil aviation legislation*, see section 3 of the Act.

- (3) For paragraph (2)(g), the information is the following:
 - (a) a training plan and syllabus for each kind of training;
 - (b) a description of the operator's process to determine the competency of course participants;
 - (c) a description of the operator's process to manage underperformance of course participants;
 - (d) a description of how the operator ensures supervision of course participants when they are receiving training;
 - (e) information about how the operator:
 - (i) plans, delivers and reviews the training; and
 - (ii) monitors the progress of course participants to clearly defined knowledge and flight standards; and
 - (iii) maintains records of the results achieved by course participants in training activities and assessments; and
 - (iv) ensures that it has the training facilities and resources to provide the training; and
 - (v) maintains its training facilities and resources.
- (4) For paragraph (2)(h), the requirements are the following:
 - (a) the conduct of the training must be monitored effectively;
 - (b) each instructor who conducts the training must:
 - (i) be authorised under Part 61 to conduct the training; and

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- (ii) meet the requirements in the operator's operations manual about training in human factors principles and non-technical skills; and
 - (iii) have an understanding of the operator's training syllabus for the training; and
 - (iv) hold a valid standardisation and proficiency check for the operator under regulation 141.190; and
 - (v) be supervised effectively; and
 - (vi) comply with the operator's operations manual.
- (5) For paragraph (2)(o), the processes are the following:
 - (a) a process for auditing the training;
 - (b) a process for promoting the continual improvement of the training;
 - (c) a process for evaluating the training outcomes from pre-flight test assessments and post-flight test feedback from flight examiners;
 - (d) a process for regularly assessing the suitability of the operator's facilities and resources for conducting the training;
 - (e) a process for recommending changes to a process mentioned in paragraphs (a), (b), (c) or (d).

141.155 Part 141 operators—key personnel: additional qualification and experience requirements

- (1) This regulation applies to:
 - (a) an applicant for a Part 141 certificate; or
 - (b) a Part 141 operator.
- (2) CASA may, by written notice given to the applicant or operator, direct that any of the key personnel of the applicant or operator must have stated additional qualifications or experience to those otherwise required under this Subpart.
- (3) If satisfied that it is necessary in the interests of aviation safety, CASA may, by written notice given to a person who is, or is proposed to be, any of the key personnel of the applicant or operator, direct the person:
 - (a) to undertake a stated examination; or

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- (b) to be interviewed by CASA; or
 - (c) to complete a stated training course.
- (4) In deciding whether to give a direction under this regulation, CASA must have regard to, but is not limited to considering, the following:
- (a) the need to ensure that the applicant or operator can conduct safe authorised Part 141 flight training in accordance with its operations manual and civil aviation legislation;
 - (b) the nature and complexity of the training;
 - (c) the leadership, management and standards-setting skills required by the person for the training;
 - (d) how recently the person has used his or her aviation skills;
 - (e) whether the person is able to exercise the privileges of each civil aviation authorisation held by the person.

141.160 Part 141 operators—reference library

- (1) A Part 141 operator commits an offence if the operator does not maintain a reference library that complies with subregulation (2).

Penalty: 50 penalty units.

- (2) For subregulation (1), the reference library must:
- (a) include the following documents:
 - (i) all operational documents and material;
 - (ii) the civil aviation legislation that is relevant to the operator's authorised Part 141 flight training;
 - (iii) the parts of the AIP that are relevant to the training;
 - (iv) documents that include information about the flight operations of each kind of aircraft operated by the operator to conduct the training that is necessary to ensure the safe conduct of the training;
 - (v) documents that include information about the operation or maintenance of each kind of flight simulation training device operated by the operator to conduct the training;
 - (vi) any other publications, information or data required for the reference library by the operator's operations manual; and

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- (b) be readily available to all members of the operator's personnel; and
 - (c) be up-to-date and in a readily accessible form.
- (3) A Part 141 operator commits an offence if the operator does not keep up-to-date records of the distribution of operational documents to members of the operator's personnel.

Penalty: 50 penalty units.

- (4) An offence against this regulation is an offence of strict liability.

Subpart 141.E—Part 141 operators—instructors

141.165 Part 141 operators—instructors must comply with Part 141 certificate

- (1) An instructor for a Part 141 operator commits an offence if the instructor conducts Part 141 flight training otherwise than in accordance with the operator's Part 141 certificate.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.170 Part 141 operators—instructors must comply with operations manual

- (1) An instructor for a Part 141 operator commits an offence if the instructor conducts authorised Part 141 flight training for the operator otherwise than in accordance with the operator's operations manual.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.175 Part 141 operators—instructors must be authorised under Part 61

- (1) A Part 141 operator commits an offence if:
 - (a) an instructor for the operator conducts authorised Part 141 flight training for the operator; and
 - (b) the instructor is not authorised under Part 61 to conduct the training.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

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141.180 Part 141 operators—instructors must have access to records

- (1) A Part 141 operator commits an offence if:
 - (a) an instructor for the operator conducts authorised Part 141 flight training for the operator; and
 - (b) the instructor does not have access to the operator's training records for course participants.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.185 Part 141 operators—instructors must hold valid standardisation and proficiency check for operator

- (1) A Part 141 operator commits an offence if:
 - (a) an instructor for the operator conducts authorised Part 141 flight training for the operator; and
 - (b) the instructor does not hold a valid standardisation and proficiency check for the operator under regulation 141.190.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.190 Part 141 operators—holding valid standardisation and proficiency check for operator

- (1) An instructor for a Part 141 operator holds a valid standardisation and proficiency check for the operator if:
 - (a) the instructor has successfully completed the operator's standardisation and proficiency check; and
 - (b) the check complies with regulation 141.195; and
 - (c) under subregulation (2) or (3), the check is valid.
- (2) A standardisation and proficiency check is valid for the period comprising:
 - (a) the period beginning on the day on which the check is completed, and ending at the end of the month in which the check is completed; and

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- (b) the period of 12 months immediately following the month in which the check was completed.
- (3) If:
 - (a) an instructor holds a standardisation and proficiency check that is valid under subregulation (2) (the *existing check*); and
 - (b) the instructor successfully completes a new standardisation and proficiency check on a day that is less than 3 months before the day on which the existing check is due to expire; the new check is valid for 12 months beginning at the end of the day on which the existing check expires.

141.195 Part 141 operators—standardisation and proficiency check requirements

- (1) A Part 141 operator's standardisation and proficiency check for an instructor must, for the flight training that the operator has engaged the instructor to conduct, check the competency of the instructor to:
 - (a) deliver ground briefings in accordance with the operator's training syllabus; and
 - (b) deliver flight training in an aircraft or flight simulation training device in accordance with the operator's training syllabus.
- (2) The check must be carried out by:
 - (a) the operator's head of operations; or
 - (b) a person authorised to conduct the check by the operator's head of operations.

141.200 Part 141 operators—instructors—training in human factors principles and non-technical skills

- (1) A Part 141 operator commits an offence if:
 - (a) an instructor for the operator conducts authorised Part 141 flight training for the operator; and
 - (b) the instructor does not meet the requirements in the operator's operations manual about training in human factors principles and non-technical skills.

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Subpart 141.E Part 141 operators—instructors

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Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.205 Part 141 operators—instructors must be competent to conduct flight training in flight simulation training device

- (1) A Part 141 operator commits an offence if:
- (a) an instructor for the operator conducts authorised Part 141 flight training for the operator in a flight simulation training device; and
 - (b) the instructor has not been assessed by the operator as competent to conduct the training in the device.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.210 Part 141 operators—person recommended for flight test

- (1) A Part 141 operator and the operator's head of operations each commit an offence if:
- (a) a person is recommended for a flight test by:
 - (i) the head of operations; or
 - (ii) a person named in the operator's operations manual as responsible for the authorised Part 141 flight training to which the flight test relates; and
 - (b) the person is not eligible under regulation 61.235 to undertake the test.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Subpart 141.G—Part 141 operators—quality system

141.225 Part 141 operators—quality system for flight simulation training devices

- (1) A Part 141 operator that conducts authorised Part 141 flight training in a flight simulation training device must have a quality system that ensures the correct operation and maintenance of the device.
- (2) The quality system must cover at least the following matters:
 - (a) quality policy;
 - (b) management responsibility;
 - (c) document control;
 - (d) resource allocation;
 - (e) quality procedures;
 - (f) internal audit.

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Subpart 141.H Part 141 operators—personnel fatigue management

Subpart 141.H—Part 141 operators—personnel fatigue management

Note: This Subpart is reserved for future use.

Subpart 141.I—Part 141 operators—operations manuals

141.260 Part 141 operators—content of operations manual

- (1) An operations manual for a Part 141 operator must include the following:
 - (a) the operator's name (including any operating or trading name), contact details and ABN (if any);
 - (b) the address of:
 - (i) the operator's operational headquarters; and
 - (ii) each of the operator's training bases;
 - (c) a description and diagram of the operator's organisational structure showing formal reporting lines including the formal reporting lines for each of the key personnel;
 - (d) if the operator is a corporation—a description of the operator's corporate structure;
 - (e) for each of the key personnel, the following information:
 - (i) the qualifications and experience (if any) required by the operator for the position in addition to the qualifications and experience required under Subpart 141.D for the position;
 - (ii) each matter (if any) for which the holder of the position is responsible in addition to the responsibilities mentioned in Subpart 141.D for the position;
 - (iii) the name of the person appointed to the position;
 - (iv) the name of each person authorised to carry out the responsibilities of the position when the position holder:
 - (A) is absent from the position; or
 - (B) cannot carry out the responsibilities;
 - (v) a description of how the operator will manage the responsibilities of the position during a circumstance mentioned in subparagraph (iv);

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- (f) each matter (if any) for which the chief executive officer is accountable in addition to the matters mentioned in regulation 141.120;
- (g) the name of each instructor appointed by the operator's head of operations to have responsibility for particular authorised Part 141 flight training;
- (h) a description of the operator's program for training and assessing personnel in human factors principles and non-technical skills;
- (i) details of the responsibilities of the operator's personnel (other than key personnel) under these Regulations;
- (j) a description of the authorised Part 141 flight training conducted by the operator including the training plans and syllabuses for the training;
- (k) a description of the procedures by which the operator conducts and manages the training, including the supervision of instructors and course participants;
- (l) if the operator conducts the training in aircraft:
 - (i) for each registered aircraft—the kind of aircraft and its registration mark; and
 - (ii) for each foreign registered aircraft—the kind of aircraft and its nationality and registration marks; and
 - (iii) a description of any leasing or other arrangements for the supply of any turbine-engined aircraft; and
 - (iv) a description of the way any turbine-engined aircraft are managed and maintained, and the way continuing airworthiness of the aircraft is assured; and
 - (v) a description of each flight training area;
- (m) if the training includes training for a flight crew licence or rating of a kind for which low-flying flight training is required—a description of how the operator will determine a suitable flight training area for the training;
- (ma) a description of the operator's safety policy;
- (mb) a description of how the operator will identify and address deficiencies in training outcomes of its authorised Part 141 flight training, including the operator's processes for:
 - (i) auditing the training; and

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- (ii) promoting the continual improvement of the training;
and
- (iii) evaluating the training outcomes from pre-flight test assessments and post-flight test feedback from flight examiners; and
- (iv) regularly assessing the suitability of the operator's facilities and resources for conducting the training; and
- (v) recommending changes to a process mentioned in subparagraph (i), (ii), (iii) or (iv);
- (n) if the operator conducts the training in flight simulation training devices:
 - (ia) a description of the operator's quality system;
 - (i) a description of the devices used by the operator in conducting the training; and
 - (ii) for each device—each purpose mentioned in Part 61 that the device may be used for; and
 - (iii) for flight simulators and flight training devices—a description of the procedures by which the operator ensures the qualification of the simulators and devices under Part 60; and
 - (iv) for synthetic trainers—a description of the procedures by which the operator ensures the approval of the trainers under Civil Aviation Order 45.0; and
 - (v) for any other device—a description of the procedures by which the operator ensures that the device:
 - (A) meets the qualification standards prescribed by a legislative instrument under regulation 61.045; or
 - (B) is qualified (however described) by the national aviation authority of a recognised foreign State (within the meaning of regulation 61.010);
- (o) a description of the way the operator manages the risk of fatigue in its personnel, including the operator's fatigue risk management system manual (if any);
- (p) the facilities used by the operator for the activities;
- (q) a description of any operations, other than the training, conducted by the operator;

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- (r) a dangerous goods manual (if any);
 - (s) a description of the operator's process for making changes including:
 - (i) identifying changes that are significant changes; and
 - (ii) identifying changes that are not significant changes; and
 - (iii) telling CASA of the changes;
 - (t) a description of any other matter required to be approved by CASA under these Regulations in relation to the training;
 - (u) a matter prescribed by a legislative instrument under regulation 141.040 for this paragraph.
- (2) An operations manual for a Part 141 operator may include a list of material required for the operator's reference library.

141.265 Part 141 operators—compliance with operations manual by operator

- (1) A Part 141 operator commits an offence if the operator contravenes a provision of its operations manual.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.270 Part 141 operators—providing personnel with operations manual

- (1) A Part 141 operator commits an offence if:
- (a) the operator's operations manual relates to a duty or responsibility of a person who is a member of the operator's personnel; and
 - (b) the operator does not make the part of the operations manual that relates to the duty or responsibility available to the person before the person first begins carrying out the duty or responsibility.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Subpart 141.J—Part 141 operators—logs and records

141.275 Part 141 operators—making and keeping flight training records

- (1) A Part 141 operator commits an offence if:
 - (a) a person completes a session of the operator's authorised Part 141 flight training; and
 - (b) a record of the training is not made within 7 days after the session.

Penalty: 50 penalty units.

- (2) A Part 141 operator commits an offence if the operator does not retain a record made under subregulation (1) for at least 7 years after the record is made.

Penalty: 50 penalty units.

- (3) An offence against this regulation is an offence of strict liability.

141.280 Part 141 operators—availability of flight training records

- (1) A Part 141 operator commits an offence if:
 - (a) a record is made under regulation 141.275; and
 - (b) the operator does not give a copy of the record to the person to whom it relates within 7 days after the record is made.

Penalty: 50 penalty units.

- (2) A Part 141 operator commits an offence if:
 - (a) a record is made under regulation 141.275; and
 - (b) the operator receives a request from another Part 141 operator for a copy of the record; and

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Subpart 141.J Part 141 operators—logs and records

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- (c) the operator holds a written authority from the person to whom the record relates to provide a copy of the person's records to another Part 141 operator if requested; and
- (d) the operator does not give a copy of the record to the other Part 141 operator within 7 days after receiving the request.

Penalty: 50 penalty units.

- (3) An offence against this regulation is an offence of strict liability.

Subpart 141.K—Part 141 operators— miscellaneous offences

141.285 Part 141 operators—suitable facilities, records and resources for flight test

- (1) This regulation applies if a Part 141 operator arranges with a flight examiner for the examiner to conduct a flight test.
- (2) The Part 141 operator commits an offence if suitable facilities, records and resources are not available to the flight examiner for the flight test.

Penalty: 50 penalty units.

141.290 Part 141 operators—pilot in command to be authorised under Part 61

- (1) A Part 141 operator commits an offence if:
 - (a) a person flies an aircraft used in the operator's authorised Part 141 flight training as pilot in command; and
 - (b) the person is not authorised under Part 61 to fly the aircraft as pilot in command.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Note: See also subsection 20AB(1) of the Act.

141.295 Part 141 operators—carriage of passengers prohibited during abnormal operations or low-flying flight training

- (1) A Part 141 operator commits an offence if:
 - (a) during a flight of an aircraft for authorised Part 141 flight training for the operator:

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- (i) a simulated engine or system failure that affects the aircraft's performance or handling characteristics is conducted; or
- (ii) low-flying flight training is conducted; and
- (b) a passenger is carried on the flight.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.300 Part 141 operators—authorisation of carriage of passengers

- (1) A Part 141 operator commits an offence if:
 - (a) a person flies an aircraft used in the operator's authorised Part 141 flight training as pilot in command; and
 - (b) the operator authorises the carriage of a passenger on the flight; and
 - (c) the person is not authorised under Part 61 to fly the aircraft as pilot in command with a passenger on board.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

141.305 Part 141 operators—completion of training and assessment of competency for certain solo flights

Student pilots

- (1) A Part 141 operator commits an offence if:
 - (a) a student pilot who is undertaking authorised Part 141 flight training with the operator conducts a solo flight of a kind mentioned in subregulation (2) for the first time; and
 - (b) the student pilot does not meet the requirements mentioned in subregulation (3).

Penalty: 50 penalty units.

- (2) For paragraph (1)(a), the kinds of solo flight are the following:
 - (a) a circuit training flight;

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- (b) a flight between an aerodrome and the flight training area for the aerodrome;
 - (c) a cross-country flight;
 - (d) a flight at night.
- (3) For paragraph (1)(b), the requirements are the following:
- (a) the student pilot must have completed the training mentioned in the operator's operations manual that relates to the conduct of a solo flight of that kind by a student pilot;
 - (b) the student pilot must have been assessed by the operator as competent to conduct the solo flight;
 - (c) if the flight is a flight of a kind mentioned in paragraph (2)(c) or (d)—the student pilot must have completed at least 2 hours of dual instrument time, 1 hour of which is conducted during dual instrument flight time.

Holders of pilot licences

- (4) A Part 141 operator commits an offence if:
- (a) the holder of a pilot licence who is receiving flight training from the operator for a rating or endorsement on the pilot's licence conducts a solo flight at night for the first time; and
 - (b) the flight training is authorised Part 141 training for the operator; and
 - (c) the holder does not meet the requirements mentioned in subregulation (5).

Penalty: 50 penalty units.

- (5) For paragraph (4)(c), the requirements are the following:
- (a) the holder must have completed the training mentioned in the operator's operations manual that relates to the conduct of a solo flight for flight training for the rating or endorsement;
 - (b) the holder must have been assessed by the operator as competent to conduct the solo flight.
- (6) A Part 141 operator commits an offence if:
- (a) the holder of a pilot licence who is receiving flight training from the operator for a recreational navigation endorsement

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conducts a solo cross-country flight or a flight at night for the first time; and

- (b) the holder has not completed at least 2 hours of dual instrument time, 1 hour of which is conducted during dual instrument flight time.

Penalty: 50 penalty units.

- (7) An offence against this regulation is an offence of strict liability.

Note: See also Subdivision 61.A.3.1 and regulation 61.1225.

141.306 Part 141 operators—appropriate briefing and capability to conduct certain solo flights etc.

- (1) A Part 141 operator commits an offence if:

- (a) a person who is undertaking authorised Part 141 flight training with the operator conducts a solo flight for the first time; and
- (b) the person does not meet the requirements mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the requirements are the following:

- (a) the person must have been briefed appropriately for the flight;
- (b) the person must be capable of conducting the flight safely;
- (c) if the person is a student pilot—the person must:
 - (i) have been assessed by CASA or an examiner as meeting the general English language proficiency standard mentioned in the Part 61 Manual of Standards; or
 - (ii) have completed an approved course of training in English language proficiency;
- (d) the person must have an ARN.

- (3) Strict liability applies to paragraph (1)(a).

Note: See also Subdivision 61.A.3.1 and regulation 61.1225.

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**141.310 Part 141 operators—dealings in relation to suspended,
cancelled, varied, pending or refused civil aviation
authorisations: when approval required**

Requirement for approval

- (1) A Part 141 operator commits an offence if:
- (a) the operator does an act mentioned in subregulation (2), (4), (6) or (8); and
 - (b) the operator does not hold an approval under regulation 141.035 to do the act.

Penalty: 50 penalty units.

Acts in relation to cancelled authorisations

- (2) For paragraph (1)(a), the acts are the following:
- (a) to use, in any of the operator's authorised Part 141 flight training, an aircraft the operation of which was authorised by a cancelled authorisation;
 - (b) to employ, in connection with any of the operator's authorised Part 141 flight training, a person who was, at the time of the cancellation, employed in connection with an operation the conduct of which was authorised by a cancelled authorisation;
 - (c) to conduct an operation, or part of an operation, the conduct of which was authorised by a cancelled authorisation.

Acts in relation to suspended or varied authorisations

- (3) Subregulation (4) applies in relation to a suspended or varied authorisation.
- (4) For paragraph (1)(a), the acts are the following:
- (a) to use, in any of the operator's authorised Part 141 flight training, an aircraft the operation of which:
 - (i) was, immediately before the suspension or variation, authorised by the authorisation; but

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- (ii) is no longer authorised by the authorisation as suspended or varied;
- (b) to employ, in connection with any of the operator's authorised Part 141 flight training, a person who was, at the time of the suspension or variation, employed in connection with an operation the conduct of which:
 - (i) was, immediately before the suspension or variation, authorised by the authorisation; but
 - (ii) is no longer authorised by the authorisation as suspended or varied;
- (c) to conduct an operation, or part of an operation, the conduct of which:
 - (i) was, immediately before the suspension or variation, authorised by the authorisation; but
 - (ii) is no longer authorised by the authorisation as suspended or varied.

Note: See section 28BB of the Act in relation to varying AOC conditions.

Pending applications for authorisations

- (5) Subregulation (6) applies in relation to an application for a civil aviation authorisation that has not been finally determined by CASA.
- (6) For paragraph (1)(a), the acts are the following:
 - (a) to use, in any of the operator's authorised Part 141 flight training, an aircraft the operation of which would be authorised by the authorisation;
 - (b) to employ, in connection with any of the operator's authorised Part 141 flight training, a person employed, or proposed to be employed, in connection with an operation the conduct of which would be authorised by the authorisation;
 - (c) to conduct an operation, or part of an operation, the conduct of which would be authorised by the authorisation.

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Application for authorisation refused

- (7) Subregulation (8) applies in relation to an application for a civil aviation authorisation that has been refused by CASA.
- (8) For paragraph (1)(a), the acts are the following:
 - (a) to use, in any of the operator's authorised Part 141 flight training, an aircraft the use of which would have been authorised by the authorisation;
 - (b) to employ, in connection with any of the operator's authorised Part 141 flight training, a person employed, or proposed to be employed, in connection with an operation the conduct of which would have been authorised by the authorisation;
 - (c) to conduct an operation, or part of an operation, the conduct of which would have been authorised by the authorisation.
- (9) An offence against this regulation is an offence of strict liability.
- (10) In this regulation:

cancelled authorisation means a civil aviation authorisation that has been cancelled otherwise than on application by the holder of the authorisation.

employ includes engage, whether by contract or other arrangement.

suspended authorisation means a civil aviation authorisation that has been suspended otherwise than on application by the holder of the authorisation.

varied authorisation means a civil aviation authorisation that has been varied otherwise than on application by the holder of the authorisation.

141.315 Part 141 operators—maximum period for use of foreign registered aircraft in Australian territory

- (1) A Part 141 operator commits an offence if, in any 12 month period, the operator uses a foreign registered aircraft to conduct authorised

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activities in Australian territory for a total of more than the number of days mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For subregulation (1), the number of days is:
 - (a) 90; or
 - (b) if the operator holds an approval under regulation 141.035 for this regulation in relation to the aircraft—the number mentioned in the approval for the aircraft.
- (3) An offence against this regulation is an offence of strict liability.
- (4) In this regulation:

authorised activity, for a Part 141 operator, means an activity authorised by a civil aviation authorisation held by the operator.

Part 142—Integrated and multi-crew pilot flight training, contracted recurrent training and contracted checking

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Subpart 142.A—General

142.005 What Part 142 is about

This Part:

- (a) deals with the conduct of integrated and multi-crew pilot flight training, contracted recurrent training and contracted checking; and
- (b) makes provision for applicants for, and holders of, Part 142 authorisations (which are AOCs or other certificates that deal with the training and checking mentioned in paragraph (a)).

Note: See also Division 2 of Part III of the Act in relation to AOCs generally.

142.010 Part 142 applies only to aeroplanes, rotorcraft, airships and flight simulation training devices

- (1) This Part applies only to:
 - (a) an aeroplane, rotorcraft or airship; or
 - (b) a flight simulation training device for an aircraft mentioned in paragraph (a).
- (2) Accordingly, a reference in this Part to an *aircraft* is a reference to an aeroplane, rotorcraft or airship.

142.015 Definitions of *Part 142 activity*, *Part 142 flight training*, *Part 142 authorisation*, *Part 142 operator* and *authorised Part 142 activity for Part 142*

- (1) A *Part 142 activity* is any of the following conducted in an aircraft or a flight simulation training device:
 - (a) Part 142 flight training;
 - (b) contracted recurrent training;
 - (c) contracted checking.
- (2) *Part 142 flight training* is any of the following:

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- (a) an integrated training course for the grant under Part 61 of a private pilot licence or commercial pilot licence;
 - (b) training for the grant under Part 61 of a multi-crew pilot licence, air transport pilot licence or flight engineer licence;
 - (c) multi-crew cooperation training;
 - (d) training for the grant under Part 61 of a type rating other than a type rating mentioned in an instrument under regulation 142.045;
 - (da) training, conducted as a multi-crew operation, for the grant under Part 61 of a flight crew rating other than a type rating;
 - (e) training, conducted as a multi-crew operation, for the grant under Part 61 of a flight crew endorsement other than:
 - (i) a design feature endorsement; or
 - (ii) a flight activity endorsement;
 - (f) training that is given as part of a flight review that is conducted as a multi-crew operation;
 - (g) differences training:
 - (i) that is required as mentioned in regulation 61.780, 61.835 or 61.1370 for a variant covered by a type rating that is not a type rating mentioned in a legislative instrument under regulation 142.045; and
 - (ii) that is not conducted by a training and checking organisation approved under regulation 217 of CAR.
- (3) An **authorised Part 142 activity**, for a Part 142 operator, is a Part 142 activity mentioned in the operator's Part 142 authorisation.
- (4) A **Part 142 operator** is the holder of a Part 142 authorisation.
- (5) A **Part 142 authorisation** is:
- (a) an AOC that authorises the conduct of a Part 142 activity in an aircraft; or
 - (b) a certificate under Division 142.B.2 that authorises the conduct of a Part 142 activity in a flight simulation training device.

142.020 Definitions of *contracted checking*, *contracted recurrent training* and *contracting operator* for Part 142

In this Part:

contracted checking means checking conducted by a Part 142 operator for a contracting operator.

contracted recurrent training means recurrent training conducted by a Part 142 operator for a contracting operator.

contracting operator means an aircraft operator who enters into a contract with a Part 142 operator for the Part 142 operator to conduct:

- (a) recurrent training for the aircraft operator; or
- (b) checking for the aircraft operator.

142.025 Definition of *key personnel* for Part 142

In this Part:

key personnel, for a Part 142 operator, means the people (however described) that hold, or carry out the responsibilities of, the following positions in the operator's organisation:

- (a) chief executive officer;
- (b) head of operations;
- (c) if the operator conducts authorised Part 142 activities only in aircraft, or aircraft and flight simulation training devices—safety manager;
- (d) if the operator conducts authorised Part 142 activities only in flight simulation training devices—quality assurance manager.

142.030 Definition of *significant change* for Part 142

In this Part:

significant change, for a Part 142 operator, means:

- (a) a change in relation to any of the following:

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- (i) the location and operation of any of the operator's training bases, including the opening or closing of training bases;
- (ii) the operator's corporate structure;
- (iii) the operator's organisational structure;
- (iv) the operator's key personnel;
- (v) a person authorised to carry out the responsibilities of any of the key personnel;
- (vi) the formal reporting line for a managerial or operational position reporting directly to any of the key personnel;
- (vii) the qualifications, experience and responsibilities required by the operator for any of the key personnel;
- (viii) the familiarisation training mentioned in regulation 142.170 for any of the key personnel;
- (ix) the operator's process for making changes:
 - (A) that are significant changes; and
 - (B) that are not significant changes;
- (x) the authorised Part 142 activities conducted by the operator;
- (xi) if the operator conducts the activities in aircraft—the kinds of aircraft used to conduct the activities;
- (xii) if the operator conducts the activities in turbine-engined aircraft—any leasing or other arrangements for the supply of a turbine-engined aircraft;
- (xiii) if the operator conducts the activities in flight simulation training devices:
 - (A) the ownership arrangements for a device; or
 - (B) the types of devices; or
- (b) if the operator conducts the activities in foreign registered aircraft:
 - (i) a change in the foreign registered aircraft used in the activities; or
 - (ii) a change in relation to a foreign registered aircraft used in the activities, including a change to its nationality or registration mark; or

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- (c) a change in relation to any of the following that does not maintain or improve, or is not likely to maintain or improve, aviation safety:
 - (i) the procedures by which the operator conducts and manages the activities;
 - (ii) the operator's operations manual;
 - (iii) the operator's dangerous goods manual (if any);
 - (iv) the operator's training management system manual;
 - (v) the way that the operator manages the risk of fatigue in its personnel;
 - (vi) the operator's internal training and checking system manual;
 - (vii) if the operator conducts the activities only in aircraft, or in aircraft and flight simulation training devices—the operator's safety management system manual;
 - (viii) if the operator conducts the activities only in flight simulation training devices—the operator's quality assurance management system manual;
 - (ix) if the operator conducts the activities in aircraft:
 - (A) the way the aircraft are managed or maintained;
or
 - (B) the way the continuing airworthiness of the aircraft is assured; or
- (d) a change required to be approved by CASA under these Regulations, other than a change that results in the reissue or replacement of an instrument previously issued by CASA in which the conditions or other substantive content of the instrument are unchanged.

142.035 Definitions for Part 142

In this Part:

aircraft: see regulation 142.010.

authorised Part 142 activity, for a Part 142 operator: see subregulation 142.015(3).

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checking means the assessment of proficiency of the personnel of an aircraft operator or the operator of a flight simulation training device that is conducted to ensure that the personnel are competent to carry out their responsibilities.

conducts: a Part 142 operator **conducts** a Part 142 activity if an instructor or examiner for the operator conducts the activity on behalf of the operator.

contracted checking: see regulation 142.020.

contracted recurrent training: see regulation 142.020.

contracting operator: see regulation 142.020.

corporation: see regulation 11.015.

examiner, for a Part 142 operator, means a flight examiner or flight engineer examiner engaged by the operator:

- (a) to conduct flight tests for the grant of a licence, rating or endorsement under Part 61 on behalf of the operator; or
- (b) to conduct contracted checking on behalf of the operator.

exposition, for a Part 142 operator, means:

- (a) the set of documents approved by CASA under regulation 142.095 or 142.115 in relation to the operator; and
- (b) if the set of documents is changed under regulation 142.135, 142.145 or 142.155, or the process mentioned in regulation 142.150—the set of documents as changed.

instructor, for a Part 142 operator, means a person engaged by the operator to conduct Part 142 flight training or contracted recurrent training on behalf of the operator.

key personnel, for a Part 142 operator: see regulation 142.025.

low-flying activity means a flight that is conducted below 500 feet AGL, other than:

- (a) climbing from take-off; and
- (b) descending for the purpose of landing.

officer, of a corporation, means:

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- (a) for a corporation that is a company (within the meaning of the *Corporations Act 2001*)—a director, secretary or executive officer of the corporation; or
- (b) for a corporation of any other kind—a person exercising responsibility, in relation to the corporation, as nearly as possible the same as that of a director, secretary or executive officer of a company (within the meaning of the *Corporations Act 2001*).

Part 142 activity: see subregulation 142.015(1).

Part 142 authorisation: see subregulation 142.015(5).

Part 142 flight training: see subregulation 142.015(2).

personnel, for a Part 142 operator, includes any of the following persons who have duties or responsibilities that relate to the safe conduct of the operator's authorised Part 142 activities:

- (a) an employee of the operator;
- (b) a person engaged by the operator (whether by contract or other arrangement) to provide services to the operator;
- (c) an employee of a person mentioned in paragraph (b).

significant change, for a Part 142 operator: see regulation 142.030.

recurrent training means the training of the personnel of an aircraft operator or the operator of a flight simulation training device that is conducted to ensure that the personnel are competent to carry out their responsibilities.

training base, for a Part 142 operator, means a facility from which the operator conducts flight training, recurrent training or checking.

142.040 Approvals by CASA for Part 142

- (1) If a provision of this Part refers to a person holding an approval under this regulation, the person may apply to CASA, in writing, for the approval.
- (2) Subject to regulation 11.055, CASA must grant the approval.

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- (3) Subregulation 11.055(1B) applies to the granting of an approval under this regulation for the following provisions:
- (a) paragraph 142.050(3)(b);
 - (b) paragraph 142.185(1)(b);
 - (c) paragraph 142.185(4)(a).

142.045 Legislative instruments—Part 142 operators

For paragraph 98(5A)(a) of the Act, CASA may issue a legislative instrument to prescribe the following:

- (a) type ratings for paragraph (d) and subparagraph (g)(i) of the definition of **Part 142 flight training** in subregulation 142.015(2);
- (b) matters for paragraph 142.340(1)(v).

142.050 Part 142 activities—requirement for Part 142 authorisation

- (1) A person commits an offence if:
- (a) the person conducts a Part 142 activity in an aircraft; and
 - (b) the person does not hold an AOC that authorises the person to conduct the activity.

Penalty: 50 penalty units.

- (2) A person commits an offence if:
- (a) the person conducts a Part 142 activity in a flight simulation training device; and
 - (b) the person does not meet the requirement mentioned in subregulation (3).

Penalty: 50 penalty units.

- (3) For paragraph (2)(b), the requirement is that the person must hold:
- (a) a certificate under Division 142.B.2 that authorises the person to conduct the activity; or
 - (b) an approval under regulation 142.040 to conduct the activity.
- (4) An offence against this regulation is an offence of strict liability.

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**142.055 Part 142 activities—compliance with Part 142
authorisations: offence for operators**

- (1) A Part 142 operator commits an offence if the operator conducts an authorised Part 142 activity for the operator otherwise than in accordance with its Part 142 authorisation.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

**142.060 Part 142 activities—compliance with conditions of Part 142
authorisations: offence for operators**

- (1) A Part 142 operator commits an offence if the operator contravenes a condition of its Part 142 authorisation.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

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Subpart 142.B Part 142 authorisations

Division 142.B.1 AOCs for Part 142 activities that involve operation of aircraft

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Subpart 142.B—Part 142 authorisations

Division 142.B.1—AOCs for Part 142 activities that involve operation of aircraft

142.065 Prescribed purpose—Part 142 activities involving the operation of aircraft

For subsection 27(9) of the Act, conducting a Part 142 activity that involves the operation of an aircraft is a prescribed purpose.

142.070 Prescribed position—safety manager

For paragraph (e) of the definition of *key personnel* in subsection 28(3) of the Act, the position of safety manager is prescribed for this Part.

142.075 Required material—reference library

For paragraph 28BH(2)(b) of the Act, the following material is required for a Part 142 operator that holds an AOC that authorises the conduct of Part 142 activities that involve the operation of aircraft:

- (a) the civil aviation legislation that is relevant to the activities;
- (b) the parts of the AIP that are relevant to the activities;
- (c) all information about the flight operations of each kind of aircraft that is necessary to ensure the safe conduct of the activities;
- (d) any other publications, information or data required for the reference library by the operator's exposition.

142.080 AOC—application

- (1) A person may apply to CASA for the issue of an AOC that authorises the person to conduct a Part 142 activity that involves the operation of an aircraft.
 - (2) The application must include the following:
-

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- (a) the applicant's name (including any operating or trading name), contact details and ABN (if any);
- (aa) if the address of the applicant's operational headquarters is different from its mailing address—the address of its operational headquarters;
- (b) if the applicant is an individual—a statement that the individual is, or proposes to be, the applicant's chief executive officer;
- (c) if the applicant is a corporation—the name of each of the officers of the corporation;
- (d) if the applicant is a corporation registered in Australia that has an ACN—its ACN and the address of its registered office;
- (e) if the applicant is a corporation not registered in Australia—the place at which it was incorporated or formed;
- (f) the Part 142 activities that the applicant proposes to conduct;
- (g) a written undertaking from the person appointed, or proposed to be appointed, as the applicant's chief executive officer that, if CASA issues the AOC, the applicant will:
 - (i) be capable of operating in accordance with its exposition and civil aviation legislation; and
 - (ii) operate in accordance with its exposition and civil aviation legislation.

Note: See also sections 27AB and 27AC of the Act.

- (3) The application must be:
 - (a) accompanied by a copy of the applicant's proposed exposition; and
 - (b) signed by the person appointed, or proposed to be appointed, as the applicant's chief executive officer.

142.085 AOC—conditions for issue

- (1) It is a condition for the issue to the applicant of an AOC that authorises the applicant to conduct Part 142 activities that CASA is satisfied of each of the following:
 - (a) the applicant's proposed exposition complies with regulation 142.340;

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- (b) the applicant can conduct the activities safely and in accordance with its exposition and civil aviation legislation;
- (c) if the applicant is an individual—the applicant:
 - (i) is a fit and proper person to be issued an AOC that authorises the conduct of the activities; and
 - (ii) is, or proposes to be, the applicant's chief executive officer;
- (d) if the applicant is a corporation—each officer of the corporation is a fit and proper person to be an officer of a corporation that is issued an AOC that authorises the conduct of the activities;
- (e) each of the applicant's proposed key personnel:
 - (i) is a fit and proper person to be appointed to the position; and
 - (ii) has the qualifications and experience required by Subpart 142.D for the position; and
 - (iii) has the qualifications and experience required by the applicant under subparagraph 142.340(1)(e)(i) for the position (if any); and
 - (iv) has the additional qualifications and experience required by CASA under regulation 142.215 for the position (if any).

Note: These matters are in addition to the matters specified in section 28 of the Act.

- (2) For paragraph (1)(b), without limiting the matters that CASA may consider, CASA must consider the following:
 - (a) the applicant's proposed exposition;
 - (b) whether the applicant can comply with the proposed exposition;
 - (c) the content of the undertaking mentioned in paragraph 142.080(2)(g);
 - (d) details of, and the reasons for, any suspension or cancellation of:
 - (i) a civil aviation authorisation issued to the applicant; or
 - (ii) an equivalent authorisation issued to the applicant:
 - (A) under the law of a foreign country; or

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- (B) by a multinational aviation authority;
- (e) the suitability of the applicant's corporate and organisational structures for the activities;
- (f) any other information:
 - (i) accompanying the application; or
 - (ii) in any other document submitted to CASA by the applicant for the application, including any document requested by CASA in relation to the application.
- (3) For paragraphs (1)(c) to (e), the matters CASA may consider in deciding whether a person is a fit and proper person include the following:
 - (a) the person's criminal record (if any), whether in Australia or a foreign country;
 - (b) the person's bankruptcy (if any), whether in Australia or a foreign country;
 - (c) the person's history (if any) of serious behavioural problems;
 - (d) any evidence held by CASA that the person has contravened:
 - (i) civil aviation legislation; or
 - (ii) another law relating to transport (including aviation) safety, whether in Australia or a foreign country;
 - (e) the person's demonstrated attitude towards compliance with regulatory requirements, in Australia or a foreign country, relating to transport (including aviation) safety;
 - (f) the record of compliance with regulatory requirements relating to transport (including aviation) safety of any corporation in Australia or a foreign country in which the person:
 - (i) is or was an officer or partner (however described); or
 - (ii) holds or held a position equivalent to any of the applicant's key personnel;
 - (g) for any corporation in which the person is or was an officer, or holds or held a position equivalent to any of the applicant's key personnel, in Australia or a foreign country, the following records:
 - (i) the corporation's criminal record (if any);

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- (ii) the corporation's record of insolvency, bankruptcy, receivership or winding up (if any);
- (iii) the corporation's record (if any) as a body subject to investigation or comment by any statutory authority established to regulate the share dealings or financial affairs of corporations;
- (h) any other matter relating to the fitness of the person to:
 - (i) for an applicant—hold an AOC that authorises the conduct of the activities; or
 - (ii) for an officer or proposed officer—be an officer of a corporation that holds an AOC that authorises the conduct of the activities.

142.095 AOC—approval of exposition

If CASA issues an AOC to the applicant that authorises the conduct of the proposed Part 142 activities, CASA is taken to have also approved the applicant's proposed exposition.

142.100 AOC—conditions

- (1) For paragraph 28BA(1)(b) of the Act, each of the following is a condition of an AOC issued to an operator that authorises the conduct of Part 142 activities:
 - (a) the operator must comply with each direction given to the operator, or obligation imposed on the operator, by CASA under a provision of these Regulations;
 - (b) each of the operator's key personnel must comply with:
 - (i) each provision of this Part that applies to the person; and
 - (ii) each direction given to the person, or obligation imposed on the person, by CASA under a provision of these Regulations; and
 - (iii) each other provision of civil aviation legislation that applies to the activities;
 - (c) each of the positions of the operator's key personnel must be filled;

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- (d) each of the operator's personnel must comply with each provision of civil aviation legislation that applies to the activities;
 - (e) if the operator is an individual—the individual must be the operator's chief executive officer;
 - (f) the positions of chief executive officer and safety manager may be occupied by the same person only:
 - (i) in an unforeseen circumstance; and
 - (ii) for the period mentioned in subregulation (2);
 - (g) the positions of head of operations and safety manager may be occupied by the same person only:
 - (i) in an unforeseen circumstance; and
 - (ii) for the period mentioned in subregulation (2).
- (2) For subparagraphs (1)(f)(ii) and (g)(ii), the period is:
- (a) no more than 7 consecutive days for each unforeseen circumstance; or
 - (b) if the operator holds an approval under regulation 142.040 for this paragraph in relation to an unforeseen circumstance—the period mentioned in the approval for the unforeseen circumstance.

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Subpart 142.B Part 142 authorisations

Division 142.B.2 Certificates for Part 142 activities conducted in flight simulation training devices

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Division 142.B.2—Certificates for Part 142 activities conducted in flight simulation training devices

142.105 Certificate—application

- (1) A person may apply to CASA, in writing, for a certificate authorising the person to conduct Part 142 activities in flight simulation training devices.
- (2) The application must include the following:
 - (a) the information and documents mentioned in paragraphs 142.080(2)(a) to (f);
 - (b) a written undertaking from the person appointed, or proposed to be appointed, as the applicant's chief executive officer that, if CASA issues the certificate, the applicant will:
 - (i) be capable of operating in accordance with its exposition and civil aviation legislation; and
 - (ii) operate in accordance with its exposition and civil aviation legislation.
- (3) The application must be:
 - (a) accompanied by a copy of the applicant's proposed exposition; and
 - (b) signed by the person appointed, or proposed to be appointed, as the applicant's chief executive officer.

142.110 Certificate—issue

- (1) Subject to regulation 11.055, CASA must issue the certificate if satisfied of each of the following:
 - (a) the matters mentioned in subregulation 142.085(1);
 - (b) the applicant's organisation is suitable to ensure that the activities can be conducted safely, having regard to the nature of the activities;
 - (c) the chain of command of the applicant's organisation is appropriate to ensure that the activities can be conducted safely;

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- (d) the applicant's organisation has a sufficient number of suitably qualified and competent personnel to conduct the activities safely;
 - (e) the facilities of the applicant's organisation are sufficient to enable the activities to be conducted safely;
 - (f) the applicant's organisation has suitable procedures and practices to control the organisation and ensure the activities can be conducted safely.
- (2) For subregulation (1), in deciding whether an applicant is capable of conducting the activities safely and in accordance with its exposition and civil aviation legislation, CASA must consider:
 - (a) the matters set out in paragraphs 142.085(2)(a), (b) and (d) to (f); and
 - (b) the content of the undertaking mentioned in paragraph 142.105(2)(b).
- (3) For subregulation (1), the matters CASA may consider in deciding whether a person is a fit and proper person include the matters mentioned in subregulation 142.085(3).
- (4) For this regulation, regulation 142.085 applies to an application for a certificate as if:
 - (a) a reference to an AOC were a reference to a certificate; and
 - (b) any other necessary changes had been made.
- (5) If CASA decides to issue the certificate, CASA must determine the Part 142 activities the applicant is authorised to conduct in flight simulation training devices, including any limitations or conditions in relation to the activities.
- (6) The certificate must include:
 - (a) the matters mentioned in subregulation (5); and
 - (b) a certificate reference number determined by CASA.
- (7) If, under regulation 142.145, CASA approves a significant change to a Part 142 operator that holds a certificate under this Division, CASA may issue a new certificate to the operator.

Part 142 Integrated and multi-crew pilot flight training, contracted recurrent training and contracted checking

Subpart 142.B Part 142 authorisations

Division 142.B.2 Certificates for Part 142 activities conducted in flight simulation training devices

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142.115 Certificate—approval of exposition

If CASA issues the certificate to the applicant, CASA is taken to have also approved the applicant's proposed exposition.

142.120 Certificate—conditions

- (1) Each of the following is a condition of a certificate issued to an operator under this Division:
 - (a) the operator must comply with:
 - (i) each provision of this Part that applies to the operator; and
 - (ii) each direction given to the operator, or obligation imposed on the operator, by CASA under a provision of these Regulations; and
 - (iii) each other provision of civil aviation legislation that applies to the operator's authorised Part 142 activities covered by the certificate;
 - (b) each of the operator's key personnel must comply with:
 - (i) each provision of this Part that applies to the person; and
 - (ii) each direction given to the person, or obligation imposed on the person, by CASA under a provision of these Regulations; and
 - (iii) each other provision of civil aviation legislation that applies to the activities covered by the certificate;
 - (c) each of the positions of the operator's key personnel must be filled;
 - (d) each of the operator's personnel must comply with each provision of civil aviation legislation that applies to the activities;
 - (e) if the operator is an individual—the individual must be the operator's chief executive officer;
 - (f) the positions of chief executive officer and quality assurance manager may be occupied by the same person only:
 - (i) in an unforeseen circumstance; and
 - (ii) for the period mentioned in subregulation (2);

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- (g) the positions of head of operations and quality assurance manager may be occupied by the same person only:
 - (i) in an unforeseen circumstance; and
 - (ii) for the period mentioned in subregulation (2).
- (2) For subparagraphs (1)(f)(ii) and (g)(ii), the period is:
 - (a) no more than 7 consecutive days for each unforeseen circumstance; or
 - (b) if the operator holds an approval under regulation 142.040 for this paragraph in relation to an unforeseen circumstance—the period mentioned in the approval for the unforeseen circumstance.

142.125 Certificate holders—reference library

- (1) A Part 142 operator that holds a certificate under this Division commits an offence if the operator does not maintain a reference library that complies with subregulation (2).

Penalty: 50 penalty units.

- (2) For subregulation (1), the reference library must:
 - (a) include the following documents:
 - (i) all operational documents and material;
 - (ii) the civil aviation legislation that is relevant to the operator's authorised Part 142 activities covered by the certificate;
 - (iii) the parts of the AIP that are relevant to the activities;
 - (iv) documents that include information about the operation or maintenance of each kind of flight simulation training device operated by the operator to conduct the activities;
 - (v) any other publications, information or data required for the reference library by the operator's exposition; and
 - (b) be readily available to all members of the operator's personnel; and
 - (c) be up-to-date and in a readily accessible form.

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Subpart 142.B Part 142 authorisations

Division 142.B.2 Certificates for Part 142 activities conducted in flight simulation training devices

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- (3) A Part 142 operator commits an offence if the operator does not keep up-to-date records of the distribution of operational documents to members of the operator's personnel.

Penalty: 50 penalty units.

- (4) An offence against this regulation is an offence of strict liability.

142.130 Certificate holders—regulations 11.070 to 11.075 do not apply in relation to certain matters

Regulations 11.070 to 11.075 do not apply to the following for a Part 142 operator that holds a certificate under this Division:

- (a) a change of which CASA is notified under regulation 142.135;
- (b) a significant change that is approved by CASA under regulation 142.145;
- (c) a change made under a process mentioned in regulation 142.150;
- (d) a change that is made as a consequence of a change made to the organisation's exposition in accordance with a direction given by CASA under regulation 142.155.

Subpart 142.C—Part 142 operators—changes

142.135 Part 142 operators—changes of name etc

- (1) A Part 142 operator commits an offence if the operator:
 - (a) makes a change mentioned in subregulation (2); and
 - (b) does not, before making the change:
 - (i) amend its exposition to reflect the change; and
 - (ii) give CASA written notice of the change and a copy of the amended part of the exposition clearly identifying the change.

Penalty: 50 penalty units.

- (2) For paragraph (1)(a), the changes are the following:
 - (a) a change to its name (including any operating or trading name) or contact details;
 - (b) if the address of the applicant's operational headquarters is different from its mailing address—a change to the address of its operational headquarters.
- (3) An offence against this regulation is an offence of strict liability.

142.140 Part 142 operators—application for approval of significant change

- (1) A Part 142 operator commits an offence if:
 - (a) the operator makes a significant change other than a significant change mentioned in subregulation (2) or (3); and
 - (b) CASA has not approved the significant change.

Penalty: 50 penalty units.

- (2) A Part 142 operator commits an offence if:
 - (a) the operator makes a significant change that is the permanent appointment as any of the operator's key personnel of a person previously authorised to carry out the responsibilities

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of the position in a circumstance mentioned in subparagraph 142.340(1)(e)(iv); and

- (b) the operator does not apply to CASA for approval of the change, in accordance with subregulation (4), within 7 days after the change is made.

Penalty: 50 penalty units.

- (3) A Part 142 operator commits an offence if:
 - (a) the operator makes a significant change that is the permanent appointment as any of the operator's key personnel of a person not previously authorised to carry out the responsibilities of the position in a circumstance mentioned in subparagraph 142.340(1)(e)(iv); and
 - (b) the operator does not apply to CASA for approval of the change, in accordance with subregulation (4), within 3 days after the change is made.

Penalty: 50 penalty units.

- (4) An application for approval of a significant change must:
 - (a) be in writing; and
 - (b) set out the change; and
 - (c) be accompanied by a copy of the part of the operator's exposition affected by the change, clearly identifying the change.
- (5) An offence against this regulation is an offence of strict liability.

142.145 Part 142 operators—approval of significant changes

- (1) CASA may approve a significant change for a Part 142 operator that holds an AOC that authorises the operator to conduct Part 142 activities only if satisfied that the requirements mentioned in section 28 of the Act and subregulation 142.085(1) will continue to be met.
- (2) Subject to regulation 11.055, CASA must approve a significant change for a Part 142 operator that holds a certificate under Division 142.B.2 if satisfied that the requirements mentioned in subregulation 142.110(1) will continue to be met.

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- (3) If CASA approves the significant change, CASA is taken to have also approved the changes to the operator's exposition covered by the application.

142.150 Part 142 operators—process for making changes

- (1) A Part 142 operator commits an offence if:
- (a) the operator makes a change; and
 - (b) the change is not made in accordance with the process described in the operator's exposition for making changes.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

142.155 Part 142 operators—CASA directions relating to exposition or key personnel

- (1) If satisfied that it is necessary in the interests of aviation safety, CASA may direct a Part 142 operator to change its exposition:
- (a) to remove particular information, procedures or instructions from the exposition; or
 - (b) to include particular information, procedures or instructions in the exposition; or
 - (c) to revise or vary the information, procedures or instructions in the exposition.
- (2) CASA may direct a Part 142 operator to remove any of the operator's key personnel from the person's position if satisfied that the person is not:
- (a) carrying out the responsibilities of the position; or
 - (b) if the person is the chief executive officer—properly managing matters for which the person is accountable.
- (3) A direction under this regulation must:
- (a) be in writing; and
 - (b) state the time within which the direction must be complied with.
- (4) A Part 142 operator commits an offence if:

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- (a) CASA gives the operator a direction under this regulation;
and
- (b) the operator does not comply with the direction within the
time stated in the direction.

Penalty: 50 penalty units.

- (5) An offence against this regulation is an offence of strict liability.

Subpart 142.D—Part 142 operators—organisation and personnel

Note: For the qualifications for the position of head of aircraft airworthiness and maintenance control, see the qualifications specified in the Part 42 Manual of Standards for the position of continuing airworthiness manager.

142.160 Part 142 operators—organisation and personnel

- (1) A Part 142 operator must maintain an organisational structure that effectively manages its authorised Part 142 activities, taking into account the following:
 - (a) the nature and complexity of the activities;
 - (b) the number and kinds of aircraft or flight simulation training devices used to conduct the activities;
 - (c) the number and location of training bases used by the operator to conduct the activities;
 - (d) the number of the operator's personnel;
 - (e) for Part 142 flight training—the number of course participants undertaking the training;
 - (f) for contracted recurrent training—the number of contracting operators and the number of their personnel for which the Part 142 operator is conducting contracted recurrent training;
 - (g) for contracted checking—the number of contracting operators and the number of their personnel for which the Part 142 operator is conducting contracted checking.
- (2) A Part 142 operator commits an offence if any of the operator's key personnel carries out a responsibility of the person's position otherwise than in accordance with the operator's exposition or this Subpart.

Penalty: 50 penalty units.

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142.165 Part 142 operators—key personnel cannot carry out responsibilities

- (1) A Part 142 operator commits an offence if:
- (a) the operator becomes aware that any of its key personnel cannot carry out, or is likely to be unable to carry out, the person's responsibilities for a period of longer than 35 days; and
 - (b) the operator does not tell CASA of the matter mentioned in paragraph (a) within the time mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the time is:
- (a) if there is not another person authorised to carry out the responsibilities for all or part of the period—24 hours after the operator becomes aware of the matter; or
 - (b) if there is another person authorised to carry out the responsibilities for all or part of the period—3 days after the operator becomes aware of the matter.

142.170 Part 142 operators—familiarisation training for key personnel

A Part 142 operator must ensure that before a person appointed as any of the operator's key personnel begins to carry out the responsibilities of the position, the person has completed any training that is necessary to familiarise the person with the responsibilities.

142.175 Part 142 operators—chief executive officer: experience

The chief executive officer of a Part 142 operator must have sufficient relevant experience in organisational, operational, financial and people management of air operations to enable the operator to conduct safe operations in accordance with its exposition and civil aviation legislation.

142.180 Part 142 operators—chief executive officer: responsibilities and accountabilities

- (1) The chief executive officer of a Part 142 operator is responsible for the following:
- (a) ensuring that, for the safe conduct of the operator's authorised Part 142 activities in accordance with the operator's Part 142 authorisation, exposition and civil aviation legislation, the operator:
 - (i) has sufficient suitably experienced, qualified and competent personnel; and
 - (ii) has a suitable management structure; and
 - (iii) is adequately financed and resourced;
 - (b) ensuring that the operator:
 - (i) sets and maintains standards for the activities in accordance with the operator's exposition; and
 - (ii) complies with civil aviation legislation;
 - (c) if the operator conducts the activities in aircraft—ensuring that the operator:
 - (i) implements and manages the operator's safety management system; and
 - (ii) has procedures that ensure that all of the operator's personnel understand the operator's safety policy; and
 - (iii) has an organisational structure that ensures that the safety manager is independent and not subject to undue influence; and
 - (iv) tells CASA if the operator enters into a leasing, financing or other arrangement for the supply of a turbine-engined aircraft for use in the activities; and
 - (v) tells CASA if the operator becomes aware that any arrangement mentioned in subparagraph (iv) may:
 - (A) affect the operator's safe conduct of the activities; or
 - (B) contravene a provision of civil aviation legislation or the law of the country in which the aircraft is registered; and

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- (vi) complies with the aviation safety laws of each foreign country (if any) where the operator conducts the activities; and
 - (vii) for each foreign registered aircraft (if any) used in the activities—maintains the aircraft in accordance with the law of the country in which the aircraft is registered;
 - (d) if the operator conducts the activities only in flight simulation training devices—ensuring that the operator implements and manages the operator’s quality assurance management system;
 - (e) establishing and regularly reviewing the operator’s safety performance indicators and targets;
 - (f) ensuring that the operator’s exposition is monitored and managed for continuous improvement;
 - (g) ensuring that key personnel satisfactorily carry out the responsibilities of their positions in accordance with:
 - (i) the operator’s exposition; and
 - (ii) civil aviation legislation.
- (2) The chief executive officer of a Part 142 operator is accountable to the operator and CASA for ensuring the responsibilities mentioned in subregulation (1) are carried out effectively.

142.185 Part 142 operators—head of operations: qualifications and experience

- (1) The head of operations of a Part 142 operator must:
- (a) meet the requirements mentioned in subregulation (2); or
 - (b) hold an approval under regulation 142.040 to be the head of operations for the operator.
- (2) For paragraph (1)(a), the requirements are that the person must:
- (a) hold, and be able to exercise the privileges of, a flight examiner rating; and
 - (b) hold the pilot licence required by subregulation (3); and
 - (c) be authorised under Part 61 to pilot a kind of aircraft that is used to conduct a significant proportion of the operator’s authorised Part 142 activities; and

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- (d) have the experience required by subregulation (4); and
 - (e) have a satisfactory record in the conduct or management of air operations; and
 - (f) have sufficient safety and regulatory knowledge to enable the operator to conduct the activities safely and in accordance with its exposition and civil aviation legislation.
- (3) For paragraph (2)(b), the licence required is:
- (a) if any of the activities relate to the operation of an aircraft for a multi-crew operation—an air transport pilot licence; or
 - (b) in any other case—a commercial pilot licence or an air transport pilot licence.
- (4) For paragraph (2)(d), the experience required is:
- (a) if the operator holds an approval under regulation 142.040 for this paragraph—the experience mentioned in paragraph (5)(a) or (b); or
 - (b) if paragraph (a) does not apply—the experience mentioned in paragraphs (5)(a) and (b).
- (5) For subregulation (4), the experience is the following:
- (a) at least 500 hours flight time on a kind of aircraft used to conduct a significant proportion of the activities;
 - (b) at least 6 months experience in the conduct or management of air operations conducted under an AOC or equivalent foreign authorisation.
- (6) CASA may, by written notice given to a head of operations, or proposed head of operations, of a Part 142 operator, direct the person to undertake an assessment mentioned in subregulation (7).
- (7) For subregulation (6), the assessment:
- (a) is an assessment conducted by CASA or a person nominated by CASA to demonstrate suitability as head of operations for the operator; and
 - (b) may include assessment in an aeroplane, rotorcraft, airship or flight simulation training device.

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142.190 Part 142 operators—head of operations: responsibilities

- (1) The head of operations of a Part 142 operator must safely manage the authorised Part 142 activities of the operator.
- (2) Without limiting subregulation (1), the responsibilities of the head of operations include the following:
 - (a) monitoring and maintaining, and reporting to the chief executive officer on, the operator's compliance with the provisions of civil aviation legislation and the operator's exposition that apply to the activities;
 - (b) setting and maintaining the operator's standards for the activities in accordance with the operator's exposition;
 - (c) if the activities include flight training or contracted recurrent training—ensuring that the training is conducted in accordance with the operator's training management system;
 - (d) ensuring that the activities are monitored effectively;
 - (e) managing the maintenance and continuous improvement of the operator's fatigue risk management system (if any);
 - (f) ensuring the proper allocation and deployment of aircraft, flight simulation training devices and personnel for use in the activities;
 - (g) ensuring that the operator's personnel are provided with the information and documentation necessary to properly carry out their responsibilities;
 - (h) if the operator conducts an activity in a flight simulation training device—ensuring that the device is used only in accordance with the operator's exposition;
 - (i) if the operator conducts an activity in a flight simulator or flight training device—ensuring that the simulator or device is qualified under Part 60;
 - (j) if the operator conducts an activity in a synthetic trainer—ensuring that the trainer is approved under Civil Aviation Order 45.0;
 - (k) if the operator conducts an activity in any other device—ensuring that the device:
 - (i) meets the qualification standards prescribed by a legislative instrument under regulation 61.045; or

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- (ii) is qualified (however described) by the national aviation authority of a recognised foreign State (within the meaning of regulation 61.010);
 - (l) ensuring that each instructor who conducts an activity for the operator:
 - (i) has access to the parts of the operator's exposition that relate to the instructor's duties; and
 - (ii) holds a valid standardisation and proficiency check for the operator under regulation 142.325;
 - (m) ensuring that each examiner who conducts an activity for the operator has access to the parts of the operator's exposition that relate to the examiner's duties;
 - (n) ensuring that each instructor or examiner who conducts an activity for the operator:
 - (i) is authorised to conduct the activity under Part 61; and
 - (ii) has successfully completed the training set out in the operator's internal training and checking system manual; and
 - (iii) meets the requirements in the operator's exposition about training in human factors principles and non-technical skills;
 - (o) reporting to the chief executive officer on the operator's compliance with the matters mentioned in paragraph (n);
 - (p) ensuring that each instructor or examiner who conducts contracted recurrent training or contracted checking for the operator has access to the contracting operator's training and checking manual;
 - (q) if an instructor attempts but does not successfully complete a standardisation and proficiency check mentioned in the operator's internal training and checking system manual—telling CASA, in writing, within 14 days after the date of the attempt, of the person's name, position and ARN;
 - (r) ensuring that the operator establishes and maintains effective communication, in relation to the activities, with CASA and each contracting operator for which the operator conducts contracted recurrent training or contracted checking;
 - (s) ensuring that written reports are provided to the head of training and checking of each contracting operator in relation
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to the performance of each person for whom the operator conducts contracted recurrent training or contracted checking;

- (t) if the operator conducts the activities in aircraft—ensuring that the operator complies with section 28BH of the Act in relation to flight crew.

142.195 Part 142 operators—safety manager: experience

The safety manager of a Part 142 operator must have:

- (a) sufficient relevant safety management experience to capably lead, manage and set standards to enable the operator to safely implement its safety management system in accordance with its exposition; and
- (b) a satisfactory record in the conduct or management of air operations; and
- (c) sufficient safety and regulatory knowledge to enable the operator to conduct safe authorised Part 142 activities in accordance with its exposition and civil aviation legislation.

Note: A Part 142 operator must have a safety manager if the operator conducts authorised Part 142 activities only in aircraft, or in aircraft and flight simulation training devices: see regulation 142.025, definition of *key personnel*.

142.200 Part 142 operators—safety manager: responsibilities

- (1) The safety manager of a Part 142 operator must manage the safety management system of the operator.
- (2) Without limiting subregulation (1), the responsibilities of the safety manager include:
 - (a) managing the operation of the safety management system including managing corrective, remedial and preventative action in relation to the system; and
 - (b) regularly reporting to the chief executive officer on the effectiveness of the safety management system; and
 - (c) managing the maintenance and continuous improvement of the following systems:
 - (i) safety management system;

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- (ii) fatigue risk management system (if any).

142.205 Part 142 operators—quality assurance manager: experience

The quality assurance manager of a Part 142 operator must have:

- (a) sufficient relevant quality assurance management experience to capably lead, manage and set standards to enable the operator to safely implement its quality assurance management system in accordance with its exposition; and
- (b) sufficient safety and regulatory knowledge to enable the operator to conduct authorised Part 142 activities safely and in accordance with its exposition and civil aviation legislation.

Note: A Part 142 operator must have a quality assurance manager if the operator conducts authorised Part 142 activities only in flight simulation training devices: see regulation 142.025, definition of *key personnel*.

142.210 Part 142 operators—quality assurance manager: responsibilities

- (1) The quality assurance manager of a Part 142 operator must manage the quality assurance management system of the operator.
- (2) Without limiting subregulation (1), the responsibilities of the quality assurance manager include:
 - (a) managing the operation of the quality assurance management system including managing corrective, remedial and preventative action in relation to the system; and
 - (b) regularly reporting to the chief executive officer on the effectiveness of the quality assurance management system; and
 - (c) managing the maintenance and continuous improvement of the quality assurance management system.

142.215 Part 142 operators—key personnel: additional qualifications and experience requirements

- (1) This regulation applies to:
 - (a) an applicant for a Part 142 authorisation; and

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- (b) a Part 142 operator.
- (2) CASA may, by written notice given to the applicant or operator, direct that any of the key personnel of the applicant or operator must have stated additional qualifications or experience to those otherwise required under this Subpart.
- (3) If satisfied that it is necessary in the interests of aviation safety, CASA may, by written notice given to a person who is, or is proposed to be, any of the key personnel of the applicant or operator, direct the person:
 - (a) to undertake a stated examination; or
 - (b) to be interviewed by CASA; or
 - (c) to complete a stated training course.
- (4) In deciding whether to give a direction under this regulation, CASA must have regard to, but is not limited to considering, the following:
 - (a) the need to ensure that the applicant or operator can conduct safe authorised Part 142 activities in accordance with its exposition and civil aviation legislation;
 - (b) the nature and complexity of the activities;
 - (c) the leadership, management and standards-setting skills required by the person for the activities;
 - (d) how recently the person has used his or her aviation skills;
 - (e) whether the person is able to exercise the privileges of each civil aviation authorisation held by the person.

Subpart 142.E—Part 142 operators—instructors and examiners

142.220 Part 142 activities—instructors and examiners must comply with Part 142 authorisation

- (1) An instructor or examiner for a Part 142 operator commits an offence if the instructor or examiner conducts a Part 142 activity otherwise than in accordance with the operator's Part 142 authorisation.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

142.225 Part 142 activities—instructors and examiners must comply with exposition

- (1) An instructor or examiner for a Part 142 operator commits an offence if the instructor or examiner conducts an authorised Part 142 activity for the operator otherwise than in accordance with the operator's exposition.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

142.230 Part 142 operators—instructors and examiners must be authorised under Part 61

- (1) A Part 142 operator commits an offence if:
 - (a) an instructor or examiner for the operator conducts an authorised Part 142 activity for the operator; and
 - (b) the instructor or examiner is not authorised under Part 61 to conduct the activity.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

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142.235 Part 142 operators—instructors and examiners must have access to records

- (1) A Part 142 operator commits an offence if:
 - (a) an instructor or examiner for the operator conducts an authorised Part 142 activity for the operator; and
 - (b) the instructor or examiner does not have access to the operator's records for the persons participating in the activity.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

142.240 Part 142 operators—instructors and examiners must be competent to conduct authorised Part 142 activities in flight simulation training devices

- (1) A Part 142 operator commits an offence if:
 - (a) an instructor or examiner for the operator conducts an authorised Part 142 activity for the operator in a flight simulation training device; and
 - (b) the instructor or examiner has not been assessed by the operator as competent to conduct the activity in the device.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

142.245 Part 142 operators—person recommended for flight test

- (1) A Part 142 operator and the operator's head of operations each commit an offence if:
 - (a) a person is recommended for a flight test by:
 - (i) the head of operations; or
 - (ii) a person named in the operator's exposition as responsible for the Part 142 activity to which the flight test relates; and
 - (b) the person is not eligible under regulation 61.235 to undertake the test.

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Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

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Subpart 142.F Part 142 operators—training management system

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Subpart 142.F—Part 142 operators—training management system

142.250 Part 142 operators—training management system

A Part 142 operator must have a training management system that meets the requirements of regulation 142.255.

142.255 Part 142 operators—training management system requirements

The training management system must include the following:

- (a) for each kind of Part 142 flight training or contracted recurrent training that is an authorised Part 142 activity for the operator—a course outline, detailed syllabus, standards to be met and record forms;
- (b) the procedures to be followed when a standard is not met;
- (c) an auditable system for maintaining records of the results of the operator's flight training or contracted recurrent training.

Subpart 142.G—Part 142 operators—safety management system

142.260 Part 142 operators—safety management system

A Part 142 operator that conducts authorised Part 142 activities only in aircraft, or in aircraft and flight simulation training devices, must have a safety management system that meets the requirements of regulation 142.265.

142.265 Part 142 operators—safety management system requirements

- (1) The safety management system must be a systemic approach to managing safety that:
 - (a) includes the matters mentioned in subregulation (2); and
 - (b) ensures that the operator's authorised Part 142 activities are conducted in a planned and systematic manner and identifies and addresses deficiencies in training outcomes; and
 - (c) if the operator conducts the training in flight simulation training devices:
 - (i) ensures the correct operation and maintenance of the devices; and
 - (ii) without limiting subparagraph (i), includes the matters mentioned in subregulation 142.275(2); and
 - (d) integrates human factors principles.
- (2) For paragraph (1)(a), the matters are the following:
 - (a) organisational structures, accountabilities, policies and procedures necessary to manage safety in a systemic way;
 - (b) a statement of the operator's safety policy, objectives and planning, including details of the following:
 - (i) the management commitment to, and responsibility for, safety;
 - (ii) the safety accountabilities of managers (including key personnel);

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- (iii) the appointment of safety management personnel;
 - (iv) how human factors principles are integrated into the safety management system;
 - (v) a safety management system implementation plan;
 - (vi) relevant third party relationships and interactions;
 - (vii) coordination of an emergency response plan;
 - (viii) safety management system documentation;
 - (c) a safety risk management system, including:
 - (i) hazard identification processes; and
 - (ii) risk assessment and mitigation processes;
 - (d) a safety assurance system, including:
 - (i) details of processes for:
 - (A) safety performance monitoring and measurement; and
 - (B) internal safety investigation; and
 - (C) management of change; and
 - (D) continuous improvement of the safety management system; and
 - (ii) if the operator operates an aircraft mentioned in subregulation (3) for the activities—a flight data analysis program that meets the requirements mentioned in subregulation (4);
 - (e) a safety training and promotion system, including details of the following:
 - (i) safety management system training and education;
 - (ii) safety management system safety communication.
- (3) For subparagraph (2)(d)(ii), the aircraft are the following:
- (a) an aeroplane with a maximum certificated take-off weight of more than 27 000 kg;
 - (b) a rotorcraft with a maximum certificated take-off weight of more than 7 000 kg.
- (4) For subparagraph (2)(d)(ii), the requirements are that the flight data analysis program must:

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- (a) regularly record and analyse the operational flight data of individual and aggregated operations for the purpose of improving the safety of flight operations; and
- (b) be provided by:
 - (i) the operator; or
 - (ii) another appropriate person; and
- (c) ensure that, except as mentioned in subregulations (6) and (7):
 - (i) the identity of a person who is the source of data is protected from disclosure to anyone other than the following:
 - (A) a person whose duties require the person to analyse operational flight data;
 - (B) a person who has access to the person's identity solely for the purpose of analysing operational flight data;
 - (C) a pilot appointed by the operator to liaise with flight crew in relation to matters arising from the flight data analysis program; and
 - (ii) no punitive action in relation to the data may be taken by the operator against the person.
- (5) For subparagraph (4)(b)(ii), the provision of the flight data analysis program by an appropriate person does not in any way compromise the operator's responsibility to provide, and ensure the effectiveness of, the program.
- (6) For paragraph (4)(c), the identity of a person who is the source of data may be disclosed:
 - (a) with the written consent of the person; or
 - (b) under a court order.
- (7) For paragraph (4)(c), the identity of a person who is the source of data may be disclosed, and the operator may take punitive action against the person, if the operator has evidence that the person:
 - (a) deliberately contravened a provision of civil aviation legislation or the operator's exposition; or
 - (b) persistently engaged in unsafe actions without appropriate safety reasons.

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- (8) Without limiting paragraph (1)(b), the system must include the following:
- (a) a process for auditing the activities;
 - (b) a process for promoting the continual improvement of the activities;
 - (c) a process for evaluating the training outcomes from pre-flight test assessments and post-flight test feedback from examiners;
 - (d) a process for regularly assessing the suitability of the operator's facilities and resources used for conducting the activities;
 - (e) a process for recommending changes to the following:
 - (i) the safety management system;
 - (ii) the training management system;
 - (iii) the internal training and checking system.

Subpart 142.H—Part 142 operators—quality assurance management system

142.270 Part 142 operators—quality assurance management system

A Part 142 operator that conducts authorised Part 142 activities only in flight simulation training devices must have a quality assurance management system that meets the requirements of regulation 142.275.

142.275 Part 142 operators—quality assurance management system requirements

- (1) The quality assurance system must:
 - (a) ensure the correct operation and maintenance of the flight simulation training devices; and
 - (b) ensure that the operator's authorised Part 142 activities are conducted in a planned and systematic manner and identifies and addresses deficiencies in training outcomes.
- (2) Without limiting paragraph (1)(a), the system must include the following:
 - (a) quality policy;
 - (b) management responsibility;
 - (c) document control;
 - (d) resource allocation;
 - (e) quality procedures;
 - (f) internal audit.
- (3) Without limiting paragraph (1)(b), the system must include the following:
 - (a) a process for auditing the activities;
 - (b) a process for promoting the continual improvement of the activities;

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Subpart 142.H Part 142 operators—quality assurance management system

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- (c) a process for evaluating the training outcomes from pre-flight test assessments and post-flight test feedback from examiners;
- (d) a process for regularly assessing the suitability of the operator's facilities and resources used for conducting the activities;
- (e) a process for recommending changes to the following:
 - (i) the quality assurance management system;
 - (ii) the training management system;
 - (iii) the internal training and checking system.

Subpart 142.I—Part 142 operators—personnel fatigue management

Note: This Subpart is reserved for future use.

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Subpart 142.J—Part 142 operators—internal training and checking

142.310 Part 142 operators—internal training and checking system

A Part 142 operator must have an internal training and checking system for its personnel that meets the requirements of regulation 142.315.

142.315 Part 142 operators—internal training and checking system requirements

The internal training and checking system must include the following:

- (a) a description of the operator's internal training and checking, including details of how the training and checking is conducted;
- (b) a description of the duties and responsibilities assigned to personnel conducting internal training and checking;
- (d) procedures that ensure that each of the operator's personnel:
 - (i) has an understanding of the operator's training management system; and
 - (ii) completes internal training and checking as described under paragraph (a); and
 - (iii) is supervised effectively;
- (e) command responsibility during flights for internal training and checking;
- (f) for each kind of internal training and checking conducted by or for the operator—the minimum number of check pilots and the minimum crew qualifications required by the operator for the training (if any);
- (g) any general restrictions, specifications or safety precautions for internal training and checking (including in relation to fuel load, ballast and minimum weather conditions);

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- (h) methods of conducting internal training and checking including the following:
 - (i) the standards to be achieved;
 - (ii) training sequences for common faults;
 - (iii) the method of simulating emergencies or malfunctions;
- (i) procedures that ensure that an instructor who conducts an authorised Part 142 activity for the operator holds a valid standardisation and proficiency check for the operator under regulation 142.325;
- (j) procedures that ensure that an instructor who uses a flight simulation training device to conduct an authorised Part 142 activity for the operator is competent to use the device to conduct the activity.

142.320 Part 142 operators—proficiency of instructors

- (1) A Part 142 operator commits an offence if:
 - (a) an instructor for the operator conducts an authorised Part 142 activity for the operator; and
 - (b) the instructor does not meet the requirement mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the requirement is that the instructor must:
 - (a) hold a valid standardisation and proficiency check for the operator under regulation 142.325; or
 - (b) be successfully participating in the operator's internal training and checking system.
- (3) An offence against this regulation is an offence of strict liability.

142.325 Part 142 operators—holding valid standardisation and proficiency check for operator

- (1) An instructor for a Part 142 operator holds a valid standardisation and proficiency check for the operator if:
 - (a) the instructor has successfully completed the operator's standardisation and proficiency check; and

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- (b) the check complies with regulation 142.330; and
 - (c) under subregulation (2) or (3), the check is valid.
- (2) A standardisation and proficiency check is valid for the period comprising:
 - (a) the period beginning on the day on which the check is completed, and ending at the end of the month in which the check is completed; and
 - (b) the period of 12 months immediately following the month in which the check was completed.
- (3) If:
 - (a) an instructor holds a standardisation and proficiency check that is valid under subregulation (2) (the *existing check*); and
 - (b) the instructor successfully completes a new standardisation and proficiency check on a day that is less than 3 months before the day on which the existing check is due to expire;the new check is valid for 12 months beginning at the end of the day on which the existing check expires.

142.330 Part 142 operators—standardisation and proficiency check requirements

- (1) A Part 142 operator's standardisation and proficiency check for an instructor must check the competency of the instructor to conduct the Part 142 activity that the operator has engaged the instructor to conduct.
- (2) The check must be carried out by:
 - (a) the operator's head of operations; or
 - (b) a person authorised to conduct the check by the operator's head of operations.

142.335 Part 142 operators—instructors and examiners—training in human factors principles and non-technical skills

- (1) A Part 142 operator commits an offence if:
 - (a) an instructor or examiner for the operator conducts an authorised Part 142 activity for the operator; and
-

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- (b) the instructor or examiner does not meet the requirements in the operator's exposition about training in human factors principles and non-technical skills.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Subpart 142.K—Part 142 operators—expositions

142.340 Part 142 operators—content of exposition

- (1) An exposition for a Part 142 operator must include the following:
 - (a) the operator's name (including any operating or trading name), contact details and ABN (if any);
 - (b) the address of:
 - (i) the operator's operational headquarters; and
 - (ii) each of the operator's training bases;
 - (c) a description and diagram of the operator's organisational structure showing formal reporting lines including the formal reporting lines for each of the key personnel;
 - (d) if the operator is a corporation—a description of the operator's corporate structure;
 - (e) for each of the key personnel, the following information:
 - (i) the qualifications and experience (if any) required by the operator for the position in addition to the qualifications and experience required under Subpart 142.D for the position;
 - (ii) each matter (if any) for which the holder of the position is responsible in addition to the responsibilities mentioned in Subpart 142.D for the position;
 - (iii) the name of the person appointed to the position;
 - (iv) the name of each person authorised to carry out the responsibilities of the position when the position holder:
 - (A) is absent from the position; or
 - (B) cannot carry out the responsibilities;
 - (v) a description of how the operator will manage the responsibilities of the position during a circumstance mentioned in subparagraph (iv);
 - (f) each matter (if any) for which the chief executive officer is responsible and accountable in addition to the matters mentioned in regulation 142.180;

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- (g) if the operator's authorised Part 142 activities include Part 142 flight training—the name of each instructor appointed by the operator's head of operations to have responsibility for particular flight training;
- (h) a description of the operator's program for training and assessing personnel in human factors principles and non-technical skills;
- (i) details of the responsibilities of the operator's personnel (other than key personnel) under these Regulations;
- (j) a description of the authorised Part 142 activities conducted by the operator including:
 - (i) for Part 142 flight training or contracted recurrent training:
 - (A) the training plans and syllabuses for the training; and
 - (B) the areas of operation for the training; and
 - (C) checklists (if any) and the circumstances when the use of a checklist is permitted; and
 - (ii) minimum qualifications and experience for personnel conducting the activities; and
 - (iii) command responsibility during flights for the activities; and
 - (iv) for contracted recurrent training or contracted checking—procedures to ensure that the operator conducts the training or checking in accordance with the contracting operator's training and checking manual and standard operating procedures (if any);
- (k) a description of the procedures by which the operator conducts and manages the activities, including the supervision of instructors and persons participating in activities;
- (l) if the operator conducts the activities in aircraft:
 - (i) for each registered aircraft that is flown into, out of or outside Australian territory in the course of conducting the activities—the kind of aircraft and its registration mark; and

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- (ii) for each foreign registered aircraft—the kind of aircraft and its nationality and registration marks; and
- (iii) a description of any leasing or other arrangements for the supply of any turbine-engined aircraft; and
- (iv) a description of the way any turbine-engined aircraft are managed and maintained, and the way continuing airworthiness of the aircraft is assured; and
- (v) a description of each flight training area;
- (m) if the operator conducts the activities in relation to a flight crew licence or rating of a kind for which a low-flying activity is required—a description of how the operator will determine a suitable flight training area for the activity;
- (n) if the operator conducts the activities in flight simulation training devices:
 - (i) a description of the devices used by the operator in conducting the activities; and
 - (ii) for each device—each purpose mentioned in Part 61 that the device may be used for; and
 - (iii) for flight simulators and flight training devices—a description of the procedures by which the operator ensures the qualification of the simulators and devices under Part 60; and
 - (iv) for synthetic trainers—a description of the procedures by which the operator ensures the approval of the trainers under Civil Aviation Order 45.0; and
 - (v) for any other device—a description of the procedures by which the operator ensures that the device:
 - (A) meets the qualification standards prescribed by a legislative instrument under regulation 61.045; or
 - (B) is qualified (however described) by the national aviation authority of a recognised foreign State (within the meaning of regulation 61.010);
- (o) a description of the way the operator manages the risk of fatigue in its personnel, including the operator's fatigue risk management system manual (if any);
- (p) the facilities used by the operator for the activities;

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- (q) a description of any operations, other than authorised Part 142 activities, conducted, or proposed to be conducted, by the operator;
 - (r) a description of any aeronautical or aviation-related services provided, or to be provided, by third parties to the operator;
 - (s) the following manuals:
 - (i) an operations manual;
 - (ii) a dangerous goods manual (if any);
 - (iii) a training management system manual that describes the operator's training management system;
 - (iv) if the operator conducts the activities only in aircraft, or in aircraft and flight simulation training devices—a safety management system manual that describes the operator's safety management system;
 - (v) if the operator conducts the activities only in flight simulation training devices—a quality assurance management system manual that describes the operator's quality assurance management system;
 - (vi) an internal training and checking system manual that describes the operator's internal training and checking system;
 - (t) a description of the operator's process for making changes including:
 - (i) identifying changes that are significant changes; and
 - (ii) identifying changes that are not significant changes; and
 - (iii) telling CASA of the changes;
 - (u) a description of any other matter required to be approved by CASA under these Regulations in relation to Part 142 activities;
 - (v) a matter prescribed by a legislative instrument under regulation 142.045 for this paragraph.
- (2) A manual mentioned in paragraph (o) or any of subparagraphs (1)(s)(ii) to (vi) may be included as part of the operator's operations manual.
- (3) An exposition for a Part 142 operator may include a list of material required for the operator's reference library.
-

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142.345 Part 142 operators—compliance with exposition by operator

- (1) A Part 142 operator commits an offence if the operator contravenes a provision of its exposition.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

142.350 Part 142 operators—providing personnel with exposition

- (1) A Part 142 operator commits an offence if:
- (a) the operator's exposition relates to a duty or responsibility of a person who is a member of the operator's personnel; and
 - (b) the operator does not make the part of the exposition that relates to the duty or responsibility available to the person before the person first begins carrying out the duty or responsibility.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Subpart 142.L—Part 142 operators—logs and records

142.355 Part 142 operators—making and keeping records

- (1) A Part 142 operator commits an offence if:
- (a) a person participates in an authorised Part 142 activity conducted by the operator; and
 - (b) a record of the person's participation, including a description and assessment of the person's performance, is not made within 21 days after the activity is conducted.

Penalty: 50 penalty units.

- (2) A Part 142 operator commits an offence if the operator does not retain a record made under subregulation (1) for at least 7 years after the record is made.

Penalty: 50 penalty units.

- (3) An offence against this regulation is an offence of strict liability.

142.360 Part 142 operators—availability of records

- (1) A Part 142 operator commits an offence if the operator does not make a record made under regulation 142.355 available, on request, to the person to whom the record relates.

Penalty: 50 penalty units.

- (2) A Part 142 operator commits an offence if:
- (a) a record is made under regulation 142.355; and
 - (b) the operator receives a request from another Part 142 operator for a copy of the record; and
 - (c) the operator holds a written authority from the person to whom the record relates to provide a copy of the person's records to another Part 142 operator if requested; and

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- (d) the operator does not give a copy of the record to the other Part 142 operator within 7 days after receiving the request.

Penalty: 50 penalty units.

- (3) An offence against this regulation is an offence of strict liability.

Subpart 142.M—Part 142 operators— miscellaneous offences

142.365 Part 142 operators—pilot in command for training to be authorised under Part 61

- (1) A Part 142 operator commits an offence if:
- (a) a person flies an aircraft as pilot in command in the conduct of an authorised Part 142 activity for the operator; and
 - (b) the person is not authorised under Part 61 to fly the aircraft as pilot in command.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Note: See also subsection 20AB(1) of the Act.

142.370 Part 142 operators—carriage of passengers prohibited during abnormal operations or low-flying activity

- (1) A Part 142 operator commits an offence if:
- (a) during a flight of an aircraft for an authorised Part 142 activity for the operator:
 - (i) a simulated engine or system failure that affects the aircraft's performance or handling characteristics is conducted; or
 - (ii) a low-flying activity is conducted; and
 - (b) a passenger is carried on the flight.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

142.375 Part 142 operators—authorisation of carriage of passengers

- (1) A Part 142 operator commits an offence if:

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- (a) a person flies an aircraft used in an authorised Part 142 activity for the operator as pilot in command; and
- (b) the operator authorises the carriage of a passenger on the flight; and
- (c) the person is not authorised under Part 61 to fly the aircraft as pilot in command with a passenger on board.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

142.380 Part 142 operators—integrated training courses: transfer of student from another Part 142 operator

- (1) This regulation applies if:
 - (a) a person seeks to undertake part of an integrated training course with a Part 142 operator (the *current operator*); and
 - (b) the person has previously undertaken part of the course with one or more other Part 142 operators (the *previous operators*).
- (2) The current operator commits an offence if:
 - (a) the operator provides part of the course to the person; and
 - (b) the operator does not meet the requirement mentioned in subregulation (3).

Penalty: 50 penalty units.

- (3) For paragraph (2)(b), the requirement is that the current operator must have determined:
 - (a) what part of the course the person has completed with the previous operators; and
 - (b) what part of the course the person needs to complete with the current operator to ensure that, taken together, the parts of the course provided by the previous and current operators will meet the standards specified in the Part 61 Manual of Standards for the course.
- (4) An offence against this regulation is an offence of strict liability.

**142.385 Part 142 operators—completion of training and assessment
of competency for certain solo flights**

Student pilots

- (1) A Part 142 operator commits an offence if:
- (a) a student pilot who is undertaking authorised Part 142 flight training with the operator conducts a solo flight of a kind mentioned in subregulation (2) for the first time; and
 - (b) the student pilot does not meet the requirements mentioned in subregulation (3).

Penalty: 50 penalty units.

- (2) For paragraph (1)(a), the kinds of solo flight are the following:
- (a) a circuit training flight;
 - (b) a flight between an aerodrome and the flight training area for the aerodrome;
 - (c) a cross-country flight;
 - (d) a flight at night.
- (3) For paragraph (1)(b), the requirements are the following:
- (a) the student pilot must have completed the training mentioned in the operator's exposition that relates to the conduct of a solo flight of that kind by a student pilot;
 - (b) the student pilot must have been assessed by the operator as competent to conduct the solo flight;
 - (c) if the flight is a flight of a kind mentioned in paragraph (2)(c) or (d)—the student pilot must have completed at least 2 hours of dual instrument time, 1 hour of which is conducted during dual instrument flight time.

Holders of pilot licences

- (4) A Part 142 operator commits an offence if:
- (a) the holder of a pilot licence who is receiving flight training from the operator for a rating or endorsement on the pilot's licence conducts a solo flight at night for the first time; and

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- (b) the flight training is authorised Part 142 training for the operator; and
- (c) the holder does not meet the requirements mentioned in subregulation (5).

Penalty: 50 penalty units.

- (5) For paragraph (4)(c), the requirements are the following:
- (a) the holder must have completed the training mentioned in the operator's exposition that relates to the conduct of a solo flight for flight training for the rating or endorsement;
 - (b) the holder must have been assessed by the operator as competent to conduct the solo flight.

Penalty: 50 penalty units.

- (6) An offence against this regulation is an offence of strict liability.

Note: See also Subdivision 61.A.3.1 and regulation 61.1225.

142.386 Part 142 operators—appropriate briefing and capability to conduct certain solo flights etc.

- (1) A Part 142 operator commits an offence if:
- (a) a person who is undertaking authorised Part 142 flight training with the operator conducts a solo flight for the first time; and
 - (b) the person does not meet the requirements mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the requirements are the following:
- (a) the person must have been briefed appropriately for the flight;
 - (b) the person must be capable of conducting the flight safely;
 - (c) if the person is a student pilot—the person must:
 - (i) have been assessed by CASA or an examiner as meeting the general English language proficiency standard mentioned in the Part 61 Manual of Standards; or

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- (ii) have completed an approved course of training in English language proficiency;
 - (d) the person must have an ARN.
- (3) Strict liability applies to paragraph (1)(a).

Note: See also Subdivision 61.A.3.1 and regulation 61.1225.

142.390 Part 142 operators—dealings in relation to cancelled, suspended, varied, pending or refused civil aviation authorisations: when approval required

Requirement for approval

- (1) A Part 142 operator commits an offence if:
- (a) the operator does an act mentioned in subregulation (2), (4), (6) or (8); and
 - (b) the operator does not hold an approval under regulation 142.040 to do the act.

Penalty: 50 penalty units.

Acts in relation to cancelled authorisations

- (2) For paragraph (1)(a), the acts are the following:
- (a) to use, in any of the operator's authorised Part 142 activities, an aircraft the operation of which was authorised by a cancelled authorisation;
 - (b) to employ, in connection with any of the operator's authorised Part 142 activities, a person who was, at the time of the cancellation, employed in connection with an operation the conduct of which was authorised by a cancelled authorisation;
 - (c) to conduct an operation, or part of an operation, the conduct of which was authorised by a cancelled authorisation.

Acts in relation to suspended or varied authorisations

- (3) Subregulation (4) applies in relation to a suspended or varied authorisation.

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- (4) For paragraph (1)(a), the acts are the following:
- (a) to use, in any of the operator's authorised Part 142 activities, an aircraft the operation of which:
 - (i) was, immediately before the suspension or variation, authorised by the authorisation; but
 - (ii) is no longer authorised by the authorisation as suspended or varied;
 - (b) to employ, in connection with any of the operator's authorised Part 142 activities, a person who was, at the time of the suspension or variation, employed in connection with an operation the conduct of which:
 - (i) was, immediately before the suspension or variation, authorised by the authorisation; but
 - (ii) is no longer authorised by the authorisation as suspended or varied;
 - (c) to conduct an operation, or part of an operation, the conduct of which:
 - (i) was, immediately before the suspension or variation, authorised by the authorisation; but
 - (ii) is no longer authorised by the authorisation as suspended or varied.

Note: See section 28BB of the Act in relation to varying AOC conditions.

Pending applications for authorisations

- (5) Subregulation (6) applies in relation to an application for a civil aviation authorisation that has not been finally determined by CASA.
- (6) For paragraph (1)(a), the acts are the following:
- (a) to use, in any of the operator's authorised Part 142 activities, an aircraft the operation of which would be authorised by the authorisation;
 - (b) to employ, in connection with any of the operator's authorised Part 142 activities, a person employed, or proposed to be employed, in connection with an operation the conduct of which would be authorised by the authorisation;

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- (c) to conduct an operation, or part of an operation, the conduct of which would be authorised by the authorisation.

Application for authorisation refused

- (7) Subregulation (8) applies in relation to an application for a civil aviation authorisation that has been refused by CASA.
- (8) For paragraph (1)(a), the acts are the following:
- (a) to use, in any of the operator's authorised Part 142 activities, an aircraft the use of which would have been authorised by the authorisation;
 - (b) to employ, in connection with any of the operator's authorised Part 142 activities, a person employed, or proposed to be employed, in connection with an operation the conduct of which would have been authorised by the authorisation;
 - (c) to conduct an operation, or part of an operation, the conduct of which would have been authorised by the authorisation.
- (9) An offence against this regulation is an offence of strict liability.
- (10) In this regulation:

cancelled authorisation means a civil aviation authorisation that has been cancelled otherwise than on application by the holder of the authorisation.

employ includes engage, whether by contract or other arrangement.

suspended authorisation means a civil aviation authorisation that has been suspended otherwise than on application by the holder of the authorisation.

varied authorisation means a civil aviation authorisation that has been varied otherwise than on application by the holder of the authorisation.

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142.395 Part 142 operators—maximum period for use of foreign registered aircraft in Australian territory

- (1) A Part 142 operator commits an offence if, in any 12 month period, the operator uses a foreign registered aircraft to conduct authorised activities in Australian territory for a total of more than the number of days mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For subregulation (1), the number of days is:
- (a) 90; or
 - (b) if the operator holds an approval under regulation 142.040 for this regulation in relation to the aircraft—the number mentioned in the approval for the aircraft.
- (3) An offence against this regulation is an offence of strict liability.
- (4) In this regulation:

authorised activity, for a Part 142 operator, means an activity authorised by a civil aviation authorisation held by the operator.

Part 143—Air Traffic Services Training Providers

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Subpart 143.A—General

143.005 Applicability of this Part

- (1) This Part:
 - (a) applies to a person that wants to become, or is, an ATS training provider; and
 - (b) sets out certain administrative rules applying to CASA in its administration of this Part.
- (2) However, this Part does not apply to:
 - (a) a person who is providing ATS training in the course of his or her duties for the Defence Force; or
 - (b) any ATS training provided by the Defence Force.

143.010 Definitions for this Part

In this Part:

Australian National Training Authority means the Australian National Training Authority established by the *Australian National Training Authority Act 1992*.

Australian Qualifications Framework means the framework set out in a document called ‘Australian Qualifications Framework Implementation Handbook’ published by the Australian Qualifications Framework (AQF) Advisory Board in 1998.

Australian Quality Training Framework means the quality arrangements for vocational education and training services set out in the document called ‘Australian Quality Training Framework – Standards for Registered Training Organisations’ published by the Australian National Training Authority in 2001.

Manual of Standards – Part 65 means the document called ‘Manual of Standards (MOS) – Part 65’ issued by CASA under regulation 65.033, as in force from time to time.

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Manual of Standards – Part 143 means the document called ‘Manual of Standards (MOS) – Part 143’ issued by CASA under regulation 143.017, as in force from time to time.

training provider means a person who, or entity that, provides vocational education and training.

training recognition authority, in relation to a State or Territory, means a body that has, under a law of the State or Territory, the responsibility for registering training providers in that State or Territory.

143.015 What is an ATS training provider

An ATS training provider is a person approved, under Subpart 143.F, to provide the training relating to air traffic services that is covered by the approval.

143.016 Person not to provide service without approval

- (1) A person must not provide training relating to air traffic services unless the person:
 - (a) is approved, under Division 143.F.2, to provide the training;
or
 - (b) is an ATS provider within the meaning in Part 172.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

143.017 Issue of Manual of Standards

- (1) CASA may issue a Manual of Standards for this Part that provides for the following matters:
 - (a) standards, including procedures, plans, systems and documentation, for the provision of air traffic services training;
 - (b) standards for facilities and equipment used to provide air traffic services training;

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- (c) standards, including competency standards and minimum qualifications, for instructors engaged in air traffic services training;
- (d) any matter required or permitted by these Regulations to be provided for by the Manual of Standards;
- (e) any matter necessary or convenient to be provided for the effective operation of this Part.

Note: A Manual of Standards is a legislative instrument—see subsections 98(5A) and (5B) of the Act. It must be registered in accordance with the *Legislation Act 2003* and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

- (2) CASA must give a copy of a notice about a Manual of Standards for this Part (being a notice referred to in subregulation 11.275(3) or regulation 11.280) to each ATS training provider.

Note: Subpart 11.J (including regulations 11.275 and 11.280) sets out procedures for the issue, amendment and revocation of a MOS.

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Subpart 143.B—Approval as an ATS training provider

143.020 What an application must be accompanied by

An application for approval as an ATS training provider must be accompanied by:

- (a) a written statement setting out details of the training relating to air traffic services that the applicant proposes to provide; and
- (b) a written statement setting out details of the relevant qualifications and experience of the applicant and applicant's personnel, including the number of suitably qualified personnel who will be involved in providing the training; and
- (c) enough information to show that the applicant is a registered training organisation whose registration:
 - (i) is in force; and
 - (ii) is for training delivery covering the training; and
- (d) a written statement describing the arrangements the applicant has made to comply with the requirements of Subparts 143.C and 143.D.

143.025 When applicant is eligible for approval

For Subpart 143.F, an applicant is eligible to become an ATS training provider for particular training relating to air traffic services if the applicant:

- (aa) is any of the following:
 - (i) the Commonwealth;
 - (ii) AA;
 - (iii) a person who is to provide air traffic services training services in cooperation with AA, in accordance with paragraph 11(3)(b) of the *Air Services Act 1995*;
 - (iv) a person who is to provide air traffic services training services by arrangement with AA, in accordance with paragraph 11(3)(c) of the *Air Services Act 1995*; and

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- (a) is a registered training organisation whose registration:
 - (i) is in force; and
 - (ii) is for training delivery covering that training; and
- (b) is able to comply with the requirements of Subparts 143.C and 143.D or will be able to do so if the applicant is approved.

143.027 CASA may impose conditions on approvals

Without limiting regulations 11.056 and 11.067, CASA may impose, on an approval, any condition necessary to give effect to an arrangement mentioned in subsection 11(3) of the *Air Services Act 1995*.

143.050 Variation of approvals

- (1) If an ATS training provider wants to vary its approval, it must apply to CASA, under Subpart 143.F, for that purpose.
- (2) The application must contain, or have with it, a copy of the proposed variation.

Subpart 143.C—Requirements to be complied with by ATS training providers

Division 143.C.1—Requirements for training

143.055 Standard for training

An ATS training provider must ensure that the training relating to air traffic services that it provides:

- (a) is of at least the standard required by the Manual of Standards – Part 65; and
- (b) complies with the Australian Qualifications Framework.

143.060 Training plan

An ATS training provider must have, and put into effect, a training plan for the training relating to air traffic services covered by its approval that is in accordance with the standards and requirements set out in the Manual of Standards – Part 65.

Division 143.C.2—Personnel

143.065 Personnel

An ATS training provider must have, at all times, enough suitably qualified personnel to enable it to provide, in accordance with both the Australian Quality Training Framework and the standards and requirements set out in the Manual of Standards – Part 65, the training relating to air traffic services that is covered by its approval.

143.070 Qualifications for certain personnel

An ATS training provider must not give to a person responsibility as an instructor or assessor for any training relating to air traffic services that it provides unless the person:

- (a) has suitable qualifications and experience in accordance with the Australian Quality Training Framework; and
- (b) satisfies the requirements of the Manual of Standards – Part 65 for persons having that responsibility.

Division 143.C.3—Reference materials, documents and records

143.075 Reference materials

- (1) An ATS training provider must maintain a set of the reference materials mentioned in regulation 143.080 for use by members of its personnel who have responsibilities as instructors or assessors for any training relating to air traffic services that it provides.
- (2) The provider must maintain another set of the reference materials for use by anyone undertaking training relating to air traffic services that it provides.
- (3) The provider must keep the reference materials up to date and in a readily accessible form.
- (4) The instructors and assessors and anyone undertaking training must have ready access to the reference materials.

143.080 Material to be included in reference materials

For regulation 143.075, the reference materials to be maintained by the provider must include the following:

- (a) copies of the Act and these Regulations;
- (b) copies of Annexes 1, 6, 11 and 12 to the Chicago Convention;
- (c) a copy of the AIP;
- (d) copies of the Manual of Standards – Part 65 and the Manual of Standards – Part 143;
- (e) all manuals and documents specified in the Manual of Standards – Part 65 and Manual of Standards – Part 143.

143.085 Documents and records

- (1) The provider must keep documents and records of the kinds specified in the Manual of Standards – Part 143.

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- (2) A document or record must be retained for as long as the Manual specifies for the particular kind of document or record.
- (3) The provider must, at CASA's request, make the documents and records, or copies of them or extracts from them, available for inspection by CASA.

143.090 Document and record control system

- (1) The provider must establish, and put into effect, a system, in accordance with the standards set out in the Manual of Standards – Part 143, for controlling the documents and records required to be kept under regulation 143.085.
- (2) The system must include the policies and procedures for making, amending and preserving those documents and records.

Subpart 143.D—Telling CASA about changes

143.095 Advice on organisational changes

The provider must tell CASA, in writing, of a change of circumstances that materially affects its capacity to provide any training relating to air traffic services that is covered by its approval within 7 days after the change occurs.

143.100 Discontinuing training

- (1) The provider must not discontinue any training relating to air traffic services that is covered by its approval, unless it has given CASA at least 28 days written notice that the training is to be discontinued.
- (2) Subregulation (1) does not apply if, having regard to the provider's circumstances:
 - (a) it was not reasonably practicable for the provider to give to CASA at least 28 days notice; and
 - (b) the provider gives the notice as soon as reasonably practicable before, on or after the day when the service is discontinued.

143.105 Status as registered training organisation

If an ATS training provider, for any reason at any time after its approval as an ATS training provider, loses its status as a registered training organisation, it must, within 7 days, tell CASA in writing accordingly.

Subpart 143.E—Miscellaneous

143.110 Unapproved training

An ATS training provider must not provide any training relating to air traffic services unless:

- (a) its approval:
 - (i) is in force; and
 - (ii) covers that training; and
- (b) it is a registered training organisation whose registration:
 - (i) is in force; and
 - (ii) is for training delivery covering that training.

Subpart 143.F—Administration

Note: In addition to the provisions of this Subpart, Part 11 contains provisions relating to an application for approval as an ATS training provider.

Division 143.F.1—Preliminary

143.115 Applicability of this Subpart

This Subpart:

- (a) sets out certain administrative rules applying to CASA in its administration of this Part; and
- (b) includes certain generic provisions applying to anyone who wants to become, or is, an ATS training provider.

Division 143.F.2—Approvals

143.118 Applying for approval

Subject to regulation 143.120, a person may apply to CASA, in writing, for approval as an ATS training provider.

Note: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

143.120 Joint applications not permitted

- (1) An application purportedly made by 2 or more persons jointly is not a valid application for any purpose.
- (2) An application purportedly made by a partnership is not a valid application for any purpose.

143.130 Applications by corporations etc—what must be included

- (1) An application from a person other than an individual must set out:
 - (a) the applicant's registered address and ACN; and
 - (b) the names and addresses of its officers.
- (2) In paragraph (1)(b):

officer has the meaning given by section 9 of the *Corporations Act 2001*.

143.145 CASA may require demonstrations of procedures or equipment

Regulation 11.045 applies in relation to an approval as an ATS training provider.

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143.175 Grant of approval

Subject to regulation 11.055, if an applicant has applied for approval as an ATS training provider under this Part, CASA must grant the approval.

- Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:
- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
 - (b) a decision imposing a condition on an approval.

143.180 When decision must be made

- (1) If CASA does not make a decision about an application within the period mentioned in subregulation (2) after receiving it, CASA is taken to have refused the application.
- (2) The period is 6 months.
- (3) However, if CASA makes a request under regulation 11.035, 11.040 or 11.045, the time between when CASA makes the request, and when the applicant conducts the demonstration, comes in for interview, or gives CASA the information or copy requested, does not count towards the period.
- (4) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050(3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (5) Also, if CASA invites an applicant to make a written submission under subregulation 11.050(2), the time between when CASA gives the invitation and when the applicant makes the written submission does not count towards the period.
- (6) In this regulation:

application includes an application to vary an approval under this Division.

Division 143.F.4—Suspension and cancellation of approvals

143.215 Definition for this Division

In this Division:

show cause notice means a notice under regulation 143.230.

143.220 Suspension of approval by show cause notice

- (1) CASA may state, in a show cause notice, that an ATS training provider's approval is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.

Note: Regulation 201.4 provides for review of certain decisions by the Administrative Appeals Tribunal.

- (2) If a show cause notice states that the approval is suspended, the approval is suspended from when the notice is given to the provider.
- (3) CASA may revoke the suspension at any time.
- (4) If CASA has not cancelled the approval under regulation 143.235, within 90 days after the day the show cause notice is given to the provider, the suspension lapses at the end of that period.

143.225 Grounds for cancellation of approval

It is grounds for the cancellation of an ATS training provider's approval if the provider:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) does not meet, or continue to meet, a requirement of this Part for getting the approval; or
- (d) has otherwise been guilty of conduct that renders the provider's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

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Note: Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

143.230 Notice to show cause

- (1) CASA may give an ATS training provider a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the provider's approval.
- (2) A show cause notice must:
 - (a) tell the provider of the facts and circumstances that justify the cancellation of the approval; and
 - (b) invite the provider to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2)(b), the period must not be less than 7 days.

143.235 Cancellation of approval after show cause notice

- (1) Subject to regulation 143.245, CASA may cancel an ATS training provider's approval only if:
 - (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
 - (b) CASA has given the provider a show cause notice in relation to the grounds for the proposed cancellation; and
 - (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the provider; and
 - (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) If CASA has given a show cause notice to an ATS training provider, and it decides not to cancel the provider's approval, it:
 - (a) must tell the provider, in writing, of the decision; and
 - (b) must, if the approval is suspended, revoke the suspension.

143.245 Cancellation if cooperation or arrangement ceases

- (1) CASA must cancel the approval of a person mentioned in subparagraph 143.025(aa)(iii) if the cooperation mentioned in that subparagraph ceases.
- (2) CASA must cancel the approval of a person mentioned in subparagraph 143.025(aa)(iv) if the arrangement mentioned in that subparagraph ceases.

Part 144—Distribution organisations

Note: This Part heading is reserved for future use.

Part 145—Continuing airworthiness—Part 145 approved maintenance organisations

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Subpart 145.A—General

145.005 Purpose of Part

This Part:

- (a) sets out matters relating to Part 145 organisations, including:
 - (i) requirements for approval as a Part 145 organisation; and
 - (ii) requirements that apply to Part 145 organisations; and
- (b) empowers CASA to issue a Manual of Standards for this Part.

Note: See Division 202.GE.2.1 for transitional provisions under which Part 145 organisations can be approved to undertake CAR maintenance activities.

145.010 Definitions for Part

- (1) In this Part:

accountable manager, for a Part 145 organisation, means the individual, appointed by the organisation, who is responsible for:

- (a) ensuring that the organisation complies with its exposition, each approval rating that it holds, and these Regulations; and
- (b) ensuring that the organisation is able to finance the provision of the maintenance services set out in its exposition; and
- (c) ensuring that the organisation has adequate resources available to enable it to provide maintenance services in accordance with its exposition; and
- (d) establishing and promoting policies for safety management and quality systems in accordance with the requirements of this Part and Part 42.

approval certificate means a certificate issued under regulation 145.035.

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approval rating means a rating for a kind of aircraft, aeronautical product or specialist maintenance specified in the Part 145 Manual of Standards.

exposition, for a Part 145 organisation, means the document that is approved by CASA under regulation 145.030 in relation to the organisation, including:

- (a) if a change to the document is approved by CASA under regulation 145.055—that change; and
- (b) if the document is updated and the organisation gives CASA a copy of the updated part of the document under regulation 145.060—the updated part of the document; and
- (c) if the organisation makes a change to the document in accordance with a direction given by CASA under regulation 145.065—that change.

quality manager, for a Part 145 organisation, means the individual, appointed by the organisation, who is responsible for the quality management system described in the Part 145 Manual of Standards for the organisation.

responsible manager, for a Part 145 organisation, means an individual appointed by the organisation to be responsible to the accountable manager for ensuring that the organisation complies with its exposition and these Regulations in relation to a particular matter.

safety manager, for a Part 145 organisation, means the individual, appointed by the organisation, who is responsible for the safety management system described in the Part 145 Manual of Standards for the organisation.

significant change, in relation to a Part 145 organisation, has the meaning given by subregulation (2).

Note: See the Dictionary for definitions of other terms used in this Part.

- (2) A **significant change**, in relation to a Part 145 organisation, means any of the following changes:
 - (a) a change to the organisation's name;

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- (b) a change to the location of the organisation's maintenance facility, including the addition of a new maintenance facility;
- (c) a change in the personnel holding:
 - (i) the position of accountable manager in the organisation; or
 - (ii) the position of quality manager in the organisation; or
 - (iii) any of the positions of responsible manager in the organisation; or
 - (iv) the position of safety manager in the organisation;
- (d) a change to the maintenance services provided by the organisation, if the change would require a change to the approval ratings mentioned in the organisation's approval certificate;
- (e) a change to the permitted training that it is approved to provide;
- (f) a change to the organisation's facilities, equipment, tools, materials, procedures or certifying employees that could adversely affect the organisation's ability to provide maintenance services that it is approved to provide.

145.015 Part 145 Manual of Standards

- (1) For subsection 98(5A) of the Act, CASA may issue a Manual of Standards for this Part that specifies matters affecting the maintenance or airworthiness of aircraft.
- (2) In particular, a Manual of Standards may specify the following matters:
 - (a) maintenance that is specialist maintenance for a Part 145 organisation;
 - (b) ratings for kinds of aircraft, aeronautical products and specialist maintenance;
 - (c) requirements for a Part 145 organisation's exposition;
 - (d) the privileges that apply to an approval rating;
 - (e) requirements for a Part 145 organisation, including requirements in relation to the following:
 - (i) facilities;
 - (ii) managers;

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- (iii) certifying employees;
- (iv) employee qualifications;
- (v) the grant of certification authorisations;
- (vi) training;
- (vii) equipment, tools and materials;
- (viii) aeronautical products;
- (ix) maintenance data;
- (x) writing procedures for carrying out maintenance;
- (xi) production planning;
- (xii) the issue of certificates of release to service;
- (xiii) in-house maintenance and in-house release documents;
- (xiv) the fabrication of parts in the course of carrying out maintenance;
- (xv) records;
- (xvi) defect reporting;
- (xvii) a quality management system, including auditing;
- (xviii) a safety management system;
- (xix) a procedure for making changes to the organisation that are not significant changes;
- (f) requirements for providing permitted training;
- (g) requirements for a Part 145 organisation in relation to arranging for the manufacturer of an aircraft or aircraft engine that forms part of a permitted aircraft type to provide training and assessment for the permitted aircraft type to the organisation's employees.

145.020 Regulations 11.070 to 11.075 do not apply in relation to certain matters

Regulations 11.070 to 11.075 do not apply to:

- (a) a significant change to a Part 145 organisation that is approved by CASA under regulation 145.055; or
- (b) a change to a Part 145 organisation of which CASA is notified under regulation 145.060; or
- (c) a change to a Part 145 organisation that is made as a consequence of a change made to the organisation's

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exposition in accordance with a direction given by CASA
under regulation 145.065.

Subpart 145.B—Approval of Part 145 organisations

145.025 Applying for approval

- (1) A person (the *applicant*) may apply to CASA for approval as a Part 145 organisation.
- (2) The application must:
 - (a) be in writing; and
 - (b) be signed by a person who is, or proposes to be, the applicant's accountable manager.
- (3) The application must include the following:
 - (a) a copy of the applicant's proposed exposition;
 - (b) the approval rating sought by the applicant for:
 - (i) each kind of aircraft or aeronautical product for which the applicant proposes to provide maintenance services; and
 - (ii) each kind of specialist maintenance that the applicant proposes to provide;
 - (c) if the applicant intends to provide permitted training for its employees—each aircraft type, aircraft system or subset of an aircraft system for which the applicant intends to provide training.

Note 1: An application must be in the approved form, include all the information required by these Regulations, and be accompanied by every document required by these Regulations—see regulation 11.030.

Note 2: Part 11 deals with applications and decision making.

145.030 Issuing approval

- (1) Subject to regulation 11.055, CASA must approve an applicant as a Part 145 organisation if CASA is satisfied that:

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- (a) the applicant has an exposition that complies with the requirements specified in the Part 145 Manual of Standards; and
- (b) the applicant has facilities, equipment, materials, maintenance data and tools that are suitable for:
 - (i) providing maintenance services for the kinds of aircraft or aeronautical product for which the applicant proposes to provide maintenance services; and
 - (ii) providing the specialist maintenance that the applicant proposes to provide; and
 - (iii) providing the permitted training that the applicant proposes to provide for its employees; and
- (c) the facilities, equipment, materials, maintenance data and tools mentioned in paragraph (b) comply with the requirements specified in the Part 145 Manual of Standards; and
- (d) the applicant has nominated an individual for each of the following positions in the organisation:
 - (i) accountable manager;
 - (ii) quality manager;
 - (iii) safety manager; and
- (e) the applicant has nominated an individual for each position of responsible manager in the organisation; and
- (f) each individual nominated for a position mentioned in paragraph (d) or (e) is appropriately qualified to hold the position; and
- (g) the audit requirements of the applicant's quality management system will be carried out by a person who is not:
 - (i) the accountable manager; or
 - (ii) a responsible manager.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

- (2) If CASA decides to approve an applicant as a Part 145 organisation, CASA must determine:
-

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- (a) the approval rating for each kind of aircraft or aeronautical product for which the applicant is approved to provide maintenance services; and
 - (b) the approval rating for each kind of specialist maintenance that the applicant is approved to provide; and
 - (c) any limitations applying to an approval rating mentioned in paragraph (a) or (b); and
 - (d) the permitted training that the applicant is approved to provide for its employees.
- (3) In approving the applicant, CASA also approves the applicant's proposed exposition.

145.035 Approval certificate

- (1) If CASA approves an applicant as a Part 145 organisation, CASA must issue a certificate setting out the matters mentioned in paragraphs 145.030(2)(a) to (c).
- (2) The certificate issued by CASA must include an approval certificate reference number determined by CASA.
- (3) If CASA approves a significant change to a Part 145 organisation under regulation 145.055, CASA may issue a new approval certificate to the organisation.

145.040 Privileges for Part 145 organisations

- (1) A Part 145 organisation may provide:
 - (a) maintenance services that it is approved to provide; and
 - (b) permitted training that it is approved to provide for its employees.
- (2) A Part 145 organisation may arrange for training and assessment for a permitted aircraft type to be provided by the manufacturer of the aircraft or the aircraft engine.

145.045 Approval subject to conditions

It is a condition of approval of a Part 145 organisation that:

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- (a) the organisation must, at all times, comply with the requirements of:
 - (i) its exposition; and
 - (ii) the approval rating for each kind of aircraft or aeronautical product for which the organisation is approved to provide maintenance services; and
 - (iii) the approval rating for each kind of specialist maintenance that the organisation is approved to provide; and
 - (iv) any limitations applying to an approval rating mentioned in subparagraph (ii) or (iii); and
 - (v) the Part 145 Manual of Standards; and
 - (vi) Part 42 and this Part; and
- (b) the organisation must ensure that, at all times, its employees comply with the requirements mentioned in paragraph (a).

Note 1: The approval is also subject to the conditions set out in Part 11.

Note 2: Subpart 11.G empowers CASA to issue directions.

Subpart 145.C—Changes to Part 145 organisations

145.050 Application for approval of significant changes to organisations

- (1) If a Part 145 organisation proposes to make a significant change, the organisation must apply to CASA for approval of the change.
- (2) The application must:
 - (a) be in writing; and
 - (b) set out the proposed change; and
 - (c) include a copy of the part of the exposition consequentially affected by the change, showing the proposed change.
- (3) Subject to subregulation (4), the application must be made before the change is made.
- (4) If:
 - (a) the change is of the kind mentioned in paragraph 145.010(2)(c); and
 - (b) the organisation does not apply, in accordance with subregulation (2), before making the change;the organisation must apply in accordance with subregulation (2) within 7 days after making the change.

Note 1: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

Note 2: Part 11 deals with applications and decision making.

Note 3: Making a significant change without applying for approval in accordance with this regulation will be a breach of condition of an approval—see regulation 145.045.

145.055 Approval of significant changes

- (1) Subject to regulation 11.055, CASA must approve a significant change to a Part 145 organisation if CASA is satisfied that, after

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making the change, the requirements mentioned in subregulation 145.030(1) will continue to be met.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
 - (b) a decision imposing a condition on an approval.
- (2) In approving the significant change, CASA also approves the consequential changes to the applicant's exposition.

145.060 Changes to Part 145 organisations that are not significant changes

- (1) A change that is not a significant change to a Part 145 organisation must be made in accordance with the procedure set out in the organisation's exposition for making changes to the organisation that are not significant changes.
- (2) If such a change is made, the organisation must, within 28 days after making the change:
 - (a) update its exposition; and
 - (b) give CASA written notice of the change and a copy of the updated part of the exposition.

145.065 CASA may direct Part 145 organisations to change exposition

- (1) CASA may direct a Part 145 organisation to change its exposition:
 - (a) to remove particular information from the exposition; or
 - (b) to include particular information in the exposition; or
 - (c) to revise or vary the information in the exposition.
- (2) CASA may give a direction under this regulation only if CASA is satisfied that it is necessary to do so to ensure that the exposition complies with the requirements specified in the Part 145 Manual of Standards.
- (3) A direction under this regulation must:
 - (a) be in writing; and

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- (b) specify the time within which the direction must be complied with.

Note: The Part 145 organisation must comply with the direction—see regulation 145.085.

Subpart 145.D—Requirements and offences for Part 145 organisations

145.070 Provision of maintenance services

- (1) If a Part 145 organisation provides maintenance services, it must provide the services only in accordance with:
 - (a) its exposition; and
 - (b) the approval rating for each kind of aircraft or aeronautical product for which the organisation is approved to provide maintenance services; and
 - (c) the approval rating for each kind of specialist maintenance that the organisation is approved to provide; and
 - (d) any limitations applying to an approval rating mentioned in paragraph (b) or (c); and
 - (e) the privileges that apply to the approval rating under the Part 145 Manual of Standards.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

145.075 Provision of permitted training

- (1) If a Part 145 organisation provides permitted training for its employees, it must:
 - (a) provide only the permitted training that it is approved to provide; and
 - (b) provide the permitted training only in accordance with its exposition.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

145.080 Providing employees with exposition

- (1) If a Part 145 organisation's exposition relates to the duties of an employee of the organisation, the organisation must make the part of the organisation's exposition that relates to those duties available to the employee before the employee begins carrying out the duties.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

145.085 Complying with directions

- (1) If CASA gives a direction to a Part 145 organisation under regulation 145.065, the organisation must comply with the direction within the time mentioned in the direction.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Part 147—Continuing airworthiness—maintenance training organisations

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Subpart 147.A—General

147.005 Purpose of Part

This Part:

- (a) sets out matters relating to maintenance training organisations, including:
 - (i) requirements for approval as a maintenance training organisation; and
 - (ii) requirements that apply to maintenance training organisations; and
- (b) empowers CASA to issue a Manual of Standards for this Part.

147.010 Definitions for Part

- (1) In this Part:

accountable manager, for a maintenance training organisation, means the individual, appointed by the organisation, who is responsible for ensuring that the organisation:

- (a) complies with its exposition and these Regulations; and
- (b) is able to finance the provision of the kinds of maintenance training set out in its exposition; and
- (c) has adequate resources available to enable it to provide maintenance training in accordance with its exposition.

aircraft type has the meaning given by regulation 66.010.

approval certificate means a certificate issued under regulation 147.035.

assessment means an assessment of units of competency for category training, or elements for aircraft type training, by any or all of the following means:

- (a) examination of theory by means of written questions or oral questions or both;
- (b) practical testing of the skills acquired in practical training;

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(c) consideration of evidence for recognition of prior learning.

Examples: Evidence that may be assessed for recognition of prior learning

- 1 Responses to interview questions.
- 2 Formal qualifications and other documents evidencing an area of competence.
- 3 Third party verification.
- 4 Workplace observation.
- 5 Sample examination results or sample practical test results.

course plan, for a maintenance training organisation and a maintenance training course, means the plan for the maintenance training course set out in the organisation's exposition.

exposition, for a maintenance training organisation, means the document that is approved by CASA under regulation 147.030 in relation to the organisation, including:

- (a) if a change to the document is approved under regulation 147.055—that change; and
- (b) if the document is updated and the organisation gives CASA a copy of the updated part of the document under subregulation 147.060—the updated part of the document; and
- (c) if the organisation makes a change to the document in accordance with a direction given by CASA under regulation 147.065—that change.

feedback system, for a quality management system, has the meaning given by the Part 147 Manual of Standards.

practical training means training that allows a student who has undertaken training in theory to practise applying the theory.

quality management system, for a maintenance training organisation, means the quality management system described in the Part 147 Manual of Standards.

recognition of prior learning means full or partial credit given in a unit of competency for category training, or in an element for aircraft type training, for prior work experience, training or qualifications attained in Australia or a foreign country.

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responsible manager, for a maintenance training organisation, means an individual appointed by the organisation to be responsible to the accountable manager for ensuring that the organisation complies with its exposition and these Regulations in relation to a particular matter.

significant change, in relation to a maintenance training organisation, has the meaning given by subregulation (2).

theory means a theoretical element of aircraft type training or category training.

Note: See the Dictionary for definitions of other terms used in this Part.

- (2) A **significant change**, in relation to a maintenance training organisation, means any of the following changes:
- (a) a change to the organisation's name;
 - (b) a change to the location of the organisation's maintenance training facility, including the addition of a new maintenance training facility;
 - (c) a change in the personnel holding:
 - (i) the position of accountable manager in the organisation; or
 - (ii) any of the positions of responsible manager in the organisation;
 - (d) a change to a course or a course plan provided by the organisation, other than a change resulting from a change to Appendix I, II, III or IV to the Part 66 Manual of Standards;
 - (e) a change to the organisation's quality management system, other than a change involving the taking of any necessary corrective action under the feedback system;
 - (f) a change to the organisation's facilities, personnel, record management system, instructional equipment, maintenance training material or procedures that could adversely affect the organisation's ability to provide the maintenance training that it is approved to provide.

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147.015 Part 147 Manual of Standards

- (1) For subsection 98(5A) of the Act, CASA may issue a Manual of Standards for this Part that specifies matters affecting the maintenance or airworthiness of aircraft.
- (2) In particular, a Manual of Standards may specify the following matters:
 - (a) the category training a maintenance training organisation may be approved to provide;
 - (b) the aircraft type training a maintenance training organisation may be approved to provide;
 - (c) the kinds of assessment a maintenance training organisation may be approved to carry out;
 - (d) requirements for a maintenance training organisation's exposition;
 - (e) requirements for a maintenance training organisation, including requirements in relation to the following:
 - (i) facilities;
 - (ii) employees, including employee qualifications;
 - (iii) records of instructors and assessors;
 - (iv) course plans;
 - (v) conduct of assessments;
 - (vi) instructional equipment;
 - (vii) maintenance training material;
 - (viii) records;
 - (ix) training procedures and the quality management system, including auditing;
 - (x) assessments;
 - (xi) a procedure for making changes to the organisation that are not significant changes.

147.020 Regulations 11.070 to 11.075 do not apply in relation to certain matters

Regulations 11.070 to 11.075 do not apply to:

- (a) a significant change to a maintenance training organisation that is approved by CASA under regulation 147.055; or

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- (b) a change to a maintenance training organisation of which CASA is notified under regulation 147.060; or
- (c) a change to a maintenance training organisation that is made as a consequence of a change made to the organisation's exposition in accordance with a direction given by CASA under regulation 147.065.

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Subpart 147.B—Approval of maintenance training organisations

147.025 Applying for approval

- (1) A person (the ***applicant***) may apply to CASA for approval as a maintenance training organisation.
- (2) Only a person who is a registered training organisation may apply for approval as a maintenance training organisation to provide category training or carry out assessment of units of competency.
- (3) The application must:
 - (a) be in writing; and
 - (b) be signed by a person who is, or proposes to be, the applicant's accountable manager.
- (4) The application must include the following:
 - (a) a copy of the applicant's proposed exposition;
 - (b) if the applicant is seeking approval to provide category training—the categories of aircraft engineer licence for which the applicant proposes to provide training;
 - (c) if the applicant is seeking approval to provide aircraft type training—the ratings for which the applicant proposes to provide training;
 - (d) the kinds of assessment that the applicant proposes to carry out;
 - (e) whether the applicant is seeking approval to recognise prior learning for assessment purposes.

Note 1: An application must be in the approved form, include all the information required by these Regulations, and be accompanied by every document required by these Regulations—see regulation 11.030.

Note 2: Part 11 deals with applications and decision making.

147.030 Issuing approval

- (1) Subject to regulation 11.055, CASA must approve an applicant as a maintenance training organisation if CASA is satisfied that:
- (a) the applicant has an exposition that complies with the requirements specified in the Part 147 Manual of Standards; and
 - (b) the applicant has facilities, personnel, a record management system, instructional equipment, maintenance training material and a quality management system that comply with the Part 147 Manual of Standards; and
 - (c) the applicant has nominated an individual for the position of accountable manager in the organisation; and
 - (d) the applicant has nominated an individual for each position of responsible manager in the organisation; and
 - (e) each individual nominated for a position mentioned in paragraph (c) or (d) is appropriately qualified to hold the position.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

- (2) If CASA decides to approve an applicant as a maintenance training organisation, CASA must determine:
- (a) whether the organisation is approved to provide:
 - (i) category training; or
 - (ii) aircraft type training; or
 - (iii) both category training and aircraft type training; and
 - (b) if the organisation is approved to provide category training—the categories of aircraft engineer licence for which the applicant is approved to provide training; and
 - (c) if the organisation is approved to provide aircraft type training—the ratings for which the applicant is approved to provide training; and
 - (d) the kinds of assessment that the organisation is approved to carry out; and

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- (e) whether the organisation may recognise prior learning for assessment purposes.
- (3) Subject to regulation 11.055, CASA must approve an applicant to provide category training if:
 - (a) CASA has approved the applicant as a maintenance training organisation; and
 - (b) CASA is satisfied that the applicant meets the criteria set out in Appendices I, II and IV to the Part 66 Manual of Standards.
- (4) Subject to regulation 11.055, CASA must approve an applicant to provide aircraft type training if:
 - (a) CASA has approved the applicant as a maintenance training organisation; and
 - (b) CASA is satisfied that the applicant meets the criteria set out in Appendix III to the Part 66 Manual of Standards.
- (5) In approving the applicant, CASA also approves the applicant's proposed exposition.

147.035 Approval certificate

- (1) If CASA approves an applicant as a maintenance training organisation, CASA must issue a certificate setting out the matters mentioned in subregulation 147.030(2).
- (2) The certificate issued by CASA must include an approval certificate reference number determined by CASA.
- (3) If CASA approves a significant change to a maintenance training organisation under regulation 147.055, CASA may issue a new approval certificate to the organisation.

147.040 Privileges for maintenance training organisations

A maintenance training organisation may:

- (a) provide maintenance training that it is approved to provide; and
- (b) carry out assessments that it is approved to carry out; and

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- (c) if the organisation is approved to recognise prior learning for assessment purposes—carry out assessments based on recognition of prior learning; and
- (d) issue certificates, in the approved form, to students who have successfully completed that training and assessment.

147.045 Approval subject to conditions

It is a condition of approval of a maintenance training organisation that:

- (a) the organisation must, at all times, comply with the requirements of:
 - (i) its approval as a maintenance training organisation; and
 - (ii) its exposition; and
 - (iii) the Part 147 Manual of Standards; and
 - (iv) this Part; and
- (b) the organisation must ensure that, at all times, its employees comply with the requirements mentioned in paragraph (a).

Note 1: The approval is also subject to the conditions set out in Part 11.

Note 2: Subpart 11.G empowers CASA to issue directions.

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Subpart 147.C—Changes to maintenance training organisations

147.050 Application for approval of significant changes to organisations

- (1) If a maintenance training organisation proposes to make a significant change, the organisation must apply to CASA for approval of the change.
- (2) The application must:
 - (a) be in writing; and
 - (b) set out the proposed change; and
 - (c) include a copy of the part of the exposition consequentially affected by the proposed change, showing the proposed change.
- (3) Subject to subregulation (4), the application must be made before the change is made.
- (4) If:
 - (a) the change is:
 - (i) a change of the kind mentioned in paragraph 147.010(2)(c); or
 - (ii) a change of the kind mentioned in paragraph 147.010(2)(f) in relation to the personnel of the organisation; and
 - (b) the organisation does not apply, in accordance with subregulation (2), before making the change;the organisation must apply in accordance with subregulation (2) within 7 days after making the change.

Note 1: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

Note 2: Part 11 deals with applications and decision making.

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Note 3: Making a significant change without applying for approval in accordance with this regulation will be a breach of condition of an approval—see regulation 147.045.

147.055 Decision on application for approval of significant changes

- (1) Subject to regulation 11.055, CASA must approve a significant change to a maintenance training organisation if CASA is satisfied that, after making the change, the requirements mentioned in subregulation 147.030(1) will continue to be met.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

- (2) In approving the significant change, CASA also approves the consequential changes to the applicant's exposition.

147.060 Changes to maintenance training organisations that are not significant changes

- (1) A change that is not a significant change to a maintenance training organisation must be made in accordance with the amendment procedure set out in the organisation's exposition.
- (2) If such a change is made, the organisation must, within 28 days after making the change:
 - (a) update its exposition; and
 - (b) give CASA written notice of the change and a copy of the updated part of the exposition.

147.065 CASA may direct maintenance training organisations to change exposition

- (1) CASA may direct a maintenance training organisation to change its exposition:
 - (a) to remove particular information from the exposition; or
 - (b) to include particular information in the exposition; or
 - (c) to revise or vary the information in the exposition.

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- (2) CASA may give a direction under this regulation only if CASA is satisfied that it is necessary to do so to ensure that the exposition complies with the requirements specified in the Part 147 Manual of Standards.
- (3) A direction under this regulation must:
 - (a) be in writing; and
 - (b) specify the time within which the direction must be complied with.

Note: The maintenance training organisation must comply with the direction—see regulation 147.085.

Subpart 147.D—Requirements and offences for maintenance training organisations

147.070 Provision of maintenance training and assessment

- (1) If a maintenance training organisation provides maintenance training, carries out assessments or issues certificates, it must do so only in accordance with:
 - (a) its approval as a maintenance training organisation; and
 - (b) its exposition; and
 - (c) the Part 147 Manual of Standards.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

147.075 Assessment of foreign licences

- (1) In assessing a person, a maintenance training organisation must not give credit to the person for holding a licence (however described) that was issued to the person by an excluded State.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note 1: Subregulation 66.060 prevents the recognition of a licence issued by an excluded State.

Note 2: For recognition of a foreign licence issued by a recognised State, see regulations 66.030 and 66.035.

Note 3: For recognition of a foreign licence not issued by a recognised State, see regulations 66.040, 66.045, 66.050 and 66.055.

147.080 Providing employees with exposition

- (1) If a maintenance training organisation's exposition relates to the duties of an employee of the organisation, the organisation must make the part of the organisation's exposition that relates to those

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duties available to the employee before the employee begins carrying out the duties.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

147.085 Complying with directions

- (1) If CASA gives a maintenance training organisation a direction under regulation 147.065, the organisation must comply with the direction within the time mentioned in the direction.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Part 149—Recreational aviation administration organisations

Note: This Part heading is reserved for future use.

Part 171—Aeronautical telecommunication service and radionavigation service providers

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Subpart 171.A—General

171.005 Applicability of this Part

- (1) This Part sets out:
 - (a) the requirements for a person to be approved as a provider of a ground-based aeronautical telecommunication or radionavigation service; and
 - (b) the requirements for the operation and maintenance of those services; and
 - (c) certain administrative rules relating to CASA in its administration of this Part.
- (2) However, this Part does not apply to:
 - (a) a person who is providing an aeronautical telecommunication or radionavigation service in the course of his or her duties for the Defence Force; or
 - (b) any aeronautical telecommunication or radionavigation service provided by the Defence Force.

171.010 Interpretation

- (1) In this Part:

accuracy, in relation to a radionavigation service or facility, means the degree to which the value measured or displayed by the service or facility conforms to the true value.

approval means an approval, given by CASA, to provide a telecommunication or radionavigation service.

availability, for a telecommunication service, radionavigation service or support service, means the percentage of its operating hours that the service is not interrupted.

certified air/ground radio service, or ***CA/GRS***, in relation to an aerodrome, means an air/ground radio service for the aerodrome certified in accordance with regulation 139.410.

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configuration, in relation to:

- (a) a telecommunication or radionavigation service—means the configuration of each facility and any interconnection between facilities that make up the service; and
- (b) a facility—means the configuration of equipment, hardware, software and data, and the interconnections between equipment.

coverage, in relation to a telecommunication or radionavigation service, means the volume of airspace in which, or the locations between which, the service is nominally provided.

Example 1: The volume of airspace in which an aeronautical broadcasting service can be received and used.

Example 2: The places served by an aeronautical fixed line telecommunication service.

frequency confirmation system means a ground radio system at an aerodrome that, if it receives a transmission from an aircraft on the radio frequency for the aerodrome, sends a signal or message to the aircraft confirming that the transmission has been received.

functional specification, for a telecommunication service, a radionavigation service or a support service, is a general description of the service, its operating principles and its functions.

Example: The functional specification of an aeronautical radionavigation service may describe the kind of service, each standard to which it operates, the accuracy of its signal and the aircraft for which the service is provided.

hazard means a source of potential harm to aviation safety.

integrity, of a telecommunication service, a radionavigation service or a support service:

- (a) means the likelihood that the information supplied by the service at a particular moment is correct; and
- (b) includes the ability of the service to warn users promptly when the service should not be used.

key personnel, in relation to a service provider, means the person or persons who manage 1 or more of the following:

- (a) operations;

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- (b) maintenance;
- (c) safety.

Manual of Standards means the document called ‘Manual of Standards (MOS) – Part 171’ issued by CASA under regulation 171.017, as in force from time to time.

operating hours, for a telecommunication or radionavigation service, means the times during which the service provider must, under its approval, operate the service.

operations manual means a manual of the kind described in Subpart 171.D, prepared by a service provider or a person applying for approval.

radionavigation service means an aeronautical radio navigation service within the meaning given in Volume II of Annex 10 to the Chicago Convention.

recovery time means the period during which a service is interrupted.

reliability, of a telecommunication service, a radionavigation service or a support service, means the probability that the service will perform its function or functions without failure for a specified period.

risk means risk to aviation safety.

safety means aviation safety.

service provider means a person approved to operate and maintain a telecommunication or radionavigation service, and whose approval is not suspended or revoked.

technical specification, for a telecommunication service or facility, or a radionavigation service or facility, is a detailed description, that may use technical terms and concepts, of:

- (a) the way in which the service or facility operates and performs its functions; and
- (b) the technical standards to which the service or facility has been designed and manufactured.

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Example: The technical specification of a particular kind of radionavigation service may include its frequency band, channel spacing, frequency tolerance, effective radiated transmitter power, antenna type and gain, effective radiated power and radial phase modulation.

technician means a person who is engaged by a service provider to do 1 or more of the following:

- (a) operate a facility;
- (b) maintain a facility;
- (c) conduct measurements of the performance of, and calibration of, a facility during a flight inspection.

(2) For this Part:

- (a) a telecommunication or radionavigation service is provided using 1 or more **facilities** at 1 or more locations, each facility consisting of:
 - (i) 1 item of equipment; or
 - (ii) items of interconnected equipment; at a particular location; and
- (b) a service is **interrupted** if, during its operating hours:
 - (i) it is not operating because it has failed or has been suspended; or
 - (ii) it is operating outside its technical specification.

171.012 Meaning of *telecommunication service*

(1) In this Part, **telecommunication service** means any of the following:

- (a) 1 or both of the following, within the meaning given for each in Volume II of Annex 10 to the Chicago Convention:
 - (i) an aeronautical broadcasting service;
 - (ii) an aeronautical fixed service;
- (b) an aeronautical mobile service, within the meaning given in Volume II of Annex 10 to the Chicago Convention, that is used to support an air traffic service of a kind mentioned in Annex 11 to the Chicago Convention;
- (c) any system that processes or displays air traffic control data.

(2) However, none of the following is a **telecommunication service**:

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- (a) an aerodrome weather information broadcast service (within the meaning in AIP);
- (b) a certified air/ground radio service at an aerodrome;
- (c) a frequency confirmation system at an aerodrome;
- (d) pilot activated lighting (within the meaning in AIP) at an aerodrome;
- (e) a UNICOM service (within the meaning in AIP).

171.015 Person not to provide service without approval

- (1) A person that is not a service provider must not provide a telecommunication or radionavigation service.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

171.017 Issue of Manual of Standards

- (1) CASA may issue a Manual of Standards for this Part that provides for the following matters:
 - (a) standards relating to the procedures, systems and documents required for the provision of a radionavigation service or a telecommunication service;
 - (b) standards for facilities and equipment used to provide a radionavigation service or a telecommunication service;
 - (c) standards, including competency standards and minimum qualifications, for a technician or, if a service provider is an individual, a service provider;
 - (d) any matter required or permitted by these Regulations to be provided for by the Manual of Standards;
 - (e) any matter necessary or convenient to be provided for the effective operation of this Part.

Note: A Manual of Standards is a legislative instrument—see subsections 98(5A) and (5B) of the Act. It must be registered in accordance with the *Legislation Act 2003* and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

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- (2) CASA must give a copy of a notice about a Manual of Standards for this Part (being a notice referred to in subregulation 11.275(3) or regulation 11.280) to each service provider.

Note: Subpart 11.J (including regulations 11.275 and 11.280) sets out procedures for the issue, amendment and revocation of a MOS.

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Subpart 171.B—Approval of service providers

Note: In addition to the provisions of this Subpart, Part 11 contains provisions relating to an application for approval as a telecommunication or radionavigation service provider.

171.020 Application

- (1A) Subject to regulation 171.022, an eligible person may apply to CASA for approval as a provider of a telecommunication service or a radionavigation service, or both.
- (1) For subregulation (1A), a person is an eligible person if the person is any of the following:
- (a) the Commonwealth;
 - (b) AA;
 - (c) a person who is to provide a telecommunication service, a radionavigation service, or both:
 - (i) in cooperation with AA, in accordance with paragraph 11(3)(b) of the *Air Services Act 1995*; or
 - (ii) by arrangement with AA, in accordance with paragraph 11(3)(c) of the *Air Services Act 1995*.
- (2) An application must be in writing, and must include:
- (a) the applicant's name and address; and
 - (b) a copy of the applicant's operations manual, prepared as if the applicant were a service provider; and
 - (c) a statement, prepared by referring to the list of services in the Manual of Standards, showing each kind of telecommunication or radionavigation service for which the application is being made; and
 - (d) a statement of the intended location and coverage of each service.
- (3) If an application is made to provide a telecommunication or radionavigation service that would not comply with 1 or more of the standards set out in:
- (a) Annexes 10, 11 and 14 to the Chicago Convention; and

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(b) the Manual of Standards;
the application must also describe the reasons for, and consequences of, the non-compliance.

Note: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

171.022 Joint applications not permitted

- (1) An application purportedly made by 2 or more persons jointly is not a valid application for any purpose.
- (2) An application purportedly made by a partnership is not a valid application for any purpose.

171.025 If applicant is a corporation

- (1) For regulation 171.020, if the applicant is a corporation, the application must include:
 - (a) the applicant's registered address and ACN; and
 - (b) the names and addresses of its officers.

- (2) In paragraph (1)(b):

officer has the meaning given by section 9 of the *Corporations Act 2001*.

Note: See Subpart 171.E for provisions about administration of applications.

171.026 CASA may ask for demonstration of service

Regulation 11.045 applies in relation to an approval as a provider of a telecommunication service or a radionavigation service.

171.027 Grant of approval

- (1) Subject to regulation 11.055 and subregulation (2), if a person (the **applicant**) has applied for approval as a provider of a telecommunication service or a radionavigation service under this Part, CASA must grant the approval.

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- (2) CASA may approve the applicant only if CASA approves the applicant's draft operations manual.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

171.028 When decision must be made

- (1) If CASA does not make a decision about an application within 90 days after receiving it, CASA is taken to have refused the application.
- (2) However, if CASA makes a request under regulation 11.035, 11.040 or 11.045, the time between when CASA makes the request, and when the applicant conducts the demonstration, comes in for interview, or gives CASA the information or copy requested, does not count towards the period.
- (3) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050(3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (4) Also, if CASA invites an applicant to make a written submission under subregulation 11.050(2), the time between when CASA gives the invitation and when the applicant makes the written submission does not count towards the period.
- (5) In this regulation:

application includes an application to vary an approval under this Division.

171.029 Conditions

- (1) Without limiting regulations 11.056 and 11.067, CASA may impose, on an approval, a condition that restricts:
 - (a) the kind of telecommunication or radionavigation service to be provided; or
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- (b) the way in which a service is provided; or
 - (c) the coverage of a service; or
 - (d) the time during which a service is provided.
- (2) In particular, CASA may impose, on an approval, any condition necessary to give effect to an arrangement mentioned in subsection 11(3) of the *Air Services Act 1995*.

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Subpart 171.C—Obligations and privileges of service provider

171.030 Service by provider

- (1) A telecommunication or radionavigation service must be provided in accordance with:
 - (a) the approval; and
 - (b) the service provider's operations manual.
- (2) Subregulation (1) does not apply to:
 - (a) a test transmission made in accordance with regulation 171.055; or
 - (b) a telecommunication or radionavigation service provided in an emergency.

171.035 Changes by service provider to service

- (1) This regulation applies if a service provider wants to make a change to its telecommunication or radionavigation service (including by providing an additional service):
 - (a) the effect of which would be that the provider's telecommunication or radionavigation service would no longer be in accordance with the certificate issued to the provider under regulation 171.250 (as in force before 27 June 2011) or regulation 11.060; or
 - (b) that requires prior notification to CASA because of a requirement to do so in the safety management system prepared in accordance with regulation 171.086.
- (2) Before making the change the service provider must:
 - (a) prepare a draft amendment of the operations manual that reflects the proposed change; and
 - (b) send a copy of the draft amendment to CASA.

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- (2A) A service provider that complies with subregulation (2) in relation to making a change is taken to have applied for the approval of the proposed change under Subpart 171.E.
- (3) If CASA approves the draft amendment of the manual, the provider may:
 - (a) incorporate the amendment into the manual; and
 - (b) after approval of the change comes into effect in accordance with regulation 11.065, make the change.

171.040 Changes by service provider to operations manual

A provider may change its operations manual without changing its service if it sends CASA a copy of the amendment to the manual.

171.050 Technicians

- (1) A service provider must ensure that each technician is competent and holds the qualifications specified in the Manual of Standards for a technician of that kind.
- (2) In particular, the provider must ensure that each technician has been:
 - (a) appropriately trained; and
 - (b) assessed as competent by a person who is qualified in accordance with the standard set out in the Manual of Standards.
- (3) A service provider must give each technician a certificate that:
 - (a) names the technician; and
 - (b) describes the operation and maintenance functions that the technician may perform; and
 - (c) describes the kinds of facility or facilities for which the technician is authorised to perform those functions; and
 - (d) states the period during which the certificate is effective.

171.055 Test transmissions

A service provider may make a test transmission if:

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- (a) the transmission is necessary to test a service, facility or equipment; and
- (b) the provider takes any one or more of the following precautions:
 - (i) a reasonable time before commencing the transmission, the provider tells AIS about the transmission;
 - (ii) at the commencement of the transmission, the service provider identifies the transmission as a test transmission;
 - (iii) the transmission contains information identifying it as a test transmission.

171.065 Interruption to service

- (1) This regulation applies if a telecommunication or radionavigation service is interrupted or if the service provider knows that the service is to be interrupted.
- (2) If the service is published in an AIP the service provider must tell AIS about the interruption.
- (3) If it is practicable to do so the service provider must tell users of the service about the interruption.

171.070 Test equipment

A service provider's facility or facilities must be tested and maintained using test equipment that is maintained and calibrated in accordance with the standards in the Manual of Standards.

171.075 Documents to be maintained

- (1) The following documents must be maintained by a service provider:
 - (a) the operations manual;
 - (b) any technical manual used by the service provider at the facility;
 - (c) any documents of a kind listed in the Manual of Standards that relate to the provider's service.

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- (2) For subregulation (1), a document is ***maintained***, if it:
- (a) includes all amendments (other than draft amendments prepared for regulation 171.035); and
 - (b) bears the date of:
 - (i) the creation of the document; or
 - (ii) for a revised document—the most recent revision of the document; and
 - (c) is available to the personnel who must refer to the document; and
 - (d) identifies the person who authorised the creation and any revision of the document.
- (3) For paragraph (1)(b), a ***technical manual*** means a document, other than the operations manual, that contains technical information about the operation and maintenance of a facility.
- Example: An equipment manufacturer's instruction book.
- (4) A service provider must ensure that:
- (a) a master copy of each document mentioned in this regulation is kept safely; and
 - (b) copies of documents are kept in a form that enables amendments to be made; and
 - (c) any document that has been replaced can not be used by mistake.

171.080 Records

- (1) A service provider must retain each document that:
- (a) is given to or is created by or for the service provider; and
 - (b) could relate to aviation safety; and
 - (c) helps provide a history of events that relate to the design, installation, testing, operation, maintenance, modification or repair of, or changes to, each facility.
- (2) A document for subregulation (1) includes any record of a kind mentioned in the Manual of Standards that is given to, or created by or for, the provider.

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Examples: Records of the operational performance of a service, changes to the configuration of a facility, records showing software upgrades, or records of commissioning procedures.

- (3) A document retained for this regulation must be:
 - (a) stored so it can be retrieved if needed for an aviation safety investigation; and
 - (b) retained for at least 5 years.

171.085 Security program

- (1) A service provider must have, and put into effect, the security program set out in the operations manual.
- (2) The security program must be in accordance with the standards set out in the Manual of Standards.

171.086 Safety management system

- (1) A service provider must have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary to safely provide the telecommunication and radionavigation services permitted under its approval.
- (2) The safety management system must be in accordance with the standards set out in the Manual of Standards.
- (3) The service provider must keep its safety management system under review and must take such corrective action as is necessary to ensure that it operates properly.

Subpart 171.D—Contents of operations manual

171.090 Operations manual to contain or refer to information

- (1) An operations manual must contain the information mentioned in this Subpart that applies to each telecommunication or radionavigation service and kind of facility of the service provider.
- (2) A requirement under this Subpart to include particular information in an operations manual may be satisfied by referring, in the manual, to that information in another document held by the service provider.

Example: An equipment manufacturer's technical manual.

171.095 Organisation and management of service provider

An operations manual must include an organisation chart of the service provider that shows:

- (a) the names, relevant qualifications, relevant experience and positions of the key personnel; and
- (b) the number of technicians who will provide each service; and
- (c) whether the people mentioned in paragraphs (a) and (b) are employees.

171.100 Way in which standards are met

- (1) An operations manual must:
 - (a) contain each standard that relates to the design, installation, testing, operation or maintenance of the service provider's services and facilities; and
 - (b) explain how each standard is met.

- (2) For subregulation (1):

standards means any of the following standards that apply to the service or facility:

- (a) an ICAO standard;

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- (b) a standard set out in Annex 10 to the Chicago Convention;
- (c) a standard in the Manual of Standards;
- (d) any other standard included in the operations manual.

171.105 Functional specification and performance values of services

- (1) An operations manual must include:
 - (a) the functional specification of each of the service provider's telecommunication or radionavigation services; and
 - (b) the values or characteristics for each of the following that apply to the service:
 - (i) availability;
 - (ii) reliability;
 - (iii) accuracy;
 - (iv) integrity.
- (2) The values mentioned in paragraph (1)(b) must be derived or measured from either or both of:
 - (a) the configuration of each service; and
 - (b) the known performance of each service.
- (3) An operations manual must also describe the method used to calculate each of the values.
- (4) For a radionavigation service, the integrity values or characteristics must be given for each kind of navigation aid facility that forms part of the service.

171.110 Technical description

An operations manual must describe, for each telecommunication or radionavigation service provided:

- (a) the kind and location of each facility; and
- (b) the technical specification of each kind of facility; and
- (c) how each facility interconnects with any other facility or service; and
- (d) the way in which the service provider monitors each facility to ensure that it is operating in accordance with its technical specification.

Regulation 171.115**171.115 Safe operation**

- (1) An operations manual must describe the following:
- (a) the procedure that records the way in which each telecommunication or radionavigation service and each related facility is configured at any time;
 - (b) the procedure used to design each facility and each item of equipment so that it provides a safe service;
 - (c) the procedure that ensures that the design of, or changes to, a service or facility are authorised by a person who is qualified and competent to do so;
 - (d) the method to be used to specify any changes to a service or facility, and to design, test and implement those changes;
 - (e) the procedure to be used to commission a new service or facility;
 - (f) the system to be used to maintain a record of the operational performance of a service;
 - (g) the procedure to be used to monitor the performance of each service and facility, and to compare the results with the appropriate technical specification;
 - (h) the procedure to be used if a service fails or a facility fault occurs, including the way in which the failure or fault is to be reported and rectified;
 - (i) the procedure to be used to report and rectify any defects found during operation and maintenance of the facility;
 - (j) the procedure to be used to:
 - (i) detect and correct any latent defects in equipment; and
 - (ii) change software to adapt to any changes to the configuration of hardware; and
 - (iii) change the design of equipment or facilities to adapt to any change to the functional or technical specification.
- (2) For subparagraph (1)(j)(ii), **software** includes any form of data or instructions for an electronic device.

171.120 Facility operation and maintenance plan

- (1) For this regulation:
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flight inspection means a test of the accuracy, coverage or any other aspect of the performance of a service or facility conducted by using test equipment on board an aircraft in flight.

- (2) An operations manual must contain, for each kind of facility, an operation and maintenance plan that includes the following:
 - (a) the procedures used for maintenance, including the procedures used for repair;
 - (b) a description of the system used to schedule maintenance;
 - (c) the interval between performance inspections and the method used to determine the interval;
 - (d) a copy of the operating and maintenance instructions for the facility;
 - (e) an analysis of the workload of technicians and key personnel that takes into account the numbers of these people and their qualifications;
 - (f) if 1 or more flight inspections are necessary:
 - (i) the standards and procedures used for flight inspections; and
 - (ii) the interval between flight inspections; and
 - (iii) the identity of the person or persons who will conduct flight inspections.

171.125 Safety management system

An operations manual must include information about the safety management system set out in regulation 171.086.

171.140 Test equipment

An operations manual must describe the procedures to maintain and calibrate test equipment.

171.145 Interruption to service

- (1) An operations manual must:
 - (a) describe the procedure to be used if a telecommunication or radionavigation service is interrupted; and
 - (b) specify an acceptable recovery time for each service; and
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- (c) describe the procedure to be used if the acceptable recovery time of a service is exceeded; and
 - (d) if there is a method to provide an alternative service if a service is interrupted—describe the method.
- (2) Paragraph (1)(d) does not apply if, under an ATS agreement, an ATS provider is to arrange the alternative service.

171.150 Document control

An operations manual must describe the system by which documents mentioned in regulation 171.080 are stored and retrieved.

171.155 Security program

An operations manual must describe the security program mentioned in regulation 171.085.

171.160 Changes to procedures

An operations manual must describe the method by which changes are made to the operation and maintenance procedures.

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Subpart 171.E—Suspension and cancellation of approvals, and directions to vary manuals

171.220 Suspension and cancellation of approvals

- (1) CASA may state, in a show cause notice, that an approval is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.

Note: Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

- (2) If a show cause notice states that the approval is suspended:
 - (a) if the approval is already suspended when the show cause notice is given to the holder—the approval continues to be suspended until CASA revokes the suspension, or the suspension lapses under subregulation (4); or
 - (b) the approval is suspended from when the notice is given to the holder.
- (3) CASA may revoke the suspension at any time.
- (4) If CASA has not cancelled the approval within 3 months after the day the show cause notice is given to the service provider, the suspension lapses at the end of that period.

171.225 Notice to approval holder to show cause

- (1) CASA may give an approval holder a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the approval.
- (2) A show cause notice must:
 - (a) tell the approval holder of the facts and circumstances that justify the cancellation of the approval; and

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- (b) invite the holder to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2)(b), the period must not be less than 7 days.

171.230 Grounds for cancellation of approval

It is grounds for the cancellation of an approval if the holder:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) has otherwise been guilty of conduct that renders the holder's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

Note: Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

171.235 Cancellation of approval after show cause notice

- (1) CASA may cancel an approval only if:
 - (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
 - (b) CASA has given the holder a show cause notice in relation to the grounds for the proposed cancellation; and
 - (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the holder; and
 - (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) Subregulation (1) does not apply in relation to an approval in circumstances in which CASA must cancel the approval.
- (3) If CASA has given a show cause notice to an approval holder, and it decides not to cancel the approval, it:
 - (a) must tell the holder in writing of the decision; and
 - (b) must, if the approval is suspended, revoke the suspension.

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171.237 Cancellation if cooperation or arrangement ceases

- (1) CASA must cancel the approval of a person mentioned in subparagraph 171.020(1)(c)(i) if the cooperation mentioned in that subparagraph ceases.
- (2) CASA must cancel the approval of a person mentioned in subparagraph 171.020(1)(c)(ii) if the arrangement mentioned in that subparagraph ceases.

171.245 CASA's power to direct variation of manual

- (1) If necessary in the interests of the safety of air navigation, CASA may direct a service provider in writing to vary its operations manual, within a reasonable period specified in the direction, in a way specified in the direction.
- (2) CASA may extend the period by written notice, before or after the end of the period mentioned in subregulation (1).
- (3) If the service provider does not comply with the direction within the period (including any extension of it), the manual is taken to cease to be approved at the end of the period.
- (4) After complying with the direction, the holder must give CASA a copy of the manual as so varied.

Part 172—Air Traffic Service Providers

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Subpart 172.A—General

172.005 Applicability of this Part

- (1) This Part:
 - (a) applies to a person that wants to become, or is, an ATS provider; and
 - (b) sets out certain administrative rules applying to CASA in its administration of this Part.
- (2) However, this Part does not apply to:
 - (a) a person who is providing an air traffic service in the course of his or her duties for the Defence Force; or
 - (b) any air traffic service provided by the Defence Force.

172.010 Definitions for this Part

In this Part:

airspace authority means:

- (a) the body having the responsibility for making determinations under regulation 5, declarations under regulation 6 and designations under regulation 8 of the *Airspace Regulations 2007*; or
- (b) if another body is given that responsibility under other regulations having the same or similar effect—that body.

air traffic service means an air traffic service of a kind mentioned in Annex 11, other than a certified air/ground radio service at an aerodrome.

Annex 10 means Annex 10 to the Chicago Convention.

Annex 11 means Annex 11 to the Chicago Convention.

certified air/ground radio service, or ***CA/GRS***, in relation to an aerodrome, means an air/ground radio service for the aerodrome certified in accordance with regulation 139.410.

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ICAO Doc. 4444 means Doc. 4444-RAC/501 (Procedures for Air Navigation Services – Rules of the Air and Air Traffic Services) approved and published by decision of the Council of the International Civil Aviation Organisation, as in force from time to time.

ICAO Doc. 7030 means Doc. 7030 (Regional Supplementary Procedures) approved and published by decision of the Council of the International Civil Aviation Organisation, as in force from time to time.

Manual of Standards means the document called ‘Manual of Standards (MOS) – Part 172’ issued by CASA under regulation 172.022, as in force from time to time.

provider’s operations manual, in relation to an ATS provider, means the manual maintained by the provider under regulation 172.060.

172.015 What is an ATS provider

An ATS provider is a person approved, under Subpart 172.F, to provide the air traffic services that are covered by the approval.

172.020 Providing air traffic service without approval

- (1) A person that is not an ATS provider must not provide an air traffic service.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note: For **strict liability**, see section 6.1 of the *Criminal Code*.

172.022 Issue of Manual of Standards

- (1) CASA may issue a Manual of Standards for this Part that provides for the following matters:
 - (a) standards, including procedures, systems and documents used to provide an air traffic service;

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- (b) standards for facilities and equipment used to provide an air traffic service;
- (c) standards for the training and checking of an ATS provider's personnel;
- (d) any matter required or permitted by these Regulations to be provided for by the Manual of Standards;
- (e) any matter necessary or convenient to be provided for the effective operation of this Part.

Note: A Manual of Standards is a legislative instrument—see subsections 98(5A) and (5B) of the Act. It must be registered in accordance with the *Legislation Act 2003* and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

- (2) CASA must give a copy of a notice about a Manual of Standards for this Part (being a notice referred to in subregulation 11.275(3) or regulation 11.280) to each ATS provider.

Note: Subpart 11.J (including regulations 11.275 and 11.280) sets out procedures for the issue, amendment and revocation of a MOS.

Subpart 172.B—Approval as an ATS provider

172.024 Applicant for approval as ATS provider

A person is eligible to apply for approval as an ATS provider if the person is any of the following:

- (a) the Commonwealth;
- (b) AA;
- (c) a person who is to provide an air traffic service:
 - (i) in cooperation with AA, in accordance with paragraph 11(3)(b) of the *Air Services Act 1995*; or
 - (ii) by arrangement with AA, in accordance with paragraph 11(3)(c) of the *Air Services Act 1995*.

172.030 When applicant is eligible for approval

For Subpart 172.F, an applicant is eligible to become an ATS provider if the applicant is able to comply with the requirements of Subparts 172.C and 172.D or will be able to do so if the applicant is approved.

172.055 Variation of approvals

- (1) If an ATS provider wants to vary its approval, it must apply to CASA, under Subpart 172.F, for that purpose.
- (2) The application must contain, or have with it, a copy of the proposed variation.

Subpart 172.C—Requirements to be complied with by ATS providers

Division 172.C.1—Operations manual

172.060 Operations manual

- (1) An ATS provider must, at all times, maintain an operations manual that complies with the standards set out in the Manual of Standards.
- (2) The provider:
 - (a) must keep the manual in a readily accessible form; and
 - (b) must ensure that each member of its personnel who performs functions in connection with any air traffic service that it provides has ready access to the manual.
- (3) The provider must amend the manual whenever it is necessary to do so to keep it in an up to date form.
- (4) If the provider is given a direction, under regulation 172.300, to amend the manual, the provider must comply with the direction.
- (5) The provider must ensure:
 - (a) that all the amendments are incorporated in all copies of the manual kept by the operator; and
 - (b) that copies of the amendments are given to CASA.

Division 172.C.2—Air traffic service

172.065 Standards for air traffic service

- (1) An ATS provider must ensure that any air traffic service that it provides is provided in accordance with:
 - (a) the standards set out in the Manual of Standards; and
 - (b) the standards set out or referred to in Annex 11, as varied by Gen 1.7 of Part 1 of the AIP.
- (2) However, the provider may deviate from the standards if an emergency, or other circumstance, arises that makes the deviation necessary in the interests of aviation safety.
- (3) As soon as practicable, the provider must tell CASA of the deviation and how long it is likely to last.

172.070 Aeronautical telecommunications procedures

An ATS provider must ensure that any air traffic service that it provides is provided in accordance with:

- (a) the radiotelephony procedures set out in Parts 1 and 2 of the AIP; and
- (b) the procedures for aeronautical telecommunications set out in Volume II of Annex 10, as varied by Gen 1.7 of Part 1 of the AIP.

172.075 ICAO Doc. 4444 and ICAO Doc. 7030

- (1) An ATS provider must ensure that any air traffic service that it provides is provided in accordance with the procedures and rules set out in ICAO Doc. 4444, as varied by Gen 1.7 of Part 1 of the AIP.
- (2) If a regional supplementary procedure set out in ICAO Doc. 7030 relates to an air traffic service that the provider provides, the provider must also ensure that the service is provided in accordance with that procedure.

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- (3) However, the provider may deviate from a procedure or rule mentioned subregulation (1), or a regional supplementary procedure mentioned in subregulation (2), if an emergency, or other circumstance, arises that makes the deviation necessary in the interests of aviation safety.
- (4) As soon as practicable, the provider must tell CASA of the deviation and how long it is likely to last.

172.080 Compliance with provider's operations manual

An ATS provider must ensure that any air traffic service that it provides is provided in accordance with its provider's operations manual.

172.085 Priority of standards

If, apart from this regulation, an ATS provider would be required by this Division to ensure that any air traffic service that it provides is provided in accordance with a standard in the Manual of Standards and a standard in Annex 11, as varied by Gen 1.7 of Part 1 of the AIP, and it is not possible to comply with both standards, the provider is only required to ensure that the service is provided in accordance with the standard in the Manual.

172.090 Priority of inconsistent procedures

- (1) In this regulation:
procedure includes rules.
- (2) If, apart from this regulation, an ATS provider would be required by this Division to ensure that any air traffic service that it provides is provided in accordance with 2 or more procedures that are inconsistent, the provider is only required to ensure that the service is provided in accordance with whichever of the procedures has the highest priority.
- (3) For this regulation, 2 or more procedures are inconsistent if:
 - (a) it is not possible to comply with both or all of the procedures;
or

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- (b) they require the same, or substantially similar, action to be taken at different times or in a different way.
- (4) The order of priority of a procedure is as follows (starting with those of highest priority):
 - (a) procedures in Parts 1 and 2 of the AIP;
 - (b) procedures for aeronautical telecommunications in Volume II of Annex 10, as varied by Gen 1.7 of Part 1 of the AIP;
 - (c) procedures in ICAO Doc. 7030;
 - (d) procedures in ICAO Doc. 4444, as varied by Gen 1.7 of Part 1 of the AIP;
 - (e) any procedures in the provider's operations manual.

Division 172.C.3—Standards for facilities and equipment

172.095 Facilities and equipment

- (1) An ATS provider must, at all times, make available for use by its personnel the equipment and facilities necessary for providing, in accordance with the standards set out in the Manual of Standards, the air traffic services covered by its approval.
- (2) The equipment must include equipment of the kinds specified in the Manual of Standards.
- (3) Any equipment and facilities mentioned in chapter 6 of Annex 11 that the provider uses in providing an air traffic service must comply with the standards of that chapter.
- (4) If the provider uses a control tower in providing an air traffic service, the provider must ensure the control tower is designed, sited, constructed, equipped and maintained in accordance with the standards set out in the Manual of Standards.

Division 172.C.4—Organisation and personnel

172.100 Definition for this Division

In this Division:

trained, in relation to a member of an ATS provider's personnel, means trained in accordance with any relevant requirements set out in the provider's training and checking program mentioned in regulation 172.140.

172.105 Organisation

An ATS provider must, at all times, maintain an appropriate organisation with a sound and effective management structure to enable it to provide, in accordance with the standards set out in the Manual of Standards and the standards set out or referred to in Annex 11, the air traffic services covered by its approval.

172.110 Personnel

An ATS provider must have, at all times, enough suitably qualified and trained personnel to enable it to provide, in accordance with the standards set out in the Manual of Standards and the standards set out or referred to in Annex 11, the air traffic services covered by its approval.

172.115 Supervisory personnel

An ATS provider must have, at all times, enough suitably qualified and trained personnel who are able to supervise the provision of any air traffic service that it provides.

172.120 Qualifications for certain personnel

- (1) An ATS provider must not give to a person responsibility for an air traffic control function to be performed in connection with any air traffic service that it provides unless:

Regulation 172.120

- (a) CASA has authorised the person to perform the function under regulation 65.035; or
 - (b) the person holds an ATC licence with a rating for the function and an endorsement for the controlled aerodrome for which, or the airspace in relation to which, the person performs the function; or
 - (c) the person performs the function under the supervision of another person who holds an ATC licence with a rating for the function and an endorsement for the controlled aerodrome for which, or the airspace in relation to which, the person performs the function.
- (2) The provider must not give to a person responsibility for a flight service function to be performed in connection with any air traffic service that it provides unless:
 - (a) CASA has authorised the person to perform the function under regulation 65.050; or
 - (b) the person holds a flight service licence with a rating for the function and an endorsement for the aerodrome for which, or the airspace in relation to which, the person performs the function; or
 - (c) the person performs the function under the supervision of another person who holds a flight service licence with a rating for the function and an endorsement for the aerodrome for which, or the airspace in relation to which, the person performs the function.
- (3) The provider must not give to a person responsibility for an air traffic control function to be performed in connection with any air traffic service that it provides if the person is subject to a direction under regulation 65.255.
- (4) The provider must not give to a person responsibility for a flight service function to be performed in connection with any air traffic service that it provides if the person is subject to a direction under regulation 65.255.

Division 172.C.5—Arrangements to maintain service

172.125 Agreements with service providers

- (1) In this regulation:

service provider means a person:

- (a) that is approved, under Part 171, to provide a telecommunication service, radionavigation service, or both; and
 - (b) whose approval is in force.
- (2) An ATS provider (other than an ATS provider that is also a service provider) must have an agreement with a service provider for any telecommunication service or radionavigation service that the service provider provides to the ATS provider.
- (3) An agreement, under subregulation (2), must be in accordance with the standards set out in the Manual of Standards.

172.130 Agreements with aerodrome operators

- (1) In this regulation:

vehicle includes boat.

- (2) If an ATS provider (other than an ATS provider that is also an aerodrome operator) provides an air traffic service for a controlled aerodrome, the provider must have an agreement with the aerodrome operator covering the arrangements for controlling aircraft, vehicles and people on the manoeuvring area of the aerodrome.
- (3) An agreement, under subregulation (2), must be in accordance with the standards set out in the Manual of Standards.

172.135 Arrangements for transfer of information

- (1) An ATS provider must have, at all times, adequate arrangements to ensure that it gets, and will continue to get, the services and

Part 172 Air Traffic Service Providers

Subpart 172.C Requirements to be complied with by ATS providers

Division 172.C.5 Arrangements to maintain service

Regulation 172.135

information necessary to provide the air traffic services covered by its approval.

- (2) The provider must have, at all times, adequate arrangements to ensure that it is able, and will continue to be able, to provide information in connection with any of those air traffic services to another person whose duties or functions reasonably require that information.

Division 172.C.6—Management

172.140 Training and checking program

An ATS provider must, at all times, provide a training and checking program, in accordance with the Manual of Standards, to ensure that each member of its personnel who performs functions in connection with any air traffic service that it provides is competent to perform those functions.

172.145 Safety management system

- (1) An ATS provider must have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary to provide the air traffic services covered by its approval safely.
- (2) The safety management system must be in accordance with the standards set out in the Manual of Standards.
- (3) The provider must keep under review its safety management system and take such corrective action as is necessary to ensure that it operates properly.

172.150 Contingency plan

- (1) An ATS provider must have a contingency plan, in accordance with the standards set out in the Manual of Standards, of the procedures to be followed if, for any reason, an air traffic service being provided by it is interrupted.
- (2) The plan must include:
 - (a) the actions to be taken by the members of the provider's personnel responsible for providing the service; and
 - (b) possible alternative arrangements for providing the service; and
 - (c) the arrangements for resuming normal operations for the service.

Regulation 172.155

172.155 Security program

- (1) An ATS provider must have, and put into effect, a security program that sets out the procedures designed to protect its personnel, and any facility and equipment that it uses, in providing any of its air traffic services.
- (2) The security program must be in accordance with the standards set out in the Manual of Standards.

Division 172.C.7—Reference materials, documents, records and log books

172.160 Reference materials

- (1) An ATS provider must maintain the following reference materials:
 - (a) copies of the Act and these Regulations;
 - (b) copies of Annex 11 and Volume II of Annex 10;
 - (c) a copy of ICAO Doc. 4444;
 - (d) if a regional supplementary procedure set out in ICAO Doc. 7030 relates to an air traffic service that the provider provides—a copy of ICAO Doc. 7030;
 - (e) a copy of the parts of the AIP that are relevant to any air traffic services that it provides;
 - (f) the Manual of Standards;
 - (g) all manuals and documents specified in the Manual of Standards;
 - (h) a copy of any instruction issued by it to its personnel in relation to the provision of its air traffic services.
- (2) The provider must keep the reference materials up to date and in a readily accessible form.
- (3) The provider's personnel who perform functions in connection with any air traffic service that the provider provides must have ready access to the reference materials.

172.165 Documents and records

- (1) An ATS provider must keep documents and records of the kinds specified in the Manual of Standards.
- (2) A document or record must be retained for as long as the Manual specifies for the particular kind of document or record.
- (3) The provider must, at CASA's request, make the documents and records, or copies of them or extracts from them, available for inspection by CASA.

Regulation 172.170

172.170 Document and record control system

- (1) An ATS provider must establish, and put into effect, a system for controlling documents and records relating to the air traffic services that it provides, including the policies and procedures for making, amending, preserving and disposing those documents and records.
- (2) The system must be in accordance with the standards set out in the Manual of Standards.
- (3) The documents and records must include the documents and records required to be kept under regulation 172.165.

172.175 Logbooks

- (1) An ATS provider must keep, for each air traffic service that it provides from a particular location, a logbook in accordance with the standards set out in the Manual of Standards.
- (2) The provider must ensure that information of the kinds mentioned in the Manual is recorded in each logbook.
- (3) The provider must, at CASA's request, make each logbook, or a copy of it or an extract from it, available for inspection by CASA.

Division 172.C.8—Notice of air traffic service

172.180 Availability of air traffic service

- (1) An ATS provider must give to the AIS details of each air traffic service that it provides in particular airspace, or for a particular aerodrome, including the hours during which the service is available.
- (2) An ATS provider must tell the AIS about changes, interruptions or the unavailability of any of its air traffic services, if it is practicable to do so.

Subpart 172.D—Telling CASA about changes

172.185 Advice on organisational changes

An ATS provider must tell CASA, in writing, of a change of circumstances that materially affects its capacity to provide any of its air traffic services within 7 days after the change occurs.

172.190 Discontinuing air traffic service

- (1) An ATS provider must not discontinue an air traffic service that it provides, unless it has given CASA at least 7 days written notice that the service is to be discontinued.
- (2) Subregulation (1) does not apply if, having regard to the provider's circumstances:
 - (a) it was not reasonably practicable for the provider to give to CASA at least 7 days notice; and
 - (b) the provider gives the notice as soon as reasonably practicable before, on or after the day when the service is discontinued.

Subpart 172.E—Miscellaneous

172.195 ATS provider must not provide unauthorised air traffic service

An ATS provider must not provide an air traffic service unless its approval:

- (a) is in force; and
- (b) covers that service.

Subpart 172.F—Administration

Note: In addition to the provisions of this Subpart, Part 11 contains provisions relating to an application for approval as an ATS provider.

Division 172.F.1—Preliminary

172.200 Applicability of this Subpart

This Subpart:

- (a) sets out certain administrative rules applying to CASA in its administration of this Part; and
- (b) includes certain generic provisions applying to anyone who wants to become, or is, an ATS provider.

Division 172.F.2—Approvals

172.202 Applying for approval

Subject to regulation 172.205, a person may apply to CASA, in writing, for approval as an ATS provider.

Note: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

172.205 Joint applications not permitted

- (1) An application purportedly made by 2 or more persons jointly is not a valid application for any purpose.
- (2) An application purportedly made by a partnership is not a valid application for any purpose.

172.215 Applications by corporations etc—what must be included

- (1) An application from a person other than an individual must set out:
 - (a) the applicant's registered address and ACN; and
 - (b) the names and addresses of its officers.
- (2) In paragraph (1)(b):

officer has the meaning given by section 9 of the *Corporations Act 2001*.

172.230 CASA may require demonstrations of procedures or equipment

Regulation 11.045 applies in relation to an approval as an ATS provider.

Regulation 172.260

172.260 When CASA must approve an applicant

- (1) Subject to regulation 11.055 and subregulation (2), if an applicant has applied for approval as an ATS provider under this Part, CASA must grant the approval.
- (2) CASA must refuse an application for an approval for an air traffic service to be provided in particular airspace, or for a particular aerodrome, if anyone else who is an ATS provider already provides that service in that airspace or for that aerodrome.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

172.265 When decision must be made

- (1) If CASA does not make a decision about an application within the period mentioned in subregulation (2) after receiving it, CASA is taken to have refused the application.
- (2) The period is 6 months.
- (3) However, if CASA makes a request under regulation 11.035, 11.040 or 11.045, the time between when CASA makes the request, and when the applicant conducts the demonstration, comes in for interview, or gives CASA the information or copy requested, does not count towards the period.
- (4) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050(3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (5) Also, if CASA invites an applicant to make a written submission under subregulation 11.050(2), the time between when CASA gives the invitation and when the applicant makes the written submission does not count towards the period.
- (6) In this regulation:

Regulation 172.270

application includes an application to vary an approval under this Division.

172.270 Conditions

Without limiting regulations 11.056 and 11.067, CASA may impose, on an approval, any condition necessary to give effect to an arrangement mentioned in subsection 11(3) of the *Air Services Act 1995*.

**Division 172.F.4—Directions to amend provider's
operations manual**

**172.300 CASA may direct amendments to provider's operations
manual**

- (1) If necessary in the interests of the safety of air navigation, CASA may direct an ATS provider, in writing, within a reasonable period specified in the direction, to amend its provider's operations manual in a way specified in the direction.
- (2) CASA may extend the period by written notice, before or after the end of the period referred to in subregulation (1).

Division 172.F.5—Suspension and cancellation of approvals

172.305 Definition for this Division

In this Division:

show cause notice means a notice under regulation 172.320.

172.310 Suspension of approval by show cause notice

- (1) CASA may state, in a show cause notice, that an ATS provider's approval is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.

Note: Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

- (2) If a show cause notice states that the approval is suspended, the approval is suspended from when the notice is given to the provider.
- (3) CASA may revoke the suspension at any time.
- (4) If CASA has not cancelled the approval under regulation 172.325, within 90 days after the day the show cause notice is given to the provider, the suspension lapses at the end of that period.

172.315 Grounds for cancellation of approval

It is grounds for the cancellation of an ATS provider's approval if the provider:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) does not meet, or continue to meet, a requirement of this Part for getting the approval; or
- (d) has otherwise been guilty of conduct that renders the provider's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

Regulation 172.320

Note: Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

172.320 Notice to show cause

- (1) CASA may give an ATS provider a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the provider's approval.
- (2) A show cause notice must:
 - (a) tell the provider of the facts and circumstances that justify the cancellation of the approval; and
 - (b) invite the provider to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2)(b), the period must not be less than 7 days.

172.325 Cancellation of approval after show cause notice

- (1) CASA may cancel an ATS provider's approval only if:
 - (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
 - (b) CASA has given the provider a show cause notice in relation to the grounds for the proposed cancellation; and
 - (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the provider; and
 - (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) If CASA has given a show cause notice to an ATS provider, and it decides not to cancel the provider's approval, it:
 - (a) must tell the provider, in writing, of the decision; and
 - (b) must, if the approval is suspended, revoke the suspension.

172.327 Cancellation if cooperation or arrangement ceases

- (1) CASA must cancel the approval of a person mentioned in subparagraph 172.024(c)(i) if the cooperation mentioned in that subparagraph ceases.
- (2) CASA must cancel the approval of a person mentioned in subparagraph 172.024(c)(ii) if the arrangement mentioned in that subparagraph ceases.

Part 173—Instrument flight procedure design

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Subpart 173.A—General

173.005 Applicability

- (1) This Part:
 - (a) provides for the standards that apply to the design of instrument flight procedures; and
 - (b) applies to the following persons:
 - (i) persons who want to become, or are, certified designers or authorised designers of terminal instrument flight procedures and certain employees of those persons;
 - (ii) persons who design instrument flight procedures other than terminal instrument flight procedures.
- (2) This Part also sets out certain rules that apply to CASA in administering procedure design certificates and procedure design authorisations.
- (3) Nothing in this Part applies:
 - (a) in relation to the design of terminal instrument flight procedures for use by an aircraft in circumstances where one or more engines of the aircraft become inoperative while it is on an IFR flight; or
 - (b) to a person who carries on design work on such procedures.

173.010 Definitions for this Part

In this Part, unless the contrary intention appears:

authorised designer has the meaning given by regulation 173.025.

certified designer has the meaning given by regulation 173.015.

chief designer, for a certified designer, means a person appointed as chief designer for the certified designer under Division 173.B.3.

continental shelf means the continental shelf of Australia, within the meaning of the Seas and Submerged Lands Act 1973.

Regulation 173.010

design work, in relation to a terminal instrument flight procedure, means any of the following work:

- (a) designing the procedure or a part of the procedure;
- (b) verifying, maintaining, reviewing or amending the procedure;
- (c) supervising a person carrying on any work mentioned in paragraph (a) or (b).

employee, of a certified designer or an authorised designer, includes a person who carries on design work on a terminal instrument flight procedure for the designer in the course of performing services for the designer.

ICAO Doc. 8168 (PANS-OPS) means Doc.8168-OPS/611 Volume II (Procedures for Air Navigation Services – Construction of Visual and Instrument Flight Procedures) approved and published by decision of the Council of the International Civil Aviation Organisation, as in force from time to time.

Manual of Standards means the document called ‘*Manual of Standards (MOS) Part 173 – Standards Applicable to the Provision of Instrument Flight Procedure Design*’, published by CASA, as in force from time to time.

Note: The Manual of Standards is available from CASA’s website at:
www.casa.gov.au.

operations manual:

- (a) in relation to a certified designer, means the manual maintained by the designer under regulation 173.075; and
- (b) in relation to an authorised designer, means the manual maintained by the designer under regulation 173.250.

procedure design authorisation has the meaning given by regulation 173.030.

procedure design certificate has the meaning given by regulation 173.020.

type of terminal instrument flight procedure means a type of terminal instrument flight procedure mentioned in the Manual of Standards.

validate has the same meaning as in the Manual of Standards.

verify has the same meaning as in regulation 173.090.

Note: The following terms are defined in the Dictionary:

- AIS
- instrument approach procedure
- instrument departure procedure
- instrument flight procedures
- lowest safe altitude
- off-shore installation
- specialised helicopter operation
- terminal instrument flight procedure.

173.015 What is a *certified designer*

A ***certified designer*** is a person who is the holder of a procedure design certificate that is in force.

173.020 What is a *procedure design certificate*

A ***procedure design certificate*** is a certificate that:

- (a) is granted by CASA to a person under this Part; and
- (b) certifies that the person is authorised to carry on design work on a terminal instrument flight procedure of a type covered by the certificate subject to any conditions set out in the certificate.

173.025 What is an *authorised designer*

An ***authorised designer*** is a person who is the holder of a procedure design authorisation that is in force.

173.030 What is a *procedure design authorisation*

A ***procedure design authorisation*** is an authorisation that:

- (a) is granted by CASA to a person under this Part; and
- (b) authorises the person to carry on either of the following activities:
 - (i) review or amend a terminal instrument flight procedure that is of a type covered by the authorisation and is for

Regulation 173.035

- use by Australian aircraft operating under the IFR at, or in the vicinity of, an aerodrome in a foreign country;
- (ii) carry on design work on a terminal instrument flight procedure that is of a type covered by the authorisation and is for use by Australian aircraft operating under the IFR at, or in the vicinity of, an off-shore installation located no closer than 30 nm from the nearest land.

173.035 Design, review or amendment of terminal instrument flight procedures—requirement for procedure design certificate etc

- (1) A person commits an offence if:
 - (a) the person carries on design work (other than work mentioned in subregulation (2) or (3)) on a terminal instrument flight procedure for use by Australian aircraft operating under the IFR, or by foreign aircraft operating under the IFR in Australian territory; and
 - (b) the person is not permitted to do so under subregulation (2).
- Penalty: 50 penalty units.
- (2) For paragraph (1)(b), the following persons may carry on the work:
 - (a) CASA;
 - (b) a certified designer whose procedure design certificate authorises the designer to carry on design work on the procedure;
 - (c) an employee of a certified designer mentioned in paragraph (b) who carries on the design work in the course of the employee's duties.
- (3) A person commits an offence if:
 - (a) the person reviews or amends a terminal instrument flight procedure for use by Australian aircraft operating under the IFR at, or in the vicinity of, an aerodrome in a foreign country; and
 - (b) the person is not permitted to do so under subregulation (4).

Penalty: 50 penalty units.

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- (4) For paragraph (3)(b), the following persons may review or amend the procedure:
- (a) CASA;
 - (b) a certified designer whose procedure design certificate authorises the designer to carry on design work on the procedure;
 - (c) an employee of a certified designer mentioned in paragraph (b) who reviews or amends the procedure in the course of the employee's duties;
 - (d) an authorised designer whose procedure design authorisation authorises the designer to review or amend the procedure;
 - (e) an employee of an authorised designer mentioned in paragraph (d) who reviews or amends the procedure in the course of the employee's duties.
- (5) A person commits an offence if:
- (a) the person carries on design work on a terminal instrument flight procedure for use by Australian aircraft operating under the IFR at, or in the vicinity of, an off-shore installation; and
 - (b) the person is not permitted to do so under subregulation (6).

Penalty: 50 penalty units.

- (6) For paragraph (5)(b), the following persons may carry on the work:
- (a) CASA;
 - (b) a certified designer whose procedure design certificate authorises the designer to carry on design work on the procedure;
 - (c) an employee of a certified designer mentioned in paragraph (b) who carries on the design work in the course of the employee's duties;
 - (d) an authorised designer whose procedure design authorisation authorises the designer to carry on design work on the procedure;
 - (e) an employee of an authorised designer mentioned in paragraph (d) who carries on the design work in the course of the employee's duties.

Regulation 173.040

- (7) An offence against subregulation (1), (3) or (5) is an offence of strict liability.

173.040 Designing instrument flight procedures other than terminal instrument flight procedures

- (1) A person who designs an instrument flight procedure that is not a terminal instrument flight procedure must, in designing the procedure, meet any standards for the design of such a procedure set out in the Manual of Standards.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Subpart 173.B—Certified designers

Division 173.B.1—Certification as certified designer

Note: In addition to the provisions of this Division, Part 11 contains provisions relating to an application for certification as a certified designer.

173.045 Applications for procedure design certificates

- (1) A person may apply to CASA, in writing, for a procedure design certificate.

Note: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

- (2) The application:

(b) must state:

- (i) the applicant's name and address; or
- (ii) if the applicant is incorporated by or under a law of the Commonwealth or of a State or Territory, the applicant's name, registered address and ACN and the names and addresses of the people responsible for its management and control; and

(c) must contain or be accompanied by:

- (i) a written statement specifying the type or each type of terminal instrument flight procedure proposed to be covered by the procedure design certificate; and
- (ii) a written statement setting out the name, qualifications and relevant experience of the individual who is proposed to be the chief designer for the applicant's organisation; and
- (iii) a written statement setting out the qualifications and relevant experience of any other member of the applicant's personnel whose duties would, if the certificate were granted to the applicant, include carrying on design work under the certificate; and

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- (d) must be accompanied by a copy of the operations manual under which the applicant proposes to design, or engage in design work on, terminal instrument flight procedures of the type or types concerned.

Note: Part 11 also contains provisions relating to an application for a procedure design certificate.

173.050 Criteria for grant of procedure design certificates

For regulation 173.335, a person who has applied for the grant of a procedure design certificate must, if the certificate is granted, be able to comply with the requirements of Division 173.B.2.

173.055 Procedure design certificate

- (1) If CASA grants a procedure design certificate to a person under Subpart 173.E, CASA must state on the certificate:
 - (a) the person's name and principal place of business; and
 - (b) the type or each type of terminal instrument flight procedure covered by the certificate; and
 - (c) any conditions applicable to it; and
 - (d) the date when it comes into force; and
 - (e) any other information that CASA thinks should be included.

173.065 How long procedure design certificates remain in force

A procedure design certificate remains in force unless it is cancelled.

173.070 Applications to vary procedure design certificates

An application to vary a procedure design certificate must contain, or have with it, a copy of the proposed variation.

Division 173.B.2—Requirements to be complied with by certified designers

173.075 Certified designer to maintain operations manual

- (1) A certified designer must, at all times, maintain an operations manual that meets the standards for operations manuals set out in the Manual of Standards.
- (2) A certified designer:
 - (a) must keep the manual in a readily accessible form; and
 - (b) must ensure that each employee of the designer whose duties include carrying on design work under the designer's procedure design certificate has ready access to the manual; and
 - (c) must amend the manual whenever it is necessary to do so to keep it in an up-to-date form.
- (3) A certified designer must ensure:
 - (a) that all amendments of the manual are incorporated in all copies of the manual kept by the certified designer; and
 - (b) that copies of the amendments are given to CASA.

173.080 Compliance with operations manual

A certified designer must, in carrying on design work authorised under the designer's procedure design certificate, comply with the designer's operations manual.

173.085 Standards for design of terminal instrument flight procedures etc

- (1) A certified designer designing a terminal instrument flight procedure under the certified designer's procedure design certificate must ensure that the procedure is designed in accordance with:
 - (a) any applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS); and

Regulation 173.090

- (b) any applicable standards set out in the Manual of Standards.
- (2) If, apart from this subregulation, a certified designer would be required to ensure that a terminal instrument flight procedure is designed in accordance with a standard set out or referred to in the ICAO Doc. 8168 (PANS-OPS) and a standard set out in the Manual of Standards, and it is not possible to comply with both standards, the designer is only required to ensure that the procedure is designed in accordance with the Manual of Standards.

173.090 Verification of terminal instrument flight procedures

- (1) A certified designer must establish procedures for verifying terminal instrument procedures that it is authorised to design under the designer's procedure design certificate or on which the designer is authorised to carry on design work.
- (2) The verification procedures:
 - (a) must provide for 2 qualified designers to check independently the design of each terminal instrument flight procedure designed, or on which design work is carried on, under the certified designer's procedure design certificate; and
 - (b) must provide for one of those checks to be made by a qualified designer who did not carry on the design work concerned.
- (3) In this regulation, a reference to verifying a terminal instrument flight procedure is a reference to the process of checking the procedure (including all data, computations and drawings for the procedure) in accordance with any applicable standards set out in the Manual of Standards.
- (4) In this regulation:

qualified designer, in relation to a terminal instrument flight procedure, means an individual who:

 - (a) is the holder, or an employee of the holder, of a procedure design certificate that authorises the holder to design terminal instrument flight procedures of the same type as the terminal instrument flight procedure concerned; and

- (b) has successfully completed:
 - (i) an approved course of training in the methods and practices contained in ICAO Doc. 8168 (PANS-OPS); and
 - (ii) any training for persons carrying on design work on terminal instrument flight procedures that is specified in the operations manual under which the qualified designer performs the designer's duties; and
- (c) meets the experience requirements for performing the functions of a qualified designer set out in the Manual of Standards.

173.095 Validation of terminal instrument flight procedures

- (1) A certified designer must ensure that each terminal instrument flight procedure designed under the designer's procedure design certificate is validated by a **CASA pilot** in accordance with any applicable standards set out in the Manual of Standards.

- (2) In this regulation:

CASA pilot means a pilot:

- (a) who is an officer of CASA; and
- (b) who meets the standards set out in the Manual of Standards for carrying out a validation flight check of a terminal instrument flight procedure.

validation flight check has the same meaning as in the Manual of Standards.

173.100 Publication of terminal instrument flight procedures

- (1) A certified designer must ensure that each terminal instrument flight procedure designed under the designer's procedure design certificate is given to the AIS for publication in the AIP together with a certificate by the certified designer's chief designer to the effect that the procedure is designed and validated in accordance with any applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS) and the Manual of Standards.

Regulation 173.105

- (2) However, the designer need not give a terminal instrument flight procedure to the AIS if the procedure is for use only by an aircraft in a specialised helicopter operation.
- (3) A certified designer must ensure that all procedures designed under its procedure design certificate that are not given to the AIS for publication in the AIP are given to CASA.

173.105 Radio navigation aids

A certified designer must ensure that a terminal instrument flight procedure designed under the designer's procedure design certificate does not require the use of a ground-based radio-navigation aid other than one that is operated and maintained by a person certificated to do so under Part 171.

173.110 Maintenance of terminal instrument flight procedures

- (1) Subject to subregulation (2), a certified designer is responsible for maintaining, in accordance with the standards for the maintenance of terminal instrument flight procedures set out in the Manual of Standards, a terminal instrument flight procedure designed under the designer's procedure design certificate or for which that responsibility is transferred to the certified designer under regulation 173.215.
- (2) The certified designer ceases to be responsible for the maintenance of the procedure:
 - (a) if the certified designer has notified CASA and, if the procedure is published in the AIP, the AIS, under regulation 173.210, that the designer has ceased to have that responsibility:
 - (i) on the day when the notice is given; or
 - (ii) if a later day is specified in the notice—on the later day; or
 - (b) if the certified designer's responsibility for the maintenance of the procedure is transferred to another certified designer in accordance with regulation 173.215—on the day when the responsibility is transferred; or

- (c) if the certified designer has notified CASA and, if the procedure is published in the AIP, the AIS, under regulation 173.200, that the designer has ceased to design the type of terminal instrument flight procedure concerned:
 - (i) on the day when the notice is given; or
 - (ii) if a later day is specified in the notice—on the later day; or
- (d) if the certified designer's procedure design certificate is varied under Subpart 173.E to exclude that type of procedure—on the day when the variation takes effect; or
- (e) if the certified designer ceases to be a certified designer—on the day when the designer ceases to be a certified designer.

173.115 Certified designer to provide facilities etc

- (1) A certified designer must provide and maintain adequate facilities for carrying on design work on terminal instrument flight procedures under the designer's procedure design certificate, including:
 - (a) providing premises and equipment appropriate for the certified designer's employees to carry on the design work; and
 - (b) ensuring that those employees have access to all necessary data for designing the procedures including:
 - (i) accurate and current databases or charts detailing terrain and obstacle information; and
 - (ii) accurate and current navigation aid coordinate data; and
 - (iii) accurate and current aerodrome reference point and threshold data.
- (2) A certified designer must, if an aeronautical database and aeronautical data is required for designing a terminal instrument flight procedure under the designer's procedure design certificate, have, and put into effect, procedures to ensure the integrity of the database and the data.

Regulation 173.120

173.120 Certified designer to have appropriate organisation

A certified designer must, at all times, maintain an appropriate organisation with a sound and effective management structure to enable the designer to carry on design work on terminal instrument flight procedures under the designer's procedure design certificate in accordance with these Regulations.

173.125 Certified designer to have sufficient personnel

A certified designer:

- (a) must employ a sufficient number of personnel to enable the designer to carry on design work on terminal instrument flight procedures under the designer's procedure design certificate in accordance with these Regulations; and
- (b) must ensure that those personnel:
 - (i) are suitably qualified and competent to perform their duties; and
 - (ii) are trained in accordance with the Manual of Standards and the designer's operations manual.

173.130 Supervisory personnel

A certified designer must ensure that each employee who is occupying or acting in a supervisory position in the designer's organisation in relation to design work on terminal instrument flight procedures carried on under the designer's procedure design certificate meets the standards for supervisory positions set out in the Manual of Standards.

173.135 Certified designer to appoint chief designer

A certified designer must not carry on design work on a terminal instrument flight procedure under the designer's procedure design certificate unless:

- (a) the certified designer has appointed a person to be the chief designer for the designer's organisation; and
- (b) the appointment is approved by CASA and is in force; and

Regulation 173.140

- (c) the functions of the chief designer are being carried out by the person or, if the chief designer is temporarily absent from duty, another person:
 - (i) who is appointed by the certified designer to act as chief designer; and
 - (ii) whose appointment is approved by CASA and is in force.

173.140 Certified designer to provide training and checking program

A certified designer must provide a training and checking program that is of an adequate standard to ensure that the employees of the designer maintain their competence and are provided with ongoing training appropriate to their duties.

173.145 Certified designer to have safety management system

- (1) A certified designer must have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary for managing design work on terminal instrument flight procedures carried on under the designer's procedure design certificate.
- (2) The safety management system must be in accordance with the standards set out in the Manual of Standards.
- (3) The designer must keep its safety management system under review and take any necessary corrective action to ensure that it operates properly.

173.150 Certified designer to maintain reference materials

- (1) A certified designer must maintain reference materials of the kinds specified in the Manual of Standards.
- (2) A certified designer must keep the reference materials up-to-date and in a readily accessible form.
- (3) Each employee of the certified designer who carries on design work on a terminal instrument flight procedure under the certified

Regulation 173.155

designer's procedure design certificate must have ready access to the reference materials.

173.155 Certified designer to keep documents and records

- (1) A certified designer must keep documents and records of the kinds specified in the Manual of Standards.
- (2) A document or record must be retained for as long as the Manual of Standards specifies for the particular kind of document or record.
- (3) The designer must, at CASA's request, make the documents and records, or copies of them or extracts from them, available for inspection by CASA.

173.160 Certified designer to have document and record control system

- (1) A certified designer must establish, and put into effect, a system for controlling documents and records relating to the terminal instrument flight procedures on which the designer carries on design work under the certified designer's procedure design certificate, including the policies and procedures for making, amending, preserving and disposing of those documents and records.
- (2) The system must be in accordance with the standards set out in the Manual of Standards.
- (3) The documents and records must include the documents and records required to be kept under this Division.

Division 173.B.3—Chief designer

173.165 Approval for appointment of chief designer

- (1) A certified designer must not appoint a person as chief designer unless the appointment is approved by CASA.
- (2) To be appointed as chief designer, a person must, at the time of appointment, meet the standards for the chief designer for a certified designer's organisation set out in the Manual of Standards.

173.170 Approval for appointment to act as chief designer

- (1) A certified designer must not appoint a person to act as chief designer for the certified designer unless the appointment is approved by CASA.
- (2) To be appointed to act as chief designer, a person must, at the time of appointment, have sufficient qualifications and experience to enable the individual to carry out the functions of the appointment properly, having regard to the nature and scope of the design work carried on by the chief designer.

173.175 Appointment likely to have adverse effect on air safety

- (1) Without limiting the matters that CASA may take into account in deciding whether to approve an appointment of a person as chief designer or an appointment of a person to act as chief designer, CASA is not required to approve the appointment if the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) In deciding whether approval of the appointment of a person would be likely to have an adverse effect on the safety of air navigation, CASA may take into account the following:
 - (a) the person's record of compliance with regulatory requirements (in Australia or elsewhere) relating to aviation safety and other transport safety;

Regulation 173.180

- (b) the experience of the person in aviation;
- (c) the person's knowledge of the regulatory requirements applicable to civil aviation in Australia;
- (d) any evidence held by CASA that the person has contravened:
 - (i) the Act or these Regulations; or
 - (ii) a law of another country relating to aviation safety; or
 - (iii) another law (of Australia or of another country) relating to transport safety.

Note: Section 30A of the Act allows the Court to make an order excluding a person from a particular aviation activity. Such an order may have the effect of precluding the approval or acceptance of an appointment while the order is in force.

173.180 Chief designer's functions and duties

The chief designer for a certified designer's organisation is responsible to the certified designer for the following:

- (a) ensuring that any design work on the terminal instrument flight procedures that is carried on under the designer's procedure design certificate is carried on in accordance with these Regulations;
- (b) appointing persons as employees of the certified designer to carry on design work on terminal instrument flight procedures under the designer's procedure design certificate;
- (c) effectively managing work done in relation to those terminal instrument flight procedures by those persons;
- (d) issuing certificates as required by regulation 173.100.

173.185 Duration of approval

- (1) An approval under regulation 173.165 or 173.170 stops being in force if:
 - (a) the appointment to which it relates ends; or
 - (b) it is withdrawn.
- (2) An approval is not in force during any period in which it is suspended.

173.190 Withdrawal or suspension of approval of appointment

- (1) CASA may, by notice in writing to a person appointed as the chief designer, or to act as the chief designer, for a certified designer's organisation, withdraw or suspend approval of the person's appointment if continuing approval of the appointment would be likely to have an adverse effect on the safety of air navigation.
- (2) In deciding whether continuing approval of a person's appointment would be likely to have an adverse effect on the safety of air navigation, CASA may take into account the matters mentioned in subregulation 173.175(2).
- (3) The notice:
 - (a) must set out the reasons for the withdrawal or suspension; and
 - (b) in the case of a suspension, must specify the period of suspension or state when, or in what circumstances, it will end.
- (4) CASA must give a copy of the notice to the certified designer.
- (5) If CASA suspends approval of a person's appointment, the person must not carry out the functions of the appointment during the period of the suspension.
- (6) If CASA withdraws approval of a person's appointment:
 - (a) for the purposes of these Regulations, the appointment is taken to end; and
 - (b) the person must not continue to carry out the functions of the position to which the appointment relates.

Division 173.B.4—Miscellaneous

173.195 Advice on organisational changes

A certified designer must tell CASA, in writing, of a change of circumstances that materially affects its capacity to design a terminal instrument flight procedure under the designer's procedure design certificate, or engage in any design work on that procedure, within 7 days after the change occurs.

173.200 Discontinuing design work on terminal instrument flight procedures of a particular type

- (1) If a certified designer ceases to carry on design work on terminal instrument flight procedures of a particular type, the certified designer must give written notice to that effect to CASA, and, if any of the procedures are published in the AIP, the AIS, within 7 days after ceasing to carry on the design work concerned.
- (2) Subregulation (1) does not apply if, having regard to the certified designer's circumstances, it is not reasonably practicable for the designer to give CASA or, if applicable, the AIS, at least 7 days notice and the notice is given as soon as is reasonably practicable.

173.205 Notifying the AIS of a variation to a procedure design certificate

If a certified designer's procedure design certificate is varied under Subpart 173.E to exclude a particular type of terminal instrument flight procedure and the designer has given any procedures of that type to the AIS for publication in the AIP, the designer must give written notice to the AIS of the variation within 7 days after the day when the variation takes effect.

173.210 Discontinuing maintenance of particular terminal instrument flight procedures

- (1) If a certified designer ceases to be responsible for the maintenance of a terminal instrument flight procedure, the certified designer

Regulation 173.215

must give written notice to that effect to CASA and, if the procedure is published in the AIP, to the AIS, within 7 days after ceasing to have that responsibility.

- (2) Subregulation (1) does not apply if, having regard to the certified designer's circumstances, it is not reasonably practicable for the designer to give CASA at least 7 days notice and the notice is given as soon as is reasonably practicable.

173.215 Transfer of maintenance responsibility

- (1) A certified designer may transfer the designer's responsibility for maintaining a terminal instrument flight procedure under regulation 173.110 to another certified designer whose procedure design certificate authorises that designer to design terminal instrument flight procedures of the same type as the procedure concerned.
- (2) If a certified designer accepts responsibility for the maintenance of a terminal instrument flight procedure under this regulation, the designer:
- (a) must give written notice to the transferor to that effect; and
 - (b) must give written notice of the transfer to CASA and, if the procedure is published in the AIP, to the AIS, within 14 days after the transfer.
- (3) A transfer takes effect on the day when the certified designer accepting responsibility for maintaining the procedure gives notice to the transferor under paragraph (2)(a) or, if a later day is specified in the notice, on the later day.
- (4) If a certified designer transfers the designer's responsibility for maintaining a terminal instrument flight procedure, the designer must give written notice of the transfer to CASA and, if the procedure is published in the AIP, to the AIS, within 14 days after the transfer.

Subpart 173.C—Authorised designers

Division 173.C.1—Authorisation as authorised designer

Note: In addition to the provisions of this Division, Part 11 contains provisions relating to an application for the grant of a procedure design authorisation.

173.220 Applications for procedure design authorisations

- (1) A person may apply to CASA, in writing, for a procedure design authorisation.

Note: An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations—see regulation 11.030.

- (2) The application:

(b) must state:

- (i) the applicant's name and address; or
- (ii) if the applicant is incorporated by or under a law of the Commonwealth or of a State or Territory, the applicant's name, registered address and ACN and the names and addresses of the people responsible for its management and control; and

(c) must contain or be accompanied by:

- (i) a written statement specifying the activity mentioned in subparagraph 173.030(b)(i) or (ii) that is proposed to be authorised under the authorisation, including specifying the type or each type of terminal instrument flight procedure proposed to be covered by the authorisation; and
- (ii) a written statement setting out the qualifications and relevant experience of each member of the applicant's personnel whose duties would, if the authorisation were granted to the applicant, include carrying on the design work concerned; and

(d) must be accompanied by a copy of the operations manual under which the applicant proposes to carry on that activity.

Note: Part 11 also contains provisions relating to an application for a procedure design authorisation.

173.225 Criteria for grant of procedure design authorisations

For regulation 173.335, a person who has applied for the grant of a procedure design authorisation must, if the authorisation is granted, be able to comply with the requirements of Division 173.C.2.

173.240 How long procedure design authorisations remain in force

A procedure design authorisation remains in force unless it is cancelled.

173.245 Applications to vary procedure design authorisations

An application to vary a procedure design authorisation must contain, or have with it, a copy of the proposed variation.

Division 173.C.2—Requirements to be complied with by authorised designers

173.250 Operations manual

- (1) An authorised designer must, at all times, maintain an operations manual that meets the standards set out in the Manual of Standards.
- (2) An authorised designer:
 - (a) must keep the manual in a readily accessible form; and
 - (b) must ensure that each employee of the designer whose duties include carrying on design work authorised by the designer's procedure design authorisation has ready access to the manual; and
 - (c) must amend the manual whenever it is necessary to do so to keep it in an up-to-date form.
- (3) An authorised designer must ensure:
 - (a) that all amendments of the manual are incorporated in all copies of the manual kept by the designer; and
 - (b) that copies of the amendments are given to CASA.

173.255 Compliance with operations manual

An authorised designer must, in carrying on the activity authorised by the designer's procedure design authorisation, comply with the designer's operations manual.

173.260 Standards for design of terminal instrument flight procedures etc

- (1) An authorised designer designing a terminal instrument flight procedure under the authorised designer's procedure design authorisation must ensure that the procedure is designed in accordance with:
 - (a) any applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS); and
 - (b) any applicable standards set out in the Manual of Standards.

- (2) If, apart from this subregulation, an authorised designer would be required to ensure that a terminal instrument flight procedure is designed in accordance with a standard set out or referred to in the ICAO Doc. 8168 (PANS-OPS) and a standard set out in the Manual of Standards, and it is not possible to comply with both standards, the designer is only required to ensure that the procedure is designed in accordance with the Manual of Standards.

173.265 Off-shore installations

- (1) This regulation applies to an authorised designer who is authorised to carry on design work on a terminal instrument flight procedure that:
- (a) is of a type covered by the authorisation; and
 - (b) is for use by Australian aircraft operating under the IFR at, or in the vicinity of, an off-shore installation located no closer than 30 nm from the nearest land.
- (2) The authorised designer must ensure that a copy of each terminal instrument flight procedure designed under the designer's procedure design authorisation is given to CASA.
- (3) The authorised designer must ensure that a terminal instrument flight procedure designed under the designer's procedure design authorisation does not require the use of a ground-based radio-navigation aid other than one that is operated and maintained by a person certificated to do so under Part 171.

173.270 Maintenance of terminal instrument flight procedures

- (1) Subject to subregulation (2), an authorised designer is responsible for maintaining, in accordance with the standards for the maintenance of terminal instrument flight procedures set out in the Manual of Standards, a terminal instrument flight procedure designed under the designer's procedure design authorisation or a terminal instrument flight procedure for which that responsibility is transferred to the authorised designer under regulation 173.305.
- (2) The authorised designer ceases to be responsible for the maintenance of the procedure:

Regulation 173.275

- (a) if the authorised designer has notified CASA, under regulation 173.300, that the designer has ceased to have that responsibility:
 - (i) on the day when the notice is given; or
 - (ii) if a later day is specified in the notice—on the later day; or
- (b) if the authorised designer's responsibility for the maintenance of the procedure is transferred to a certified designer or another authorised designer under regulation 173.305—on the day when the responsibility is transferred; or
- (c) if the authorised designer has notified CASA, under regulation 173.295, that the designer has ceased to design the type of terminal instrument flight procedure concerned:
 - (i) on the day when the notice is given; or
 - (ii) if a later day is specified in the notice—on the later day; or
- (d) if the authorised designer's procedure design authorisation is varied under Subpart 173.E to exclude that type of procedure—on the day when the authorisation is varied; or
- (e) if the authorised designer ceases to be an authorised designer—on the day when the designer ceases to be an authorised designer.

173.275 Authorised designer to have sufficient personnel

An authorised designer:

- (a) must employ a sufficient number of personnel to enable the designer to carry on the activity authorised by the designer's procedure design authorisation in accordance with these Regulations; and
- (b) must ensure that those personnel:
 - (i) are suitably qualified and competent to perform their duties; and
 - (ii) are trained in accordance with the Manual of Standards and the designer's operations manual.

173.280 Authorised designer to maintain reference materials

- (1) An authorised designer must maintain reference materials of the kinds specified in the Manual of Standards.
- (2) An authorised designer must keep the reference materials up-to-date and in a readily accessible form.
- (3) Each employee of the authorised designer whose duties include carrying on design work that is authorised under the designer's procedure design authorisation must have ready access to the reference materials.

173.285 Authorised designer to keep documents and records

- (1) An authorised designer must keep documents and records of the kinds specified in the Manual of Standards.
- (2) A document or record must be retained for as long as the Manual of Standards specifies for the particular kind of document or record.
- (3) The designer must, at CASA's request, make the documents and records, or copies of them or extracts from them, available for inspection by CASA.

173.290 Authorised designer to have document and record control system

- (1) An authorised designer must establish, and put into effect, a system for controlling documents and records relating to the activity authorised under the authorised designer's procedure design authorisation, including the policies and procedures for making, amending, preserving and disposing of those documents and records.
- (2) The system must be in accordance with the standards set out in the Manual of Standards.
- (3) The documents and records must include the documents and records required to be kept under this Division.

Division 173.C.3—Miscellaneous

173.295 Discontinuing design work on terminal instrument flight of a particular type

- (1) If an authorised designer ceases to carry on design work on terminal instrument flight procedures of a particular type, the authorised designer must give written notice to CASA to that effect within 7 days after ceasing to carry on the design work concerned.
- (2) Subregulation (1) does not apply if, having regard to the authorised designer's circumstances, it is not reasonably practicable for the designer to give CASA at least 7 days notice and the notice is given as soon as is reasonably practicable.

173.300 Discontinuing maintenance of terminal instrument flight procedures

- (1) If an authorised designer ceases to be responsible for the maintenance of a terminal instrument flight procedure, the authorised designer must give written notice to CASA to that effect within 7 days after ceasing to have that responsibility.
- (2) Subregulation (1) does not apply if, having regard to the authorised designer's circumstances, it is not reasonably practicable for the designer to give CASA at least 7 days notice and the notice is given as soon as is reasonably practicable.

173.305 Transfer of maintenance responsibility

- (1) An authorised designer may transfer the designer's responsibility for maintaining a terminal instrument flight procedure under regulation 173.270:
 - (a) to a certified designer whose procedure design certificate authorises that designer to design terminal instrument flight procedures of the same type as the procedure concerned; or
 - (b) to another authorised designer whose procedure design authorisation authorises that designer to design such a terminal instrument flight procedure.

Regulation 173.305

- (2) If a certified designer or an authorised designer accepts responsibility for the maintenance of a terminal instrument flight procedure under this regulation, the designer:
 - (a) must give written notice to the transferor to that effect; and
 - (b) must give written notice of the transfer to CASA within 14 days after the transfer.
- (3) A transfer takes effect on the day when the certified designer or authorised designer accepting responsibility for maintaining the procedure gives notice to the transferor under subregulation (2) or, if a later day is specified in the notice, on the later day.
- (4) If an authorised designer transfers the designer's responsibility for maintaining a terminal instrument flight procedure, the designer must give written notice of the transfer to CASA within 14 days after the transfer.

Subpart 173.D—Performance of design work

173.310 Certified designer not to exceed the limitations of the designer's procedure design certificate

A certified designer must not carry on design work on a terminal instrument flight procedure that is not of a type covered by the designer's procedure design certificate.

173.315 Authorised designer not to exceed the limitations of authorisation

A authorised designer must not carry on an activity mentioned in paragraph 173.030(b)(i) or (ii) unless that activity is authorised by the designer's procedure design authorisation.

Subpart 173.E—Administration

Division 173.E.1—Grant of procedure design certificates and procedure design authorisations

Note: In addition to the provisions of this Division, Part 11 contains provisions relating to the grant of a procedure design certificate or procedure design authorisation.

173.330 CASA may require demonstrations of equipment etc

Regulation 11.045 applies in relation to a procedure design certificate or procedure design authorisation.

173.335 Grant of procedure design certificate or procedure design authorisation

Subject to regulation 11.055, if an applicant has applied for the grant of a procedure design certificate or procedure design authorisation under this Part, CASA must grant the certificate or authorisation.

Note: Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue or grant, or cancelling, suspending or varying, a certificate or authorisation; or
- (b) a decision imposing a condition on a certificate or authorisation.

See also section 31 of the Act.

173.345 CASA may grant certificate or authorisation subject to conditions

- (2) Without limiting regulation 11.056, CASA may grant a procedure design certificate or procedure design authorisation subject to a condition requiring its holder to permit an authorised inspector (within the meaning given by Division 173.E.5) to exercise the powers of an authorised inspector under that Division in relation to the certificate or authorisation.

Regulation 173.350

- (3) However, such a condition is not taken to require the holder to permit the exercise of those powers:
 - (a) unless the inspector first shows his or her identity card to the holder, or another person on behalf of the holder, if asked to do so by the holder or other person; or
 - (b) at a time other than during normal business hours.
- (4) Such a condition is not taken to authorise the inspector to use force to any extent in exercising those powers.

173.350 When decision must be made

- (1) If CASA does not make a decision about an application under this Part within 6 months after receiving it, CASA is taken to have refused the application.
- (2) However, if CASA makes a request under regulation 11.035, 11.040 or 11.045, the time between when CASA makes the request, and when the applicant conducts the demonstration, attends the interview, or gives CASA the information or copy requested, does not count towards the period.
- (2A) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050(3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (3) Also, if CASA invites an applicant to make a written submission under subregulation 11.050(2), the time between when CASA gives the invitation and when the applicant makes the submission does not count towards the period.
- (4) In this regulation:

application includes an application to vary a procedure design certificate or procedure design authorisation.

**Division 173.E.3—Directions to amend certified designer's
or authorised designer's operations manual**

**173.375 CASA may direct amendments to designer's operations
manual**

- (1) If necessary in the interests of the safety of air navigation, CASA may, in writing, direct a certified designer or an authorised designer, within a reasonable period specified in the direction, to amend the designer's operations manual by:
 - (a) including in the manual the information or other things set out or described in the direction; or
 - (b) altering the information or other things in the manual in the manner set out in the direction.
- (2) CASA may extend the period by written notice, before or after the end of the period referred to in subregulation (1).

**Division 173.E.4—Suspension and cancellation of
procedure design certificates and procedure
design authorisations**

**173.380 Suspension or cancellation of procedure design certificate or
procedure design authorisation by CASA**

- (1) CASA may, by written notice given to a certified designer or authorised designer, suspend or cancel the designer's procedure design certificate or procedure design authorisation if there are reasonable grounds for believing that the designer:
 - (a) has breached a condition of the certificate or authorisation; or
 - (b) has contravened a provision of this Part; or
 - (c) does not meet, or continue to meet, a requirement of this Part for getting or holding the certificate or authorisation; or
 - (d) has otherwise been guilty of conduct that renders the designer's continued holding of the certificate or authorisation likely to have an adverse effect on the safety of air navigation.
- (2) Before suspending or cancelling a certified designer's procedure design certificate or an authorised designer's procedure design authorisation, CASA:
 - (a) must give written notice to the designer of the facts or circumstances that, in the opinion of CASA, amount to grounds for the suspension or cancellation of the certificate; and
 - (b) must invite the designer to show cause in writing, within 30 days after the date of the notice, why the certificate or authorisation should not be suspended or cancelled; and
 - (c) must take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the designer explaining why the certificate should not be cancelled.

Note: Most decisions in relation to certificates and authorisations are reviewable by the Administrative Appeals Tribunal. See section 31 of the Act and regulation 201.4.

Division 173.E.5—Authorised inspectors

173.390 CASA may appoint authorised inspectors

- (1) The Director may, in writing, appoint an officer of CASA as an authorised inspector.
- (2) The instrument of appointment may:
 - (a) describe the premises and activities in relation to which the inspector may use his or her powers under regulation 173.400; and
 - (b) specify the duration of the appointment; and
 - (c) specify that the appointment is subject to 1 or more conditions.

173.395 Identity card

- (1) CASA must issue each authorised inspector with an identity card that includes a recent photograph of the inspector.
- (2) No more than 7 days after ceasing to be an authorised inspector, a person must return his or her identity card to CASA.

Penalty: 1 penalty unit.
- (3) An offence against subregulation (2) is an offence of strict liability.

173.400 Powers of authorised inspector

- (1) The powers that an authorised inspector may exercise are the powers to do any or all of the following:
 - (a) enter and inspect premises connected with, or used for the purposes of, design work that is carried on by, or for, a certified designer or authorised designer or where any documents or records relating to that work are kept;
 - (b) observe the practices and procedures of the certified designer or authorised designer (including the designer's employees) in carrying on design work under the designer's procedure design certificate or procedure design authorisation;

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- (c) inspect the designer's facilities used for, or in relation to, that work;
 - (d) inspect and test any systems and equipment used for, or in relation to, that work;
 - (e) inspect any documents or records maintained, or required to be kept under this Part, by the designer in relation to that work;
 - (f) make a copy of any document or record that the authorised inspector inspects.
- (2) However, an authorised inspector may exercise his or her powers only:
 - (a) at premises connected with, or used for the purposes of, design work that is carried on by, or for, a certified designer or authorised designer or where any documents or records relating to that work are kept; and
 - (b) with the permission of the certified designer or authorised designer; and
 - (c) if the designer, or a person on behalf of the designer, so requests—after the designer or person has been shown the inspector's identity card; and
 - (d) during normal business hours; and
 - (e) to ensure that design work is being carried on in accordance with these Regulations.
- (3) The cost of any copying carried out for the purposes of paragraph (1)(f) must be met by CASA.

Part 175—Aeronautical information management

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Subpart 175.A—Aeronautical information management—general

175.005 What Part 175 is about

- (1) This Part establishes standards and requirements for the quality and integrity of data and information used in air navigation.
- (2) Subpart 175.B establishes standards and requirements for AIS providers—persons responsible for the publication of aeronautical data and aeronautical information in the Integrated Aeronautical Information Package and on aeronautical charts.
- (3) Subpart 175.C establishes standards and requirements for data service providers—persons authorised to publish aeronautical data, aeronautical information or aeronautical charts, or to supply aeronautical data, that pilots may use as an alternative to the Integrated Aeronautical Information Package and aeronautical charts published by AIS providers.
- (4) Subpart 175.D sets out requirements for aeronautical data originators—persons responsible for providing aeronautical data and aeronautical information to AIS providers for publication in the Integrated Aeronautical Information Package and on aeronautical charts.
- (5) Subpart 175.E contains powers that can be used to gather data about objects and structures that affect aviation safety.

Note: The data gathered under Subpart 175.E will be used in air navigation applications, including the following:

- (a) the design of terminal instrument flight procedures;
- (b) the calculation of lowest safe altitudes;
- (c) aircraft operating limitations analysis;
- (d) minimum safe altitude warning systems;
- (e) the publication of visual navigation charts.

175.010 Application of Part 175

This Part does not apply to the following:

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- (a) a person who is providing an AIS in the course of his or her duties for the Defence Force;
- (b) an AIS provided by the Defence Force.

175.015 Definitions for Part 175

In this Part:

corporation has the meaning given by regulation 11.015.

officer, of a corporation, means:

- (a) for a corporation that is a company (within the meaning of the *Corporations Act 2001*)—a director, secretary or executive officer of the corporation; or
- (b) for a corporation of any other kind—a person exercising responsibility, in relation to the corporation, as nearly as possible the same as that of a director, secretary or executive officer of a company (within the meaning of the *Corporations Act 2001*).

175.020 References in Part 175 to Annexes 3, 4 and 15

In this Part, a reference to Annex 3, 4 or 15 to the Chicago Convention is a reference to the Annex subject to the differences mentioned in Gen 1.7 of Part 1 of the AIP.

175.025 Issue of Manual of Standards for Part 175

- (1) For subsection 98(5A) of the Act, CASA may issue a Manual of Standards for this Part prescribing matters:
 - (a) required or permitted by this Part to be prescribed by the Manual of Standards; or
 - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Part.
- (2) CASA must give a copy of a notice mentioned in subregulation 11.275(3) or regulation 11.280, about a Manual of Standards for this Part, to each AIS provider and data service provider.

Subpart 175.B—Aeronautical information management—AIS providers

Division 175.B.1—AIS providers—general

175.030 Definitions for Subpart 175.B

In this Subpart:

accountable manager, for an AIS provider, means the individual, appointed by the provider, who has the following responsibilities:

- (a) responsibility for ensuring that the provider's AIS is provided in accordance with the provider's exposition and this Subpart;
- (b) responsibility for ensuring that the provider is able to finance, and has adequate resources to provide, its AIS in accordance with the provider's exposition and this Subpart;
- (c) responsibility for the provider's safety management system required by regulation 175.225 and its implementation.

exposition, for an AIS provider, means:

- (a) the documents approved by CASA under regulation 175.060 in relation to the provider; or
- (b) if the documents are changed under regulation 175.070, 175.075 or 175.080—the documents as changed.

175.035 Provision of AIS—requirement for certificate

- (1) A person commits an offence if:
 - (a) the person provides an AIS; and
 - (b) the person does not hold a certificate under regulation 175.055 that authorises the person to provide the AIS.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Division 175.B.2—AIS provider certificates

175.040 AIS provider certificates—who may apply

- (1) A person mentioned in subregulation (2) may apply to CASA, in writing, for a certificate authorising the person to provide an AIS.
- (2) For subregulation (1), the persons are the following:
 - (a) the Commonwealth;
 - (b) AA;
 - (c) a person who proposes to provide the AIS:
 - (i) in cooperation with AA, in accordance with paragraph 11(3)(b) of the *Air Services Act 1995*;
 - (ii) by arrangement with AA, in accordance with paragraph 11(3)(c) of the *Air Services Act 1995*.
- (3) However, an application cannot be made:
 - (a) by 2 or more persons jointly; or
 - (b) on behalf of a partnership.

175.045 AIS provider certificates—requirements for application

- (1) An application under regulation 175.040 must include the following:
 - (a) the applicant's name (including any operating or trading name), contact details and ABN (if any);
 - (b) if the address of the applicant's operational headquarters is different from its mailing address—the address of its operational headquarters;
 - (c) if the applicant is a corporation—the name of each of the officers of the corporation;
 - (d) if the applicant is a corporation registered in Australia that has an ACN—its ACN and the address of its registered office;
 - (e) if the applicant is a corporation not registered in Australia—the place it was incorporated or formed;

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- (f) the services that the applicant proposes to provide as part of the AIS;
 - (g) the following information about each service:
 - (i) the location from which the service is proposed to be provided;
 - (ii) the area of Australian territory, and the aerodromes, airspace and ATS routes, that the service is proposed to cover;
 - (iii) the hours during which the service is proposed to be available;
 - (h) a written undertaking from the person appointed, or proposed to be appointed, as the applicant's accountable manager that, if CASA issues the certificate, the applicant will:
 - (i) be capable of operating in accordance with its exposition and this Subpart; and
 - (ii) operate in accordance with its exposition and this Subpart.
- (2) The application must be accompanied by a copy of the applicant's proposed exposition.

175.050 AIS provider certificates—CASA may ask for demonstration of service, facility or equipment

Regulation 11.045 applies in relation to a certificate under regulation 175.055.

175.055 AIS provider certificates—issue of certificate

- (1) Subject to regulation 11.055, CASA must issue a certificate to an applicant if satisfied that:
- (a) the applicant's proposed exposition complies with regulation 175.200; and
 - (b) the individual named in the applicant's exposition as the applicant's accountable manager:
 - (i) has the authority to carry out the responsibilities of the position; and

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- (ii) has an understanding of this Part and the applicant's exposition; and
 - (c) the applicant is able and willing to conduct the AIS safely and in accordance with its exposition and this Subpart; and
 - (d) if the applicant proposes to provide the AIS in cooperation or by arrangement with another person—the AIS will be provided in accordance with any agreement relating to the cooperation or arrangement.
- (2) If CASA decides to issue the certificate, CASA must determine:
 - (a) the services that the applicant is authorised to provide as part of the AIS; and
 - (b) the following about each service:
 - (i) the location from which the service is to be provided;
 - (ii) the area of Australian territory, and the aerodromes, airspace and ATS routes, that the service is to cover;
 - (iii) the hours during which the service is to be available.
- (3) The certificate must include the following:
 - (a) the applicant's name and operational headquarters;
 - (b) the matters mentioned in subregulation (2);
 - (c) a certificate reference number determined by CASA.
- (4) CASA must issue a new certificate to an AIS provider if CASA:
 - (a) approves a change under subregulation 175.070(4); or
 - (b) directs a change under regulation 175.080 that causes the certificate to contain anything that is not, or is no longer, correct.

175.060 AIS provider certificates—approval of exposition

If CASA issues the certificate to the applicant, CASA is taken to have also approved the applicant's proposed exposition.

175.065 AIS provider certificates—conditions

- (1) It is a condition of a certificate issued to an AIS provider that the provider must comply with:
 - (a) this Subpart; and

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- (b) any direction given to the provider, or obligation imposed on the provider, by CASA under a provision of these Regulations.
- (2) An AIS provider commits an offence if the provider contravenes the condition mentioned in subregulation (1).
Penalty: 50 penalty units.
- (3) An offence against this regulation is an offence of strict liability.

175.067 AIS provider certificates—cancellation of certificate if cooperation or arrangement ceases

- (1) CASA must cancel a certificate under regulation 175.055 held by a person mentioned in subparagraph 175.040(2)(c)(i) if the cooperation mentioned in that subparagraph ceases.
- (2) CASA must cancel a certificate under regulation 175.055 held by a person mentioned in subparagraph 175.040(2)(c)(ii) if the arrangement mentioned in that subparagraph ceases.

Division 175.B.3—AIS providers—changes

175.070 AIS providers—changes to services—matters included in certificate

- (1) An AIS provider must not make a change to the services that it provides as part of its AIS unless the change has been approved by CASA.
- (2) An AIS provider must not make a change to any of the following about a service that it provides as part of its AIS unless the change has been approved by CASA:
 - (a) the location from which the service is provided;
 - (b) the area of Australian territory, and the aerodromes, airspace and ATS routes, that the service covers;
 - (c) the hours during which the service is available.
- (3) An application for approval of a change must:
 - (a) be in writing; and
 - (b) set out the change; and
 - (c) be accompanied by a copy of the part of the provider's exposition affected by the change, clearly identifying the change.
- (4) Subject to regulation 11.055, CASA must approve a change for an AIS provider if satisfied that the requirements mentioned in regulation 175.055 will continue to be met.
- (5) If CASA approves the change, CASA is taken to have also approved the changes to the provider's exposition covered by the application.

175.075 AIS providers—other changes

An AIS provider must not make a change other than a change mentioned in regulation 175.070 unless the AIS provider has:

- (a) amended its exposition to reflect the change; and

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- (b) given CASA written notice of the change and a copy of the amended part of the exposition clearly identifying the change.

175.080 AIS providers—CASA directions relating to exposition

- (1) If satisfied that it is necessary in the interests of aviation safety, CASA may, by written notice given to an AIS provider, direct the provider to change its exposition.
- (2) A notice under this regulation must state the time within which the direction must be complied with.

175.085 AIS providers—notifying CASA of changes in circumstances

An AIS provider must give CASA written notice of any change of circumstance which significantly affects its ability to provide its AIS within 7 days after the change occurs.

Division 175.B.4—AIS providers—requirements for provision of AIS

175.090 AIS providers—provision of AIS must comply with laws

- (1) The requirements of this Subpart are in addition to requirements that apply to an AIS provider under the following:
 - (a) the civil aviation legislation, other than this Subpart;
 - (b) the *Airspace Act 2007*;
 - (c) the *Airspace Regulations 2007*.
- (2) However, if it is not possible for an AIS provider to comply with both a requirement under legislation mentioned in subregulation (1) and a requirement under this Subpart in relation to a particular matter, the provider is required to comply only with the requirement under the legislation mentioned in subregulation (1) in relation to the matter.
- (3) If a circumstance mentioned in subregulation (2) arises, the AIS provider must, as soon as practicable after the circumstance arises, give CASA written notice of the circumstance.

175.095 AIS providers—compliance with exposition

An AIS provider must comply with its exposition.

175.100 AIS providers—provision of AIS must comply with standards

- (1) An AIS provider must provide a service that it provides as part of its AIS in accordance with the standards mentioned in the following that apply to the service:
 - (a) the Part 175 Manual of Standards;
 - (b) Annexes 4 and 15 to the Chicago Convention;
 - (c) if PANS-AIM is in force—that document;
 - (d) ICAO Documents 8126 and 8697;
 - (e) the other AIS applicable ICAO documents;
 - (f) the aeronautical data processing standards.

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- (2) However, if 2 standards mentioned in different documents mentioned in subregulation (1) apply in relation to a particular matter, and it is not possible for the provider to comply with both standards in relation to the matter, then the provider is required to comply only with the standard mentioned in the document that is first mentioned in subregulation (1) in relation to the matter.
- (3) If a circumstance mentioned in subregulation (2) arises, the provider must, as soon as practicable after the circumstance arises, give CASA written notice of the circumstance.

175.105 AIS providers—standards for development and publication of Integrated Aeronautical Information Package and aeronautical charts

- (1) An AIS provider must publish aeronautical data and aeronautical information as an Integrated Aeronautical Information Package or on aeronautical charts.
- (2) The data and information must be developed from data that complies with the standards for data accuracy and integrity mentioned in Annexes 11 and 14 to the Chicago Convention.
- (3) The format and quality of the data and information must be suitable for the intended end use of the data and information.
- (4) The data and information must be published in accordance with the standards mentioned in the following:
 - (a) the Part 175 Manual of Standards;
 - (b) Annexes 4 and 15 to the Chicago Convention;
 - (c) if PANS-AIM is in force—that document;
 - (d) ICAO Documents 8126 and 8697;
 - (e) the other AIS applicable ICAO documents.
- (5) However, if 2 standards mentioned in different documents mentioned in subregulation (4) apply in relation to a particular matter, and it is not possible for the provider to comply with both standards in relation to the matter, then the provider is required to comply only with the standard mentioned in the document that is first mentioned in subregulation (4) in relation to the matter.

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- (6) If a circumstance mentioned in subregulation (5) arises, the provider must, as soon as practicable after the circumstance arises, give CASA written notice of the circumstance.
- (7) An aeronautical chart published by the provider must:
 - (a) be a chart of a type mentioned in Annex 4 to the Chicago Convention; and
 - (b) contain the aeronautical data and aeronautical information required for the function of a chart of that type as mentioned in Annex 4 to the Chicago Convention.

AIS provided in cooperation or arrangement with AA

- (8) If an AIS provider is providing its AIS in cooperation, or by arrangement, with AA, AA must ensure that subregulation (1) is complied with.

175.110 AIS providers—standards for aeronautical data processing system

- (1) An AIS provider must:
 - (a) have an automated system for the processing of aeronautical data and aeronautical information as part of providing its AIS; and
 - (b) update the data in the system as necessary; and
 - (c) ensure that the system:
 - (i) allows the digital exchange and supply of aeronautical data and aeronautical information; and
 - (ii) can provide the data and information in a format suitable for its intended use; and
 - (d) ensure that the format and standards for the exchange and supply of aeronautical data and aeronautical information comply with the following:
 - (i) Annexes 4 and 15 to the Chicago Convention;
 - (ii) if PANS-AIM is in force—that document;
 - (iii) ICAO Documents 8126 and 8697;
 - (iv) the other AIS applicable ICAO documents; and

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- (e) ensure that aeronautical data and aeronautical information is exchanged and supplied as required by the following:
 - (i) Annexes 4 and 15 to the Chicago Convention;
 - (ii) if PANS-AIM is in force—that document;
 - (iii) ICAO Documents 8126 and 8697;
 - (iv) the other AIS applicable ICAO documents.
- (2) However, if 2 documents mentioned in paragraph (1)(d) apply in relation to a particular matter, and it is not possible for the provider to comply with both documents in relation to the matter, then the provider is required to comply only with the document that is first mentioned in paragraph (1)(d) in relation to the matter.
- (3) Also, if 2 documents mentioned in paragraph (1)(e) apply in relation to a particular matter, and it is not possible for the provider to comply with both documents in relation to the matter, then the provider is required to comply only with the document that is first mentioned in paragraph (1)(e) in relation to the matter.
- (4) If a circumstance mentioned in subregulation (2) or (3) arises, the provider must, as soon as practicable after the circumstance arises, give CASA written notice of the circumstance.

175.115 AIS providers—contravention of exposition or standards

- (1) An AIS provider may contravene regulation 175.095, 175.100, 175.105 or 175.110 if the contravention is necessary in the interests of aviation safety.
- (2) The provider must, as soon as practicable after the contravention occurs, give CASA written notice of the contravention, including an estimate of how long the contravention will last.

175.120 AIS providers—NOTAM service

If an AIS provider provides a NOTAM service, the provider must ensure that the service:

- (a) operates 24 hours a day, every day of the year; and
- (b) issues a NOTAM in the following circumstances:

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- (i) the circumstances mentioned in Annex 15 to the Chicago Convention;
- (ii) when required by Australian law;
- (iii) when it is necessary in the interests of aviation safety; and
- (c) has agreements with international NOTAM offices for the exchange of NOTAMS; and
- (d) is connected to the aeronautical fixed service.

175.125 AIS providers—briefing service

If an AIS provider provides a briefing service, the provider must ensure that the service:

- (a) is an automated pre-flight information service; and
- (b) operates 24 hours a day, every day of the year; and
- (c) allows self-briefing by flight crew members and other operational personnel; and
- (d) is capable of providing flight crew members and other operational personnel with:
 - (i) aeronautical data and aeronautical information to enable pre-flight planning of flights; and
 - (ii) pre-flight information bulletins, within the meaning of Annex 15 to the Chicago Convention; and
 - (iii) NOTAMS that are relevant to a proposed flight; and
 - (iv) meteorological information that is relevant to a proposed flight; and
- (e) allows flight crew members or other operational personnel to enter a flight plan; and
- (f) provides information that assists in the provision of a flight information service.

175.130 AIS providers—post-flight information service

If an AIS provider provides a post-flight information service, the provider must ensure that the service:

- (a) is capable of receiving reports by flight crew members on:

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- (i) the state and operation of air navigation facilities and services; and
- (ii) the presence of birds and other wildlife that may affect aircraft operations; and
- (b) disseminates the information received in a format and timeframe appropriate to the operational significance of the information.

175.135 AIS providers—CASA directions about NOTAMS for a location

- (1) CASA may, by written notice given to an AIS provider, direct the provider to do the following:
 - (a) allow NOTAMS to be published that relate only to a particular location;
 - (b) publish NOTAMS:
 - (i) that relate only to the location; and
 - (ii) that contain details stated in the notice.
- (2) A notice under this regulation must state the time within which the direction must be complied with.

175.140 AIS providers—aerodromes not covered by Part 139—removal of references in AIP

- (1) This regulation applies if an AIS provider becomes aware of an aeronautical data originator:
 - (a) who is responsible for aeronautical data or aeronautical information about an aerodrome that is not:
 - (i) a certified aerodrome; or
 - (ii) a registered aerodrome; or
 - (iii) an aerodrome to which Subpart 139.D applies; and
 - (b) who has not complied with Subpart 175.D in relation to the aerodrome.
- (2) The provider must remove any references to the aerodrome that the provider has published in the AIP from the AIP when the AIP is next amended.

Regulation 175.145

Note: The aeronautical data or aeronautical information for which the aeronautical data originator is responsible must be specified in a data product specification: see paragraph 175.160(4)(a).

175.145 AIS providers—publication of aeronautical charts relating to areas etc. outside authority

- (1) This regulation applies if an AIS provider publishes an aeronautical chart that includes aeronautical data or aeronautical information that relates to an area, aerodrome, airspace or ATS route not covered by the provider's certificate.
- (2) This Subpart, other than this regulation, does not apply to the publication of the data or information if the data or information accurately reflects data or information that is published:
 - (a) by another AIS provider under this Subpart; or
 - (b) by an AIS of a foreign country.

Regulation 175.150

Division 175.B.5—AIS providers—requirements about aeronautical data and aeronautical information

175.150 AIS providers—CASA directions relating to aeronautical data or aeronautical information

- (1) This regulation applies in relation to aeronautical data or aeronautical information that an AIS provider publishes:
 - (a) in the Integrated Aeronautical Information Package; or
 - (b) on an aeronautical chart.
- (2) If satisfied that it is necessary in the interests of aviation safety, CASA may, by written notice given to the provider, direct the AIS provider to do the following:
 - (a) add to, amend, or remove the data or information;
 - (b) give CASA stated information or records relating to any change to the data or information.
- (3) A notice under this regulation must state the time within which the direction must be complied with.

175.155 AIS providers—integrity of aeronautical data and aeronautical information

- (1) This regulation applies in relation to aeronautical data or aeronautical information that an AIS provider publishes:
 - (a) in the Integrated Aeronautical Information Package; or
 - (b) on an aeronautical chart.
- (2) The provider must ensure that the integrity of the data or information is maintained during the processing of the data and information by the provider.
- (3) The provider must ensure that the data or information:
 - (a) is obtained from entities responsible for the data or information; and
 - (b) is kept up-to-date; and
 - (c) is traceable to its origin.

Regulation 175.160

- (4) The provider must verify that the data or information:
 - (a) has not been altered from the source data while it is in storage or transit or while it is being formatted; and
 - (b) has been checked for accuracy against the source data before publication; and
 - (c) has been published only during the period when the data or information is valid.
- (5) The provider must verify:
 - (a) that the data or information is complete; and
 - (b) that all of the data or information needed to support the intended use of the data or information has been published.
- (6) If the data or information was provided to the provider, the provider must verify that the data or information was provided in a format that is suitable for use by the provider.
- (7) If the data or information is for inclusion in a NOTAM, the provider must verify that the data or information was provided to the provider by a NOTAM authorised person.

175.160 AIS providers—giving data product specifications to aeronautical data originators

- (1) An AIS provider must give a person a written data product specification that complies with subregulation (4) if the person is responsible for aeronautical data or aeronautical information that the provider has published, or will publish:
 - (a) in the Integrated Aeronautical Information Package; or
 - (b) on an aeronautical chart.
- (2) Subregulation (3) applies if the provider is also responsible for aeronautical data or aeronautical information that the provider has published, or will publish:
 - (a) in the Integrated Aeronautical Information Package; or
 - (b) on an aeronautical chart.
- (3) The provider must give a written data product specification that complies with subregulation (4) to the area of the provider's organisation responsible for the data or information.

Part 175 Aeronautical information management

Subpart 175.B Aeronautical information management—AIS providers

Division 175.B.5 AIS providers—requirements about aeronautical data and aeronautical information

Regulation 175.165

- (4) For subregulations (1) and (3), the data product specification must include the following:
- (a) the aeronautical data or aeronautical information for which the person or area is responsible;
 - (b) the standards for the accuracy and resolution of the data or information that the person or area will provide to the provider;
 - (c) the dates by which the data or information must be provided;
 - (d) the format for the data or information;
 - (e) the details of the authenticated electronic means for providing the data or information;
 - (f) the procedures for managing requests for alterations to the data or information;
 - (g) the procedures for giving notice of, and for rectifying, errors and omissions detected in the data or information;
 - (h) the procedures the provider will follow to verify that changes to the data or information have been approved by the person or area;
 - (i) the circumstances (if any) in which the person or area must ask the provider to issue a NOTAM.

175.165 AIS providers—revoking data product specifications

An AIS provider must, in writing, revoke a data product specification given to a person, or an area of the provider's organisation, under regulation 175.160, if the person or part of the organisation is no longer responsible for the aeronautical data or aeronautical information mentioned in the data product specification.

175.170 AIS providers—compliance with data product specification

An AIS provider must comply with the procedures mentioned in a data product specification given by the provider under regulation 175.160.

175.175 AIS providers—correction and notification of errors and omissions in aeronautical data and aeronautical information

- (1) This regulation applies if an AIS provider becomes aware of an error or omission in aeronautical data or aeronautical information that the provider publishes:
 - (a) in the Integrated Aeronautical Information Package; or
 - (b) on an aeronautical chart.
- (2) The provider must, as soon as practicable after the provider becomes aware of the error or omission:
 - (a) record and investigate the error or omission; and
 - (b) ensure that the error or omission is corrected by the most appropriate means taking into account the operational significance of the error or omission; and
 - (c) ensure that notice of the corrected aeronautical data or aeronautical information is given to persons who had received the data or information; and
 - (d) identify the root cause of the error or omission; and
 - (e) establish and implement processes to eliminate the root cause of the error or omission.
- (3) The provider must give CASA written notice of any significant error or omission that may affect the safety of air navigation as soon as practicable after the provider becomes aware of the error or omission.

175.180 AIS providers—storage and security of aeronautical data and aeronautical information

An AIS provider must ensure that aeronautical data and aeronautical information necessary for the provision of its AIS:

- (a) is stored digitally; and
- (b) is kept secure to prevent unauthorised access or alteration.

Regulation 175.185

175.185 AIS providers—timing of effective dates and distribution of certain documents and information

- (1) An AIS provider that publishes any of the following documents or information must ensure that the document or information becomes effective only on an AIRAC effective date:
 - (a) an AIP Amendment;
 - (b) an AIP Supplement;
 - (c) an aeronautical chart;
 - (d) information mentioned in Appendix 4 (Information to be notified by AIRAC) of Annex 15 to the Chicago Convention.
- (2) The provider must distribute the document or information so that a recipient receives the document or information at least 28 days before the document or information becomes effective.
- (3) However, if the document or information contains, or is, information mentioned in Part 3 of Appendix 4 (Information to be notified by AIRAC) of Annex 15 to the Chicago Convention, the provider must distribute the document or information so that a recipient receives the document or information at least 56 days before the document or information becomes effective.
- (4) The provider must ensure that a document or information that becomes effective in accordance with subregulation (1) and is distributed in accordance with subregulation (2) or (3) is identified by the acronym “AIRAC”.
- (5) However, the provider may contravene subregulation (1), (2) or (3) if the contravention is necessary in the interests of aviation safety.
- (6) If the provider contravenes subregulation (1), (2) or (3), the provider must give CASA written notice of the contravention as soon as practicable after the contravention occurs.

175.190 AIS providers—licence agreements with data service providers for supply of data sets

- (1) An AIS provider must enter into a licence agreement with each data service provider.

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- (2) The licence agreement must cover any of the following that the data service provider requires for its authorised data service activities:
 - (a) aeronautical data and aeronautical information that the AIS provider publishes in the Integrated Aeronautical Information Package;
 - (b) aeronautical charts that the AIS provider publishes.
- (3) The licence agreement must:
 - (a) require the AIS provider to supply data sets containing the data, information or charts covered by the agreement to the data service provider; and
 - (b) allow the data service provider to use, format and publish the data, information or charts; and
 - (c) include a complete data product specification of the data sets; and
 - (d) detail when the data sets will be supplied to the data service provider; and
 - (e) detail the authenticated electronic means by which the data sets will be supplied to the data service provider; and
 - (f) describe the method of protection to be applied to the data sets to ensure that data is not corrupted during the transfer; and
 - (g) include the method by which requests, by either party, for alterations to the data, information or charts are to be managed; and
 - (h) describe how errors and omissions detected in the data, information or charts are to be notified and rectified.
- (4) The licence agreement may include charges for the supply of the data sets to the data service provider.

175.195 AIS providers—compliance with licence agreement

An AIS provider must comply with each licence agreement it has entered into under regulation 175.190.

Division 175.B.6—AIS providers—organisational requirements

175.200 AIS providers—exposition

- (1) The exposition of an AIS provider must contain the following:
 - (a) the provider's name (including any operating or trading name), contact details and ABN (if any);
 - (b) the location and address of:
 - (i) the provider's operational headquarters; and
 - (ii) each of the provider's operational facilities;
 - (c) the name of the provider's accountable manager;
 - (d) a description and diagram of the provider's organisational structure showing formal reporting lines;
 - (e) if the provider is a corporation—a description of the provider's corporate structure;
 - (f) for each operational position, including each operational supervisory position, within the organisational structure:
 - (i) a statement of the duties and responsibilities of the position; and
 - (ii) the recent experience requirements for the position (if any); and
 - (iii) the endorsements and qualifications required for the position (if any); and
 - (iv) the currency requirements (if any) for the endorsements or qualifications;
 - (g) a description of how the provider determines the number of operational personnel, including operational supervisory personnel, required to provide its AIS;
 - (h) a list of the services that the provider provides as part of its AIS;
 - (i) the following information about each service:
 - (i) the location from which the service is provided;
 - (ii) the area of Australian territory, and the aerodromes, airspace and ATS routes, that the service covers;
 - (iii) the hours during which the service is available;

- (j) a description of the procedures that ensure that each service is provided in accordance with this Subpart;
- (k) a description and an example of the format used for the publication of the Integrated Aeronautical Information Package and aeronautical charts published by the provider;
- (l) a description of the format for the digital exchange or supply of aeronautical data;
- (m) a description of the arrangements that ensure that the AIS provider receives, on a daily basis, the aeronautical data and aeronautical information necessary for providing its AIS;
- (n) a description of the arrangements that ensure that the provider is able to continue to provide its AIS to persons who reasonably require the service;
- (o) a copy of each agreement (if any) entered into by the provider to provide its AIS in cooperation or by arrangement with another person;
- (p) a copy of:
 - (i) each data product specification given by the provider under regulation 175.160; and
 - (ii) each licence agreement entered into by the provider under regulation 175.190;
- (q) a copy of any data product specification the provider has in relation to any aeronautical data it supplies or receives as part of its AIS;
- (r) a copy of the provider's data, personnel and physical security program;
- (s) a description of the processes and documents used to present to personnel the relevant standards, rules and procedures mentioned in the following:
 - (i) the Part 175 Manual of Standards;
 - (ii) Annexes 4 and 15 to the Chicago Convention;
 - (iii) if PANS-AIM is in force—that document;
 - (iv) ICAO Documents 8126 and 8697;
 - (v) the other AIS applicable ICAO documents;
 - (vi) the aeronautical data processing standards;
 - (vii) the provider's instructions for the provision of its AIS (if any) that relate to particular operational facilities;

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- (t) details of any recommended practices mentioned in the following documents that the provider does not follow:
 - (i) Annexes 4 and 15 to the Chicago Convention;
 - (ii) if PANS-AIM is in force—that document;
 - (iii) ICAO Documents 8126 and 8697;
 - (iv) the other AIS applicable ICAO documents;
 - (v) the aeronautical data processing standards;
 - (u) a copy of each document that contains operational instructions for personnel;
 - (v) a description of the procedures that ensure all operational personnel are familiar with any operational changes that have occurred since they last performed operational duties;
 - (w) a description of the provider's training and checking system, as required by regulation 175.220;
 - (x) a description of the provider's safety management system, as required by regulation 175.225;
 - (y) a description of the provider's quality management system, as required by regulation 175.230;
 - (z) a copy of the provider's contingency plan, as required by regulation 175.240;
 - (za) a description of the provider's record keeping procedures, as required by regulation 175.255;
 - (zb) a description of the procedures used in commissioning new facilities, equipment and services;
 - (zc) a description of the procedures that ensure that all equipment, including software, is operated in accordance with the manufacturer's operating instructions and manuals;
 - (zd) a description of the procedures for making changes.
- (2) The provider must:
- (a) keep the exposition in a readily accessible form; and
 - (b) ensure that operational personnel and CASA have ready access to the exposition; and
 - (c) keep the exposition up-to-date.

175.205 AIS providers—organisational structure

An AIS provider must have an appropriate organisation with a sound and effective management structure that enables the provider to provide its AIS in accordance with its exposition and this Subpart.

175.210 AIS providers—personnel—general

An AIS provider must have enough suitably competent, qualified and trained personnel to:

- (a) enable the provider to provide its AIS in accordance with its exposition and this Subpart; and
- (b) supervise the provision of each service it provides as part of its AIS.

175.215 AIS providers—personnel—accountable manager

An AIS provider must have an accountable manager.

175.220 AIS providers—personnel—training and checking system for operational personnel

- (1) An AIS provider must have a training and checking system that ensures that the provider's operational personnel maintain their competence and are provided with ongoing training appropriate to their duties.
- (2) Without limiting subregulation (1), the training and checking system must ensure that each person who is a member of the provider's operational personnel:
 - (a) is trained and proven to be proficient in the performance of the person's duties; and
 - (b) meets the recent experience requirements (if any) under the provider's exposition for the person's position; and
 - (c) holds each endorsement or qualification (if any) that is required under the provider's exposition for the person's position; and
 - (d) meets the currency requirements (if any) under the provider's exposition for the endorsements and qualifications.

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175.225 AIS providers—safety management system

- (1) An AIS provider must have a safety management system that:
 - (a) is a systemic approach to managing safety; and
 - (b) integrates human factors principles; and
 - (c) includes the matters mentioned in subregulation (2).
- (2) For paragraph (1)(c), the matters are the following:
 - (a) organisational structures, accountabilities, policies and procedures necessary to manage safety in a systemic way;
 - (b) a statement of the provider's safety policy, objectives and planning, including details of the following:
 - (i) the management commitment to, and responsibility for, safety;
 - (ii) the safety accountabilities of managers;
 - (iii) the appointment of safety management personnel;
 - (iv) how human factors principles are integrated into the safety management system;
 - (v) a safety management system implementation plan;
 - (vi) relevant third party relationships and interactions;
 - (vii) coordination of an emergency response plan;
 - (viii) safety management system documentation;
 - (c) a safety risk management process, including:
 - (i) hazard identification processes; and
 - (ii) risk assessment and mitigation processes;
 - (d) a safety assurance system, including details of processes for:
 - (i) safety performance monitoring and measurement; and
 - (ii) internal safety investigation; and
 - (iii) management of change; and
 - (iv) continuous improvement of the safety management system;
 - (e) a safety training and promotion system, including details of the following:
 - (i) safety management system training and education;
 - (ii) safety management system safety communication.

175.230 AIS providers—quality management system

An AIS provider must have a quality management system that:

- (a) is based on the elements of the latest edition of the ISO 9001 standard, as in force from time to time, that are relevant to the provision of AIS; and
- (b) includes quality management procedures that address the quality management requirements mentioned in the aeronautical data processing standards.

175.235 AIS providers—facilities, equipment, data and information

- (1) An AIS provider must have the facilities and equipment that are necessary for providing its AIS, including appropriate premises and equipment to allow operational personnel to perform their duties.
- (2) An AIS provider must provide its operational personnel with access to the aeronautical data and aeronautical information required for the publication of the Integrated Aeronautical Information Package, or the aeronautical charts, that the provider publishes.

175.240 AIS providers—contingency plan

- (1) An AIS provider must have a contingency plan that sets out the procedures to be followed if a service provided as part of its AIS is interrupted.
- (2) The contingency plan must include:
 - (a) the actions to be taken by personnel responsible for providing the service; and
 - (b) possible alternative arrangements for providing the service; and
 - (c) arrangements for resuming normal provision of the service.

175.245 AIS providers—reference materials

- (1) An AIS provider must have up-to-date copies of the following reference materials in a readily accessible form:

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- (a) the civil aviation legislation relevant to the provision of its AIS;
 - (b) Annexes 4, 11, 14 and 15 to the Chicago Convention;
 - (c) if PANS-AIM is in force—that document;
 - (d) ICAO Documents 8126 and 8697;
 - (e) the other AIS applicable ICAO documents;
 - (f) the aeronautical data processing standards;
 - (g) any instructions issued by the provider to its personnel in relation to the provision of its AIS;
 - (h) manuals for equipment used by personnel in the provision of its AIS.
- (2) The provider must ensure that operational personnel have ready access to the reference materials.

175.250 AIS providers—annual review by accountable manager

An AIS provider must ensure that its accountable manager:

- (a) conducts an annual review of the provider against the requirements of its exposition and this Subpart; and
- (b) addresses any deficiencies that are identified during the review; and
- (c) gives CASA a report of the annual review, including:
 - (i) any significant deficiencies identified since any previous annual review; and
 - (ii) how the deficiencies are to be addressed.

175.255 AIS providers—records

- (1) An AIS provider must have procedures for making, collecting, indexing, storing, securing, maintaining, accessing and disposing of the following:
 - (a) records that identify all incoming and outgoing aeronautical data and aeronautical information;
 - (b) records that identify each person who is authorised by the provider to process, check, edit, publish or supply aeronautical data and aeronautical information;

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- (c) records that list the endorsements, qualifications and competencies of personnel who process, check, edit, publish or supply aeronautical data and aeronautical information;
 - (d) records that identify each AIP responsible person for an aeronautical data originator that provides aeronautical data or aeronautical information to the provider;
 - (e) records that identify each NOTAM authorised person for an aeronautical data originator that requests the provider to issue NOTAMS;
 - (f) records that identify each occurrence of an error or omission in aeronautical data or aeronautical information published by the provider in the Integrated Aeronautical Information Package or on an aeronautical chart;
 - (g) records that contain the results of any audit or review of the provider's AIS.
- (2) The provider must ensure that a record mentioned in subregulation (1) is legible and permanent.

175.260 AIS providers—retention period for aeronautical data, aeronautical information and records

Aeronautical data and information

- (1) Subregulation (2) applies if aeronautical data or aeronautical information necessary for the provision of an AIS provider's AIS:
- (a) has been published by the provider; and
 - (b) has become effective; and
 - (c) is not a Commonwealth record within the meaning of the *Archives Act 1983*.
- (2) The provider must keep the data or information for at least 7 years after the data or information ceases to be effective.

Records

- (3) Subregulation (4) applies if a record mentioned in subregulation 175.255(1) is not a Commonwealth record within the meaning of the *Archives Act 1983*.

Part 175 Aeronautical information management

Subpart 175.B Aeronautical information management—AIS providers

Division 175.B.6 AIS providers—organisational requirements

Regulation 175.260

- (4) The provider must keep the record:
 - (a) if the record relates to aeronautical data or aeronautical information mentioned in subregulation (1)—for as long as the data or information is required to be kept; or
 - (b) otherwise—for at least 7 years after the record is made.

Subpart 175.C—Aeronautical information management—data service providers

Division 175.C.1—Data service providers—general

175.265 Definitions for Subpart 175.C

In this Subpart:

accountable manager, for a data service provider, means the individual, appointed by the provider, who has the following responsibilities:

- (a) responsibility for ensuring that the provider's authorised data service activities are conducted in accordance with its exposition and this Subpart;
- (b) responsibility for ensuring that the provider is able to finance, and has adequate resources to conduct, its authorised data service activities in accordance with its exposition and this Subpart;
- (c) responsibility for the provider's safety management system required by regulation 175.405 and its implementation.

exposition, for a data service provider, means:

- (a) the documents approved by CASA under regulation 175.300 in relation to the provider; or
- (b) if the documents are changed under regulation 175.310, 175.315 or 175.320—the documents as changed.

175.270 Conduct of data service activity—requirement for certificate

- (1) A person commits an offence if:
 - (a) the person conducts a data service activity; and
 - (b) the person does not hold a certificate under regulation 175.295 that authorises the person to conduct the activity.

Regulation 175.275

Penalty: 50 penalty units.

- (2) Subregulation (1) does not apply to an AIS provider publishing aeronautical data, aeronautical information or an aeronautical chart in the course of providing an AIS.
- (3) Subregulation (1) does not apply to an aerodrome operator publishing one of the following charts, as mentioned in Annex 4 to the Chicago Convention:
 - (a) an Aerodrome Obstacle Chart—ICAO Type A;
 - (b) an Aerodrome Obstacle Chart—ICAO Type B;
 - (c) an Aerodrome Terrain and Obstacle Chart—ICAO (Electronic);
 - (d) a Precision Approach Terrain Chart—ICAO.
- (4) Subregulation (1) does not apply to a person who supplies navigation equipment or a navigation system containing aeronautical data in a database, if the database has been supplied to the person by a third party for use in the equipment or system.

Note: A defendant bears an evidential burden in relation to the matters in subregulations (2), (3) and (4): see subsection 13.3(3) of the *Criminal Code*.

- (5) An offence against this regulation is an offence of strict liability.

175.275 CASA to publish list of data service providers

- (1) CASA must publish a list of:
 - (a) data service providers; and
 - (b) the matters mentioned in subregulation 175.295(2) for each of the data service providers.
- (2) CASA must keep the list up-to-date.

Division 175.C.2—Data service provider certificates

175.280 Data service provider certificates—who may apply

- (1) A person may apply to CASA, in writing, for a certificate authorising the person to conduct a data service activity.
- (2) However, an application cannot be made:
 - (a) by 2 or more persons jointly; or
 - (b) on behalf of a partnership.

175.285 Data service provider certificates—requirements for application

- (1) An application under regulation 175.280 must include the following:
 - (a) the applicant's name (including any operating or trading name), contact details and ABN (if any);
 - (b) if the address of the applicant's operational headquarters is different from its mailing address—the address of its operational headquarters;
 - (c) if the applicant is a corporation—the name of each of the officers of the corporation;
 - (d) if the applicant is a corporation registered in Australia that has an ACN—its ACN and the address of its registered office;
 - (e) if the applicant is a corporation not registered in Australia—the place it was incorporated or formed;
 - (f) a description of the data service activities the applicant proposes to conduct;
 - (g) the area of coverage of the aeronautical data, aeronautical information or aeronautical charts covered by the activities;
 - (h) a written undertaking from the person appointed, or proposed to be appointed, as the applicant's accountable manager that, if CASA issues the certificate, the applicant will:
 - (i) be capable of operating in accordance with its exposition and this Subpart; and

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- (ii) operate in accordance with its exposition and this Subpart.
- (2) The application must be accompanied by a copy of the applicant's proposed exposition.

175.290 Data service provider certificates—CASA may ask for demonstration of service, facility or equipment

Regulation 11.045 applies in relation to a certificate under regulation 175.295.

175.295 Data service provider certificates—issue of certificate

- (1) Subject to regulation 11.055, CASA must issue a certificate to an applicant if satisfied that:
 - (a) the applicant's proposed exposition complies with regulation 175.380; and
 - (b) the individual named in the applicant's exposition as the applicant's accountable manager:
 - (i) has the authority to carry out the responsibilities of the position; and
 - (ii) has an understanding of this Part and the applicant's exposition; and
 - (c) the applicant is able and willing to conduct the data service activities mentioned in the application safely and in accordance with its exposition and this Subpart.
- (2) If CASA decides to issue the certificate, CASA must determine:
 - (a) the data service activities the applicant is authorised to conduct; and
 - (b) the area of coverage of the aeronautical data, aeronautical information or aeronautical charts covered by the activities.
- (3) The certificate must include the following:
 - (a) the applicant's name and operational headquarters;
 - (b) the matters mentioned in subregulation (2);
 - (c) a certificate reference number determined by CASA.

Regulation 175.300

- (4) CASA must issue a new certificate to a data service provider if CASA:
- (a) approves a change under subregulation 175.310(4); or
 - (b) directs a change under regulation 175.320 that causes the certificate to contain anything that is not, or is no longer, correct.

175.300 Data service provider certificates—approval of exposition

If CASA issues the certificate to the applicant, CASA is taken to have also approved the applicant's proposed exposition.

175.305 Data service provider certificates—conditions

- (1) It is a condition of a certificate issued to a data service provider that the provider must comply with:
- (a) this Subpart; and
 - (b) any direction given to the provider, or obligation imposed on the provider, by CASA under a provision of these Regulations.
- (2) A data service provider commits an offence if the provider contravenes the condition mentioned in subregulation (1).

Penalty: 50 penalty units.

- (3) An offence against this regulation is an offence of strict liability.

Division 175.C.3—Data service providers—changes

175.310 Data service providers—changes to authorised data service activities—matters included in certificate

- (1) A data service provider commits an offence if:
 - (a) the provider makes a change to the provider's authorised data service activities; and
 - (b) the change has not been approved by CASA.

Penalty: 50 penalty units.

- (2) A data service provider commits an offence if:
 - (a) the provider makes a change to the area of coverage for aeronautical data, aeronautical information or an aeronautical chart covered by an authorised data service activity; and
 - (b) the change has not been approved by CASA.

Penalty: 50 penalty units.

- (3) An application for approval of a change must:
 - (a) be in writing; and
 - (b) set out the change; and
 - (c) be accompanied by a copy of the part of the provider's exposition affected by the change, clearly identifying the change.
- (4) Subject to regulation 11.055, CASA must approve a change for a data service provider if satisfied that the requirements mentioned in regulation 175.295 will continue to be met.
- (5) If CASA approves the change, CASA is taken to have also approved the changes to the provider's exposition covered by the application.
- (6) An offence against this regulation is an offence of strict liability.

175.315 Data service providers—other changes

- (1) A data service provider commits an offence if:
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- (a) the provider makes a change other than a change mentioned in regulation 175.310; and
- (b) the provider did not, before making the change, comply with subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the provider must:
 - (a) amend its exposition to reflect the change; and
 - (b) give CASA written notice of the change and a copy of the amended part of the exposition clearly identifying the change.
- (3) An offence against this regulation is an offence of strict liability.

175.320 Data service providers—CASA directions relating to exposition

- (1) If satisfied that it is necessary in the interests of aviation safety, CASA may, by written notice given to a data service provider, direct the provider to change its exposition.
- (2) A direction under this regulation must state the time within which the direction must be complied with.
- (3) The provider commits an offence if the provider does not comply with the direction within the time stated in the direction.

Penalty: 50 penalty units.

- (4) An offence against this regulation is an offence of strict liability.

175.325 Data service providers—notifying CASA of changes in circumstances

- (1) A data service provider commits an offence if:
 - (a) a change of circumstance occurs which significantly affects the provider's ability to conduct its authorised data service activities; and

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- (b) the provider does not give CASA written notice of the change of circumstance within 7 days after the change occurs.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

175.330 Data service providers—notifying CASA of intention to cease activities

- (1) A data service provider commits an offence if:
 - (a) the provider ceases to conduct an authorised data service activity; and
 - (b) the provider did not, at least 2 months before ceasing to conduct the activity, give CASA written notice of the following:
 - (i) the provider's intention to cease conducting the activity;
 - (ii) the date on which the provider intended to cease conducting the activity.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Division 175.C.4—Data service providers—requirements for provision of data service

175.335 Data service providers—standards for data service provision

- (1) A data service provider commits an offence if:
- (a) the provider publishes or supplies aeronautical data or aeronautical information in conducting a data service activity; and
 - (b) the data or information does not meet the requirement mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the data or information must be the same as the data or information published in the following:
- (a) the AIP;
 - (b) an AIP Amendment;
 - (c) an AIP Supplement;
 - (d) a permanent NOTAM;
 - (e) an aeronautical chart published by an AIS provider;
 - (f) an aeronautical chart mentioned in subregulation 175.270(3) published by an aerodrome operator.

- (3) A data service provider commits an offence if the provider contravenes a provision of the Part 175 Manual of Standards.

Penalty: 50 penalty units.

- (4) A data service provider commits an offence if:
- (a) the provider processes aeronautical data or aeronautical information; and
 - (b) the provider does so other than in accordance with the aeronautical data processing standards.

Penalty: 50 penalty units.

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- (5) Subregulation (4) does not apply in relation to a particular matter if:

- (a) 2 standards mentioned in the Part 175 Manual of Standards and the aeronautical data processing standards apply in relation to the matter; and
- (b) it is not possible for the provider to comply with both standards in relation to the matter.

Note: A defendant bears an evidential burden in relation to the matters in subregulation (5): see subsection 13.3(3) of the *Criminal Code*.

- (6) A data service provider commits an offence if:

- (a) a circumstance mentioned in subregulation (5) arises; and
- (b) the provider does not, as soon as practicable after the circumstance arises, give CASA written notice of the circumstance.

Penalty: 50 penalty units.

175.340 Data service providers—compliance with exposition

- (1) A data service provider commits an offence if the provider contravenes a provision of its exposition.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

175.345 Data service providers—standards for aeronautical data processing system

- (1) A data service provider commits an offence if the provider does not meet a requirement mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For subregulation (1), the requirements are the following:

- (a) the provider must have an automated system for the processing of aeronautical data and aeronautical information as part of conducting its authorised data service activities;
- (b) the provider must update the data in the system as necessary.

- (3) A data service provider commits an offence if:
- (a) the provider has a system mentioned in paragraph (2)(a); but
 - (b) the system does not:
 - (i) allow the digital exchange and supply of aeronautical data and aeronautical information; or
 - (ii) provide the data and information in a format suitable for its intended use.

Penalty: 50 penalty units.

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Division 175.C.5—Data service providers—requirements about aeronautical data and aeronautical information

175.350 Data service providers—CASA directions to amend aeronautical data or aeronautical information

- (1) If satisfied that it is necessary in the interests of aviation safety, CASA may, by written notice given to a data service provider, direct the provider to add to, amend, or remove any aeronautical data or aeronautical information that the provider publishes or supplies in conducting a data service activity.
- (2) A direction under this regulation must state the time within which the direction must be complied with.
- (3) The provider commits an offence if the provider does not comply with the direction within the time stated in the direction.

Penalty: 50 penalty units.

- (4) An offence against this regulation is an offence of strict liability.

175.355 Data service providers—integrity of aeronautical data and aeronautical information

- (1) A data service provider commits an offence if:
 - (a) the provider publishes or supplies aeronautical data or aeronautical information in conducting a data service activity; and
 - (b) the provider has not verified the matters mentioned in subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the matters are the following:
 - (a) that the data or information was not altered from the source data while in storage or transit or while being formatted;

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- (b) that the data or information was checked for accuracy against the source data before publication or supply;
- (c) that the data or information is complete;
- (d) that all of the data or information needed to support the intended use of the data or information has been published or supplied.

175.360 Data service providers—correction and notification of errors and omissions in aeronautical data and aeronautical information

Correction of errors and omissions

- (1) A data service provider commits an offence if:
 - (a) the provider becomes aware of an error or omission in aeronautical data or aeronautical information that it publishes or supplies in conducting a data service activity; and
 - (b) the provider does not comply with subregulation (2) as soon as practicable after becoming aware of the error or omission.

Penalty: 50 penalty units.

- (2) For paragraph (1)(b), the provider must do the following:
 - (a) record and investigate the error or omission;
 - (b) ensure that the error or omission is corrected by the most appropriate means taking into account the operational significance of the error or omission;
 - (c) ensure that notice of the corrected aeronautical data or aeronautical information is given to persons who had received the data or information;
 - (d) identify the root cause of the error or omission;
 - (e) establish and implement processes to eliminate the root cause of the error or omission.

Notifying CASA of errors and omissions

- (3) A data service provider commits an offence if:

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Subpart 175.C Aeronautical information management—data service providers

Division 175.C.5 Data service providers—requirements about aeronautical data and aeronautical information

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- (a) the provider becomes aware of an error or omission in aeronautical data or aeronautical information that it publishes or supplies in conducting a data service activity; and
- (b) the error or omission is a significant error or omission that may affect the safety of air navigation; and
- (c) the provider does not give CASA written notice of the error or omission as soon as practicable after the provider becomes aware of the error or omission.

Penalty: 50 penalty units.

Notifying AIS provider of errors and omissions

- (4) A data service provider commits an offence if:
 - (a) the provider identifies an error or omission in aeronautical data or aeronautical information supplied by an AIS provider; and
 - (b) the provider does not tell the AIS provider of the error or omission as soon as practicable after identifying the error or omission.

Penalty: 50 penalty units.

175.365 Data service providers—storage and security of aeronautical data and aeronautical information

- (1) A data service provider commits an offence if aeronautical data or aeronautical information necessary for its authorised data service activities:
 - (a) is not stored digitally; or
 - (b) is not kept secure to prevent unauthorised access or alteration.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

**175.370 Data service providers—effective dates and validity of
aeronautical data, information and charts**

- (1) A data service provider commits an offence if:
- (a) the provider publishes or supplies aeronautical data, aeronautical information or an aeronautical chart in conducting a data service activity; and
 - (b) the data, information or chart does not become effective on the same date, or remain valid for the same period, as the corresponding data, information or chart contained in the following:
 - (i) the AIP;
 - (ii) an AIP Amendment;
 - (iii) an AIP Supplement;
 - (iv) a permanent NOTAM;
 - (v) an aeronautical chart published by an AIS provider;
 - (vi) an aeronautical chart mentioned in subregulation 175.270(3) published by an aerodrome operator.

Penalty: 50 penalty units.

- (2) Subregulation (1) does not apply if:
- (a) the corresponding data, information or chart was:
 - (i) published by an AIS provider in contravention of subregulation 175.185(1); or
 - (ii) distributed by an AIS provider in contravention of subregulation 175.185(2) or (3); and
 - (b) the data service provider publishes or supplies the data, information or chart by the next effective AIRAC date following the publication or distribution of the corresponding data, information or chart.

Note: A defendant bears an evidential burden in relation to the matters in subregulation (2): see subsection 13.3(3) of the *Criminal Code*.

- (3) An offence against this regulation is an offence of strict liability.

Part 175 Aeronautical information management

Subpart 175.C Aeronautical information management—data service providers

Division 175.C.5 Data service providers—requirements about aeronautical data and aeronautical information

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175.375 Data service providers—compliance with licence agreement with AIS providers

A data service provider commits an offence if the provider contravenes a provision of a licence agreement, mentioned in regulation 175.190, entered into by the provider.

Penalty: 50 penalty units.

Division 175.C.6—Data service providers—organisational requirements

175.380 Data service providers—exposition

- (1) The exposition of a data service provider must contain the following:
 - (a) the provider's name (including any operating or trading name), address, contact details and ABN (if any);
 - (b) the location and address of:
 - (i) the provider's operational headquarters; and
 - (ii) each of the provider's operational facilities;
 - (c) the name of the provider's accountable manager;
 - (d) a description and diagram of the provider's organisational structure showing formal reporting lines;
 - (e) if the provider is a corporation—a description of the provider's corporate structure;
 - (f) for each operational position, including each operational supervisory position, within the organisational structure:
 - (i) a statement of the duties and responsibilities of the position; and
 - (ii) the recent experience requirements for the position (if any); and
 - (iii) the qualifications required for the position (if any); and
 - (iv) the currency requirements (if any) for the qualifications;
 - (g) a description of how the provider determines the number of operational personnel, including operational supervisory personnel, required for the provider's authorised data service activities;
 - (h) a description of the data service activities that the provider conducts;
 - (i) the area of coverage of the aeronautical data, aeronautical information and aeronautical charts covered by the activities;
 - (j) a description of the procedures that ensure that each of the provider's authorised data service activities is provided in accordance with this Subpart;

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- (k) a description and an example of the formats used for the aeronautical data, aeronautical information and aeronautical charts published or supplied by the provider in conducting its authorised data service activities;
- (l) a description of the format for the digital exchange or supply of aeronautical data;
- (m) a description of the arrangements that ensure that the provider receives, on a daily basis, the aeronautical data and aeronautical information necessary for conducting the provider's authorised data service activities;
- (n) a description of the arrangements that ensure that the provider is able to continue to publish or supply aeronautical data or aeronautical information, in conducting its authorised data service activities, to persons who reasonably require the data or information;
- (o) a copy of any licence agreement mentioned in regulation 175.190 entered into by the provider;
- (p) a copy of any data product specification in relation to any aeronautical data that the provider receives from an AIS provider;
- (q) a copy of the provider's data, personnel and physical security program;
- (r) a description of the processes and documents used to present to personnel the relevant aeronautical data and aeronautical information contained in the following:
 - (i) the AIP;
 - (ii) AIP Amendments;
 - (iii) AIP Supplements;
 - (iv) permanent NOTAM;
 - (v) aeronautical charts;
 - (vi) the provider's instructions for conducting its authorised data service activities that relate to particular operational facilities;
- (s) a description of the processes and documents used to present to personnel the relevant standards, rules and procedures contained in:
 - (i) the Part 175 Manual of Standards; and

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- (ii) the aeronautical data processing standards;
 - (t) a copy of each document that contains operational instructions for personnel;
 - (u) a description of the procedures that ensure all operational personnel are familiar with any operational changes that have occurred since they last performed operational duties;
 - (v) a description of the provider's training and checking system, as required by regulation 175.400;
 - (w) a description of the provider's safety management system, as required by regulation 175.405;
 - (x) a description of the provider's quality management system, as required by regulation 175.410;
 - (y) a copy of the provider's contingency plan, as required by regulation 175.420;
 - (z) a description of the provider's record keeping procedures, as required by regulation 175.435;
 - (za) a description of the procedures used in commissioning new facilities, equipment and services;
 - (zb) a description of the procedures that ensure that all equipment, including software, is operated in accordance with the manufacturer's operating instructions and manuals;
 - (zc) a description of the procedures for making changes.
- (2) The provider commits an offence if:
- (a) the provider does not keep the exposition in a readily accessible form; or
 - (b) operational personnel do not have ready access to the exposition; or
 - (c) CASA does not have ready access to the exposition; or
 - (d) the provider does not keep the exposition up-to-date.

Penalty: 50 penalty units.

175.385 Data service providers—organisational structure

A data service provider must have an appropriate organisation with a sound and effective management structure that enables the

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provider to conduct its authorised data service activities in accordance with its exposition and this Subpart.

175.390 Data service providers—personnel—general

A data service provider must have enough suitably competent, qualified and trained personnel to:

- (a) enable the provider to conduct its authorised data service activities in accordance with its exposition and this Subpart; and
- (b) supervise the conduct of each of its authorised data service activities.

175.395 Data service providers—personnel—accountable manager

A data service provider must have an accountable manager.

175.400 Data service providers—personnel—training and checking system for operational personnel

- (1) A data service provider must have a training and checking system that ensures that the provider's operational personnel maintain their competence and are provided with ongoing training appropriate to their duties.
- (2) Without limiting subregulation (1), the training and checking system must ensure that each person who is a member of the provider's operational personnel:
 - (a) is trained and proven to be proficient in the performance of the person's duties; and
 - (b) meets the recent experience requirements (if any) under the provider's exposition for the person's position; and
 - (c) holds each qualification (if any) that is required under the provider's exposition for the person's position; and
 - (d) meets the currency requirements (if any) under the provider's exposition for the qualifications.

175.405 Data service providers—safety management system

- (1) A data service provider must have a safety management system that:
 - (a) is a systemic approach to managing safety; and
 - (b) integrates human factors principles; and
 - (c) includes the matters mentioned in subregulation (2).
- (2) For paragraph (1)(c), the matters are the following:
 - (a) organisational structures, accountabilities, policies and procedures necessary to manage safety in a systemic way;
 - (b) a statement of the data service provider's safety policy, objectives and planning, including details of the following:
 - (i) the management commitment to, and responsibility for, safety;
 - (ii) the safety accountabilities of managers;
 - (iii) the appointment of safety management personnel;
 - (iv) how human factors principles are integrated into the safety management system;
 - (v) a safety management system implementation plan;
 - (vi) relevant third party relationships and interactions;
 - (vii) coordination of an emergency response plan;
 - (viii) safety management system documentation;
 - (c) a safety risk management process, including:
 - (i) hazard identification processes; and
 - (ii) risk assessment and mitigation processes;
 - (d) a safety assurance system, including details of processes for:
 - (i) safety performance monitoring and measurement; and
 - (ii) internal safety investigation; and
 - (iii) management of change; and
 - (iv) continuous improvement of the safety management system;
 - (e) a safety training and promotion system, including details of the following:
 - (i) safety management system training and education;
 - (ii) safety management system safety communication.

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175.410 Data service providers—quality management system

A data service provider must have a quality management system that:

- (a) is based on the elements of the latest edition of the ISO 9001 standard, as in force from time to time, that are relevant to the processing, publication and supply of aeronautical data and aeronautical information for the provider's authorised data service activities; and
- (b) includes quality management procedures that address the quality management requirements mentioned in the aeronautical data processing standards.

175.415 Data service providers—facilities, equipment, data and information

- (1) A data service provider must have the facilities and equipment that are necessary for conducting its authorised data service activities, including appropriate premises and equipment to allow operational personnel to perform their duties.
- (2) A data service provider must provide its operational personnel with access to the aeronautical data and aeronautical information required for conducting its authorised data service activities.

175.420 Data service providers—contingency plan

- (1) A data service provider must have a contingency plan that sets out the procedures to be followed if an authorised data service activity for the provider is interrupted.
- (2) The contingency plan must include:
 - (a) the actions to be taken by personnel responsible for conducting the activity; and
 - (b) possible alternative arrangements for conducting the activity; and
 - (c) arrangements for resuming normal conduct of the activity.

175.425 Data service providers—reference materials

- (1) A data service provider must have up-to-date copies of the following reference materials in a readily accessible form:
 - (a) the civil aviation legislation relevant to the conduct of the data service provider's authorised data service activities;
 - (b) the AIP;
 - (c) any AIP Amendments;
 - (d) any AIP Supplements;
 - (e) any permanent NOTAM;
 - (f) any aeronautical charts published by an AIS provider;
 - (g) any aeronautical charts mentioned in subregulation 175.270(3) published by an aerodrome operator;
 - (h) the aeronautical data processing standards;
 - (i) any instructions issued by the provider to its personnel in relation to the conduct of the data service provider's authorised data service activities;
 - (j) manuals for equipment used by personnel in the conduct of the provider's authorised data service activities.
- (2) The provider must ensure that operational personnel have ready access to the reference materials.

175.430 Data service providers—annual review by accountable manager

- (1) A data service provider commits an offence if the provider's accountable manager contravenes subregulation (2).

Penalty: 50 penalty units.
- (2) For subregulation (1), the accountable manager must:
 - (a) conduct an annual review of the provider against the requirements of its exposition and this Subpart; and
 - (b) address any deficiencies that are identified during the review; and
 - (c) give CASA a report of the annual review, including:

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- (i) any significant deficiencies identified since any previous annual review; and
- (ii) how the deficiencies are to be addressed.

175.435 Data service providers—records

- (1) A data service provider must have procedures for making, collecting, indexing, storing, securing, maintaining, accessing and disposing of the following:
 - (a) records that identify all incoming and outgoing aeronautical data and aeronautical information;
 - (b) records that identify each person who is authorised by the provider to process, check, edit, publish or supply aeronautical data and aeronautical information;
 - (c) records that list the qualifications and competencies of personnel who process, check, edit, publish or supply aeronautical data and aeronautical information;
 - (d) records that identify each occurrence of an error or omission in:
 - (i) aeronautical data or aeronautical information that the provider receives; or
 - (ii) aeronautical data or aeronautical information that the provider publishes or supplies in conducting a data service activity;
 - (e) records that contain the results of any audit or review of the provider's activities.
- (2) The provider must ensure that a record mentioned in subregulation (1) is legible and permanent.

175.440 Data service providers—retention period for aeronautical data, aeronautical information and records

Aeronautical data and information

- (1) A data service provider commits an offence if:
 - (a) the provider publishes or supplies aeronautical data or aeronautical information in conducting a data service activity; and

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- (b) the provider does not keep a copy of the data or information for at least 7 years after the data or information ceases to be effective.

Penalty: 50 penalty units.

Records

- (2) A data service provider commits an offence if the provider does not keep a record mentioned in subregulation 175.435(1):
 - (a) if the record relates to aeronautical data or aeronautical information mentioned in subregulation (1)—for as long as the data or information is required to be kept; or
 - (b) otherwise—for at least 7 years after the record is made.

Penalty: 50 penalty units.

- (3) An offence against this regulation is an offence of strict liability.

Subpart 175.D—Aeronautical information management—aeronautical data originators

Division 175.D.1—Aeronautical data originators—general

175.445 Aeronautical data originators—AIP responsible person and NOTAM authorised persons

AIP responsible persons

- (1) An aeronautical data originator commits an offence if:
 - (a) the originator provides aeronautical data or aeronautical information to an AIS provider; and
 - (b) the originator has not appointed a single senior manager within the originator's organisation as the AIP responsible person for the originator.

Penalty: 50 penalty units.

- (2) An AIP responsible person is responsible for the provision of aeronautical data or aeronautical information, other than in NOTAMS, from the originator to an AIS provider.
- (3) An aeronautical data originator commits an offence if:
 - (a) the originator appoints a person as the AIP responsible person for the originator; and
 - (b) the person does not have the knowledge and competence to carry out the responsibilities of an AIP responsible person.

Penalty: 50 penalty units.

NOTAM authorised persons

- (4) An aeronautical data originator commits an offence if:
 - (a) the originator asks an AIS provider to issue, review or cancel a NOTAM; and

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- (b) the originator has not appointed a person in the originator's organisation as a NOTAM authorised person for the originator.

Penalty: 50 penalty units.

- (5) A NOTAM authorised person is responsible for requesting the issue, review and cancellation of NOTAMS for the originator.
- (6) An aeronautical data originator commits an offence if:
 - (a) the originator appoints a person as a NOTAM authorised person for the originator; and
 - (b) the person does not have the knowledge and competence to request the issue, review and cancellation of NOTAMS.

Penalty: 50 penalty units.

175.450 Aeronautical data originators—telling AIS provider of AIP responsible person and NOTAM authorised persons

- (1) An aeronautical data originator commits an offence if:
 - (a) the originator provides aeronautical data or aeronautical information to an AIS provider; and
 - (b) the originator has not told the AIS provider, in writing, of the following:
 - (i) the name of the AIP responsible person for the originator;
 - (ii) the names of the NOTAM authorised persons (if any) for the originator;
 - (iii) any changes (if any) to the persons who occupy the positions mentioned in subparagraphs (i) and (ii) since any previous provision of aeronautical data or aeronautical information to the AIS provider.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

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175.455 Aeronautical data originators—requirement to provide updated aeronautical data or aeronautical information published other than in NOTAMS

- (1) This regulation applies if an aeronautical data originator becomes aware of a change that is needed to aeronautical data or aeronautical information:
 - (a) for which the originator is responsible; and
 - (b) that has been published by an AIS provider:
 - (i) in the Integrated Aeronautical Information Package (other than in NOTAMS); or
 - (ii) on an aeronautical chart.

Note: The aeronautical data or aeronautical information for which the aeronautical data originator is responsible must be specified in a data product specification: see paragraph 175.160(4)(a).

- (2) The originator commits an offence if the originator does not, as soon as practicable after becoming aware of the need for the change, provide the AIS provider with the following:
 - (a) updated aeronautical data or aeronautical information;
 - (b) the date the updated data or information becomes effective.

Penalty: 50 penalty units.

175.460 Aeronautical data originators—requirements in relation to providing aeronautical data or aeronautical information published other than in NOTAMS

- (1) This regulation applies if an aeronautical data originator provides aeronautical data or aeronautical information to an AIS provider for publication:
 - (a) in the Integrated Aeronautical Information Package (other than in NOTAMS); or
 - (b) on an aeronautical chart.

Requirements for providing data or information

- (2) The originator must:

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- (a) provide the data or information to the AIS provider in accordance with the requirements of the data product specification given to the originator by the AIS provider, including in relation to the standards for accuracy and resolution and timeframes; and
- (b) provide the data or information so that the AIS provider can readily identify any changes from existing published data or information; and
- (c) provide, with the data or information, a statement of any consultation undertaken under subregulation (4); and
- (d) provide, with the data or information, any consequential changes that need to be made to other aeronautical data or aeronautical information published:
 - (i) in the Integrated Aeronautical Information Package (other than in NOTAMS); or
 - (ii) on aeronautical charts.

Note: Compliance with the timeframes specified in the data product specification allows the AIS provider to comply with regulation 175.185.

Additional requirement for Bureau of Meteorology

- (3) If the originator is the Bureau of Meteorology, the originator must provide the data or information in accordance with the standards and format mentioned in Annex 3 to the Chicago Convention.

Consultation with aviation organisations about data or information

- (4) If the data or information will cause an aviation organisation to make plans for changes to the organisation's operations or procedures, the originator must, before providing the data or information to the AIS provider, consult the organisation about the data or information.

175.465 Aeronautical data originators—annual review of aeronautical data and aeronautical information

- (1) An aeronautical data originator commits an offence if the originator contravenes subregulation (2).

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Penalty: 50 penalty units.

- (2) For subregulation (1), the originator must:
- (a) review, at least annually, the aeronautical data and aeronautical information in the Integrated Aeronautical Information Package (other than in NOTAMS), and on aeronautical charts, for which the originator is responsible; and
 - (b) keep a record of a review mentioned in paragraph (a) for at least 3 years; and
 - (c) if CASA requests a copy of a record mentioned in paragraph (b)—comply with the request.

Note: The aeronautical data or aeronautical information for which the aeronautical data originator is responsible must be specified in a data product specification: see paragraph 175.160(4)(a).

- (3) An offence against this regulation is an offence of strict liability.

175.470 Aeronautical data originators—requirements in relation to requests for issue of NOTAMS

- (1) This regulation applies if:
- (a) an aeronautical data originator becomes aware that a circumstance exists; and
 - (b) the circumstance is specified in a data product specification given to the originator by an AIS provider as a circumstance that requires the originator to ask the AIS provider to issue a NOTAM.

Requesting issue of NOTAM

- (2) The originator must, as soon as practicable after becoming aware of the circumstance, ask the AIS provider to issue a NOTAM in accordance with the data product specification.

Changes to data and information to be readily identifiable

- (3) If the request for a NOTAM will change any existing published aeronautical data or aeronautical information, the originator must ensure that the change can be readily identified.

Data and information to be suitable for publication

- (4) The originator must ensure that the aeronautical data or aeronautical information included in the request for a NOTAM is suitable for publication in NOTAM format.

Consultation with aviation organisations about NOTAM

- (5) If a NOTAM that the originator asks the AIS provider to issue will cause an aviation organisation to make plans for changes to the organisation's operations or procedures, the originator must, before asking the AIS provider to issue the NOTAM, consult the organisation about the NOTAM.

**Division 175.D.2—Aeronautical data originators—
Geoscience Australia**

**175.475 Aeronautical data originators—responsibilities of
Geoscience Australia**

The Commonwealth of Australia as represented by Geoscience Australia is responsible for:

- (a) providing AIS providers with magnetic variation updates;
and
- (b) providing AIS providers with terrain, topographic and cultural data, as mentioned in Annexes 4 and 15 to the Chicago Convention, for publication:
 - (i) in the Integrated Aeronautical Information Package; or
 - (ii) on an aeronautical chart.

Subpart 175.E—Aeronautical information management—objects and structures that affect aviation safety

175.480 Objects and structures that affect aviation safety—application of Subpart 175.E

This Subpart applies to an object or structure:

- (a) that has a maximum height of at least 100 m above ground level; or
- (b) that penetrates the obstacle limitation surface of an aerodrome; or
- (c) that penetrates an obstacle data collection surface, as mentioned in Appendix 8 of Annex 15 to the Chicago Convention; or
- (d) that is an obstacle that is required to be included on an Aerodrome Obstacle Chart—ICAO Type A, as mentioned in Annex 4 to the Chicago Convention; or
- (e) that is an obstacle that is required to be included on an Aerodrome Obstacle Chart—ICAO Type B, as mentioned in Annex 4 to the Chicago Convention; or
- (f) if AA requires data about the object or structure in the interests of aviation safety.

175.485 Objects and structures that affect aviation safety—requests for data by AA

- (1) Under this Subpart, AA may request the following data about an object or structure:
 - (a) the person who owns, controls or operates the object or structure;
 - (b) the name, identification or designation of the object or structure;

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Subpart 175.E Aeronautical information management—objects and structures that affect aviation safety

Regulation 175.490

- (c) the type of object or structure, including whether the object or structure is a building, telecommunications tower or wind turbine;
 - (d) the geographic location of the object or structure;
 - (e) the height of the object or structure;
 - (f) the elevation above mean sea level of the object or structure;
 - (g) whether the object or structure is marked;
 - (h) if the object or structure is marked—how it is marked;
 - (i) whether the object or structure is lit;
 - (j) if the object or structure is lit—how it is lit;
 - (k) any other data that is necessary in the interests of aviation safety.
- (2) A request for data under this Subpart must state the following:
- (a) the format in which the data must be provided;
 - (b) that the request must be complied with within 28 days after receiving the request.
- (3) A request for data under this Subpart may state other requirements in relation to the data (for example, the degree of accuracy or resolution of the data).

Extension of time for compliance

- (4) The recipient of a request may, before the end of 28 days after receiving the request, ask AA for an extension.
- (5) AA may, by written notice given to the recipient, grant the extension.

175.490 Objects and structures that affect aviation safety—requests for data from owners etc.

- (1) AA may, by written notice given to a person who owns, controls or operates an object or structure, request the person to give AA data mentioned in subregulation 175.485(1) about the object or structure.
- (2) A person commits an offence if:
- (a) AA gives the person a request under this regulation; and

Regulation 175.495

- (b) the person does not comply with subregulation (3) or (4).

Penalty: 50 penalty units.

- (3) For paragraph (2)(b), the person must comply with the request within:
- (a) if AA grants an extension under subregulation 175.485(5)—the time stated in the notice of extension; or
 - (b) if paragraph (a) does not apply—28 days after receiving the request.
- (4) For paragraph (2)(b), the person must specify the degree of accuracy of the data the person supplies.
- (5) Subregulation (2) does not apply if:
- (a) the person does not possess the data requested; and
 - (b) the person has taken all reasonable steps available to the person to obtain the data requested and has been unable to obtain the data.

Note: A defendant bears an evidential burden in relation to the matters in subregulation (5): see subsection 13.3(3) of the *Criminal Code*.

- (6) An offence against this regulation is an offence of strict liability.

175.495 Objects and structures that affect aviation safety—requests for data from aerodrome operators

- (1) AA may, by written notice given to an aerodrome operator, request the operator to give AA data mentioned in subregulation 175.485(1), that the operator possesses, about an object or structure.
- (2) An aerodrome operator commits an offence if:
- (a) AA gives the operator a request under this regulation; and
 - (b) the operator does not comply with the request within:
 - (i) if AA grants an extension under subregulation 175.485(5)—the time stated in the notice of extension; or
 - (ii) if subparagraph (i) does not apply—28 days after receiving the request.

Part 175 Aeronautical information management

Subpart 175.E Aeronautical information management—objects and structures that affect aviation safety

Regulation 175.500

Penalty: 50 penalty units.

- (3) An offence against this regulation is an offence of strict liability.

175.500 Objects and structures that affect aviation safety—requests for data from government authorities

- (1) AA may, by written notice given to a Commonwealth, State, Territory or local government authority, request the authority to give AA data mentioned in subregulation 175.485(1), that the authority possesses, about an object or structure.
- (2) The authority must comply with the request.

Part 200—Aircraft to which CASR do not apply

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Subpart 200.B—Exemption from Regulations

200.001 Hang gliders

- (1) A hang glider used:
- (a) solely in private operations and only for recreational purposes; or
 - (b) for flying training for the issue of a pilot certificate;
- is exempt from CASR if the conditions in subsection 95.8(4) of the Civil Aviation Orders, as in force from time to time, are complied with.

- (2) In this regulation:

empty weight, for a hang glider, means the weight of the hang glider in its airborne configuration, including all fittings and equipment but excluding recovery or personnel parachutes.

hang glider means a glider, or a powered paraglider, with an empty weight not over 70 kilograms.

powered paraglider means an aircraft without rigid wings that:

- (a) is launched by its pilot's feet; and
- (b) is powered by a power unit worn on its pilot's back.

200.002 Privately built single-place ultralight aeroplanes

- (1) This regulation applies to a privately built single-place aeroplane if it:
- (a) is registered with the RAA; and
 - (b) has a take-off weight not over 300 kilograms; and
 - (c) for an aeroplane that first became registered with the RAA on or after 1 March 1990:
 - (i) has a wing loading not over 30 kilograms per square metre at maximum all-up weight; and

Regulation 200.003

- (ii) if it is owned by a person who is not its builder—has been certificated by the RAA as meeting the requirements set out in the RAA Technical Manual.
- (2) The aeroplane is exempt from CASR if the conditions in section 95.10 of the Civil Aviation Orders, as in force from time to time, are complied with.
- (3) In this regulation:

RAA means Recreational Aviation Australia Inc.

RAA Technical Manual means the manual prepared by RAA and approved by CASA, as in force from time to time, that contains:

- (a) airworthiness, design and maintenance standards; and
- (b) aeronautical practices, test procedures and processes.

take-off weight, for an aeroplane, means the aeroplane's total weight when it starts to taxi before taking-off, including the weight of the pilot and of fuel, oil, recovery and personnel parachutes, flotation equipment, items of optional equipment, tools and baggage.

200.003 Gyroplanes having an empty weight not in excess of 250 kilograms

An aircraft to which Civil Aviation Order 95.12, as in force from time to time, applies is exempt from CASR if the conditions in that Order are satisfied.

200.004 Two-place gyroplanes and single-place gyroplanes certificated as light sport aircraft

An aircraft to which Civil Aviation Order 95.12.1, as in force from time to time, applies is exempt from CASR if the conditions in that Order are satisfied.

Regulation 200.005

200.005 Parasails and gyrogliders

- (1) A parasail or gyroglider is exempt from CASR if the conditions in subsection 95.14(4) of the Civil Aviation Orders, as in force from time to time, are complied with.
- (2) In this regulation:

gyroglider means a non-power-driven heavier-than-air aircraft supported in flight by the reaction of the air on 1 or more rotors that rotate freely on substantially vertical axes.

parasail means a parachute tethered to a point or vehicle on the ground or to a watercraft and deriving lift chiefly from aerodynamic reactions on flexible surfaces remaining fixed under given conditions of flight.

200.008 Defence Force aircraft operated by civilian flight crew

- (1) This regulation applies to a Defence Force aircraft that is being flown and operated by persons, other than members of the Defence Force, who hold commercial or higher category licences, and that is engaged in:
 - (a) flight testing; or
 - (b) search and rescue; or
 - (c) support of aircraft development and flight test programs; or
 - (d) any other activity authorised by the Defence Force.
- (2) The aircraft is exempt from CASR if the conditions in subsection 95.20(4) of the Civil Aviation Orders, as in force from time to time, are complied with.
- (3) In this regulation:

flight testing, of an aircraft, means flying performed on behalf of the contractor or Defence Force to establish that the aircraft meets all the requirements of the contractor or Defence Force after manufacture or major servicing and inspection.

200.010 Military aircraft undergoing production or acceptance flight testing

- (1) A military aircraft that is undergoing production flight testing or acceptance flight testing is exempt from CAR, and from CASR (other than this regulation), if the conditions (if any) set out in the relevant section of Part 95 of the Civil Aviation Orders (as in force from time to time) are complied with.

- (2) In this regulation:

acceptance flight testing of a military aircraft means flight testing on behalf of the Defence Force to find out whether the aircraft meets the Force's requirements.

production flight testing of a military aircraft means flight testing on behalf of a contractor to find out whether the aircraft meets the contractor's requirements.

relevant section of Part 95 of the Civil Aviation Orders, in relation to a military aircraft of a particular type, means the section of that Part that applies to aircraft of that type.

200.013 Weight-shift-controlled aeroplanes and powered parachutes

An aeroplane to which Civil Aviation Order 95.32, as in force from time to time, applies is exempt from CASR if the conditions in that Order are satisfied.

200.014 Certain ultralight aeroplanes

An aeroplane to which Civil Aviation Order 95.55, as in force from time to time, applies is exempt from CASR if the conditions in that Order are satisfied.

Subpart 200.C—Authorisation to fly

200.020 Authorised flight without certificate of airworthiness

For paragraph 20AA(3)(b) of the Act, an Australian aircraft that is exempt from CASR is authorised to fly without a certificate of airworthiness.

200.025 Flying unregistered aircraft

For paragraph 20AB(1)(a) of the Act, a person is taken to hold a civil aviation authorisation that is in force and authorises the person to perform a duty that is essential to the operation of an unregistered Australian aircraft during flight time if:

- (a) the person holds a pilot certificate granted by a sport aviation body that administers aviation activities in the aircraft; and
- (b) the person operates the aircraft in accordance with the sport aviation body's operations manual.

200.030 Flying unregistered aircraft—offence

A person commits an offence if:

- (a) the person pilots an unregistered Australian aircraft; and
- (b) a sport aviation body administers aviation activities in the aircraft; and
- (c) the person does not:
 - (i) hold a pilot certificate granted by the sport aviation body; and
 - (ii) operate the aircraft in accordance with the sport aviation body's operations manual.

Penalty: 50 penalty units.

Part 201—Miscellaneous

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201.001 Appointment of authorised persons

- (1) CASA may appoint a person, or the persons included in a class of persons, to be an authorised person for CASR or a particular provision of CASR.
- (2) CASA may appoint a person only if CASA is satisfied that the person has the qualifications and experience to be an authorised person.
- (3) CASA may appoint a class of persons only if CASA is satisfied that each person included in the class has the qualifications and experience to be an authorised person.
- (4) An appointment may be made subject to conditions stated in the instrument of appointment.

201.003 Commonwealth and CASA not liable in certain cases

Neither the Commonwealth nor CASA is liable in negligence or otherwise for any loss or damage incurred by anyone because of, or arising out of, the design, construction, restoration, repair, maintenance or operation of a limited category aircraft or an experimental aircraft, or any act or omission of CASA done or made in good faith in relation to any of those things.

Regulation 201.004

201.004 Review of decisions

(1) In this regulation:

authorisation: see regulation 11.015.

Decisions made by CASA

(2) An application may be made to the Administrative Appeals Tribunal for the review of a decision of CASA mentioned in table 201.004.

Table 201.004 Reviewable decisions

Item	A decision...
1	under a provision of these Regulations: (a) refusing to grant or issue an authorisation; or (b) cancelling or suspending an authorisation otherwise than on the application of the authorisation-holder; or (c) varying an authorisation otherwise than on the application of the authorisation-holder; or (d) refusing to vary an authorisation
2	under a provision of these Regulations imposing a condition on, or varying a condition of, an authorisation otherwise than on the application of the authorisation-holder
2A	under Subpart 11.D refusing, because of regulation 47.131B, to cancel the registration of an aircraft
3	under Division 11.F.1 or 11.F.2 refusing to grant an exemption
4	under regulation 21.043 refusing to consider an application for a type certificate
5	under regulation 21.855 refusing approval to remove or alter information on a critical part
6	under regulation 21.870 agreeing that it is impractical to mark information on a part
7	under subregulation 39.004(2) or (3) refusing to issue an instrument of approval or exclusion
8	under regulation 39.007 refusing to revoke or amend an Australian airworthiness directive

Regulation 201.004

Table 201.004 Reviewable decisions

Item	A decision...
8A	under regulation 42.640 directing that an authorisation issued by a continuing airworthiness management organisation to a pilot licence holder be changed or cancelled
9	under regulation 45.090 refusing approval to place a design, mark or symbol on an aircraft
10	under regulation 45.105 directing where to place an aircraft's markings
11	under regulation 45.150: (a) directing where to place an aircraft's aircraft registration identification plate; or (b) refusing to give such a direction
12	under regulation 45.155 refusing approval to: (a) remove an aircraft's aircraft registration identification plate; or (b) remove or alter a marking on such a plate
12A	under regulation 47.110 refusing, because of subregulation 47.110(9), to amend the Australian Civil Aircraft Register and give a certificate of registration
13	under regulation 47.132 cancelling the registration of an aircraft
14	under regulation 47.175 assigning fewer dealer's marks to an aircraft dealer than were applied for by the dealer
15	under Subpart 67.B refusing to appoint a person as a DAME or DAO
16	under regulation 67.095 cancelling the appointment of a person as a DAME or DAO
17	under regulation 90.010 refusing to exclude an aircraft or aeronautical product from the operation of a provision of Part 90
18	under regulation 137.040 refusing to approve a standard operations manual
19	under subregulation 137.045(6) refusing to accept: (a) an application for an AOC submitted later than required under subregulation 137.045(1); or (b) a manual or schedule of differences that is submitted later than required under subregulation 137.045(4); or (c) an application for the variation of an AOC submitted later than required under subregulation 137.045(5)
20	under regulation 137.080 refusing to approve a proposed amendment to an operations manual

Regulation 201.004

Table 201.004 Reviewable decisions

Item	A decision...
21	under regulation 137.085 refusing to approve a proposed amendment to a schedule of differences
22	under regulation 137.090 refusing to approve a proposed amendment to a standard operations manual
23	under regulation 139.145 giving a direction
24	under regulation 139.252 designating, or refusing to designate, an aerodrome as an aerodrome to which A-SMGCS applies
25	under Subpart 139.C: (a) refusing to register an aerodrome; or (b) suspending or cancelling the registration of an aerodrome

Decisions made by other decision-makers

- (3) Applications may be made to the Administrative Appeals Tribunal for review of a decision mentioned in subregulation (5) that is made:
- (a) under a provision of these Regulations; and
 - (b) by a person mentioned in subregulation (4) who may make the decision under the provision.
- (4) For paragraph (3)(b), the persons are the following:
- (a) an authorised person;
 - (b) an examiner;
 - (c) an instructor;
 - (d) the holder of an approval under regulation 61.040, 141.035 or 142.040.
- (5) For subregulation (3), the decisions are the following:
- (a) a decision refusing to grant or issue an authorisation;
 - (b) a decision varying an authorisation otherwise than on the application of the authorisation-holder;
 - (c) a decision refusing to vary an authorisation;
 - (d) a decision imposing a condition on, or varying a condition of, an authorisation otherwise than on the application of the authorisation-holder.

Regulation 201.016

- Note: Section 27A of the *Administrative Appeals Tribunal Act 1975* requires a person who makes a reviewable decision to give a person, whose interests are affected by the decision, notice of:
- (a) the making of the decision; and
 - (b) the person's right to have the decision reviewed.

201.016 Disclosure of personal information

- (1) CASA may, in the circumstances set out in this regulation, disclose personal information (within the meaning given by the *Privacy Act 1988*) that is in CASA's possession or under its control.
- (2) The information is the following about an individual who holds a civil aviation authorisation:
 - (a) the person's name;
 - (b) the person's ARN (if any);
 - (c) the person's address;
 - (d) the person's telephone number;
 - (e) details of each civil aviation authorisation and any medical certificate that the person holds.
- (3) If it is necessary for the safety of air navigation, CASA may disclose the information mentioned in any paragraph of subregulation (2) to:
 - (a) a person providing an air traffic service (within the meaning given in Part 172) in Australian territory; or
 - (b) a person carrying out search and rescue operations in Australian territory.

201.020 Service of documents

Despite section 28A of the *Acts Interpretation Act 1901*, service may be effected on CASA only at its principal office at:
16 Furzer Street
Phillip ACT 2606

Regulation 201.025

201.025 Prescription of matters for definitions in these Regulations

For subsection 98(5A) of the Act, CASA may issue instruments prescribing matters for definitions in these Regulations relating to matters mentioned in the subsection.

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- 202.752 Expiry of Division 202.GB.1 at end of 31 August 2017

Subpart 202.GC—Transitional provisions for Part 143 (Air traffic services training providers)

- 202.760 Manual of Standards for Part 143
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Subpart 202.GD—Transitional provisions for Part 144 (Product distribution organisations)

Subpart 202.GE—Transitional provisions for Part 145 (Continuing airworthiness—Part 145 approved maintenance organisations)

Division 202.GE.1—Amendments made by the Civil Aviation and Civil Aviation Safety Amendment Regulations 2010 (No. 1)

202.800 CASA may direct making of applications under regulation 145.025

Division 202.GE.2—Amendments made by the Civil Aviation Legislation Amendment (Maintenance and Other Matters) Regulation 2013

Subdivision 202.GE.2.1—Part 145 organisations undertaking CAR maintenance activities—general

- 202.801 Interpretation for Division 202.GE.2—Part 145 references to maintenance services taken to include references to CAR maintenance activities
- 202.802 Interpretation for Division 202.GE.2—Part 145 definition of *approval rating*
- 202.803 Interpretation for Division 202.GE.2—Part 145 definition of *significant change*
- 202.804 Part 145 Manual of Standards—additional matters for CAR maintenance activities

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- 202.805 Applying for approval
- 202.806 Issuing approval
- 202.807 Approval certificate
- 202.808 Privileges for Part 145 organisations
- 202.809 Approval subject to conditions

Subdivision 202.GE.2.3—Part 145 organisations undertaking CAR maintenance activities—offence

- 202.810 Undertaking CAR maintenance activities

Subpart 202.GG—Transitional provisions for Part 147 (Continuing airworthiness—maintenance training organisations)

- 202.840 Recognised organisations taken to be maintenance training organisations
- 202.841 Applications for approval as a recognised organisation made but not finally determined before 27 June 2011

202.842 CASA may direct the making of applications under regulation 147.025

Subpart 202.GI—Transitional provisions for Part 149 (Recreational aviation administration organisations)

Subpart 202.HA—Transitional provisions for Part 171 (Aeronautical telecommunication service and radionavigation service providers)

202.880 Manual of Standards for Part 171

Subpart 202.HB—Transitional provisions for Part 172 (Air traffic service providers)

202.900 Manual of Standards for Part 172

Subpart 202.HC—Transitional provisions for Part 173 (Instrument flight procedure design)

Subpart 202.HD—Transitional provisions for Part 174 (Aviation meteorological services)

Subpart 202.HE—Transitional provisions for Part 175 (Aeronautical information management)

Subpart 202.HL—Transitional provisions for Part 200 (Exemptions)

Subpart 202.HM—Transitional provisions for Part 201 (Miscellaneous)

Subpart 202.AB—Transitional provisions for Part 1 (Preliminary)

Note: This Subpart heading is reserved for future use.

Subpart 202.AD—Transitional provisions for Part 11 (Regulatory administrative procedures)

202.010 Continuation of certain existing delegations

- (1) Despite any amendment of regulation 7 of CAR that has the effect of preventing any delegation under it of a power or function under CASR, a delegation, under that regulation, of such a power or function continues to have effect according to its terms (including any condition imposed on such a delegation).
- (1A) Despite the repeal of regulation 7 of CAR, a delegation under that regulation of a power or function under CAR, being a delegation that was in force immediately before 27 June 2011, continues to have effect on and after 27 June 2011 according to its terms (including any condition imposed on such a delegation).
- (2) Despite any repeal of regulation 201.002, a delegation made under that regulation continues to have effect according to its terms (including any condition imposed on such a delegation).
- (3) A delegation referred to in subregulation (1), (1A) or (2) continues to be subject to any direction given by the Director under subregulation 7(3) of CAR, or subregulation 201.002(3), as the case may be.
- (4) CASA may revoke a delegation mentioned in this regulation.
- (5) CASA may impose, vary or remove a condition on a delegation mentioned in this regulation.

202.011 Continuation of exemptions under regulation 308 of CAR

- (1) Despite anything in Subpart 11.F, an exemption from compliance with a provision of CASR issued under regulation 308 of CAR continues to have effect according to its terms.
- (2) Despite the repeal of regulation 308 of CAR, an exemption from compliance with a provision of CAR, being an exemption that was

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in force under that regulation immediately before 27 June 2011, continues in force, on and after 27 June 2011, according to its terms.

(3) If:

- (a) before 27 June 2011, a person asked CASA for an exemption under regulation 308 of CAR; and
- (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;

the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

(4) A person commits an offence if the person contravenes a condition specified in an instrument of exemption continued in force under this regulation.

Penalty: 50 penalty units.

(5) An offence against this regulation is an offence of strict liability.

202.011A Continuation of exemptions under subregulation 82(3) of CAR

(1) Despite the repeal of subregulation 82(3) of CAR, an exemption that was in force under that subregulation immediately before 27 June 2011 continues to have effect, on and after 27 June 2011, according to its terms.

(2) If:

- (a) before 27 June 2011, a person asked CASA for an exemption under subregulation 82(3) of CAR; and
- (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;

the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

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202.011B Continuation of exemptions under subregulation 235(11) of CAR

- (1) Despite the repeal of subregulation 235(11) of CAR, an exemption that was in force under that subregulation immediately before 27 June 2011 continues to have effect, on and after 27 June 2011, according to its terms.
- (2) If:
 - (a) before 27 June 2011, a person asked CASA for an exemption under subregulation 235(11) of CAR; and
 - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

202.011C Continuation of exemptions under regulation 92.080

- (1) Despite the repeal of regulation 92.080, an exclusion that was in force under that regulation immediately before 27 June 2011 continues to have effect, on and after 27 June 2011, according to its terms.
- (2) If:
 - (a) before 27 June 2011, a person applied for an exclusion under regulation 92.080; and
 - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exclusion;the application is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

202.011D Continuation of exemptions under regulation 92.155

- (1) Despite the repeal of regulation 92.155, an exclusion that was in force under that regulation immediately before 27 June 2011 has effect, on and after 27 June 2011, according to its terms.
- (2) If:

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- (a) before 27 June 2011, a person applied for an exclusion under regulation 92.155; and
 - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exclusion;
- the application is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

202.011E Continuation of exemptions under regulation 101.040

- (1) Despite the repeal of regulation 101.040, an exemption that was in force under that regulation immediately before 27 June 2011 has effect, on and after 27 June 2011, according to its terms.
- (2) If:
 - (a) before 27 June 2011, a person asked CASA for an exemption under regulation 101.040; and
 - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.
- (3) A person commits an offence if the person contravenes a condition specified in an instrument of exemption continued in force under this regulation.

Penalty: 50 penalty units.
- (4) An offence against this regulation is an offence of strict liability.

202.011F Continuation of exemptions under regulation 139.020

- (1) Despite the repeal of regulation 139.020, an exemption that was in force under that regulation immediately before 27 June 2011, including an exemption that was in force as a result of the application of regulation 202.705, has effect, on and after 27 June 2011, according to its terms.
- (2) If:
 - (a) before 27 June 2011, a person asked CASA for an exemption under regulation 139.020; and

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- (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;
the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.
- (3) A person commits an offence if the person contravenes a condition specified in an instrument of exemption continued in force under this regulation.
- Penalty: 10 penalty units.

202.011G Renewal, variation and revocation of exemptions

- (1) An exemption or exclusion mentioned in any of regulations 202.011 to 202.011F may be varied or revoked under Subpart 11.F as if it were an exemption granted under Division 11.F.1.
- (2) For regulation 11.175, an exemption or exclusion that has effect under any of regulations 202.011 to 202.011F is taken to be an exemption previously granted under Division 11.F.1.

202.012 Consultation on certain Manuals of Standards

- (1) In this regulation:
- MOS*** has the same meaning as in Subpart 11.J.
- (2) If before this regulation commenced CASA had undertaken consultation on a MOS, being consultation that would have satisfied the requirements of Subpart 11.J if that Subpart had been in force, that Subpart does not require CASA to repeat that consultation.

202.013 Delegations to persons other than officers

Despite the amendment of regulation 11.260 that commenced on 27 June 2011 limiting the Director's power to delegate a power of CASA under these Regulations to a person other than an officer:

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Subpart 202.AD Transitional provisions for Part 11 (Regulatory administrative procedures)

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- (a) a delegation to a person other than an officer that was in force immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
- (b) CASA may revoke such a delegation, in whole or in part, as if regulation 11.260 had not been amended.

Subpart 202.AF—Transitional provisions for Part 13 (Enforcement)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.030 to 202.049 are reserved for use in this Subpart.

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Subpart 202.AJ Transitional provisions for Part 21 (Certification and airworthiness requirements for aircraft and parts)

Division 202.AJ.1 Transitional provisions relating to certification of aircraft and aircraft components

Regulation 202.049A

**Subpart 202.AJ—Transitional provisions for
Part 21 (Certification and airworthiness
requirements for aircraft and parts)**

**Division 202.AJ.1—Transitional provisions relating to
certification of aircraft and aircraft components**

**Subdivision 202.AJ.1.A—Amendments made by Civil Aviation
and Civil Aviation Safety Amendment
Regulations 2011 (No. 1)**

**202.049A Certain design standards taken to be applicable
airworthiness standards for regulation 21.017**

- (1) A design standard for an aircraft:
 - (a) that was issued under regulation 21 of CAR; and
 - (b) that was in force immediately before 27 June 2011;is taken, on and after 27 June 2011, to be an applicable airworthiness standard for the aircraft for regulation 21.017.
- (2) A design standard for an aircraft component:
 - (a) that was issued under regulation 21A of CAR; and
 - (b) that was in force immediately before 27 June 2011;is taken, on and after 27 June 2011, to be an applicable airworthiness standard for the aircraft component for regulation 21.017.

**Subdivision 202.AJ.1.B—Amendments made by Civil Aviation
Amendment Regulations 1999 (No. 5)**

202.050 Certificates of type approval

- (1) A certificate of type approval for an aircraft, or an aircraft engine or a propeller, that was, immediately before 1 October 1998, in force under regulation 22 of CAR 1988 as then in force continues

Regulation 202.051

in force on and after that date as if it were a type certificate issued under regulation 21.013A or 21.029.

- (2) A certificate of type approval for an aircraft that was, immediately before 1 October 1998, in force under regulation 22A of CAR 1988 as then in force continues in force on and after that date as if it were a type acceptance certificate issued under regulation 21.029A.
- (3) A certificate of type approval continued in force under this regulation remains subject to any condition to which it was subject immediately before 1 October 1998.

202.051 Certificates of airworthiness

- (1) A certificate of airworthiness that was, immediately before 1 October 1998, in force under regulation 24 of CAR 1988 as then in force continues in force on and after that date as if it were a certificate of airworthiness issued under regulation 21.176.
- (2) A certificate of airworthiness continued in force under subregulation (1) remains subject to any condition to which it was subject immediately before 1 October 1998.
- (3) Subject to Division 7 of Part 4A of CAR 1988, a direction that was, immediately before 1 October 1998, in force under paragraph 25(1)(b) of CAR 1988 as then in force continues in force on and after that date according to its terms.

202.052 Export certificate of airworthiness

An export certificate of airworthiness that was, immediately before 1 October 1998, in force under regulation 28 of CAR 1988 as then in force continues in force on and after that date as if it were an export airworthiness approval issued under regulation 21.324.

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Subpart 202.AJ Transitional provisions for Part 21 (Certification and airworthiness requirements for aircraft and parts)

Division 202.AJ.1 Transitional provisions relating to certification of aircraft and aircraft components

Regulation 202.052A

**Subdivision 202.AJ.1.C—Amendments made by Civil Aviation
Legislation Amendment (Subpart 21.J)
Regulation 2013**

202.052A Transitional—certificates of approval for design activities

- (1) Despite the amendment of regulation 30 of CAR on 1 March 2014, a certificate of approval that covers the design of an aircraft, aircraft component or aircraft material and was in force under that regulation immediately before that date:
 - (a) continues in force on and after that date according to its terms; and
 - (b) may be varied, suspended or revoked under regulation 269 of CAR as if regulation 30 of CAR had not been amended.
- (2) However, the certificate of approval ceases to have effect, to the extent that it covers the design of an aircraft, aircraft component or aircraft material, at the earliest of the following times:
 - (a) if the certificate of approval specifies a day on which it expires, or a period for which it is to remain in force—the end of that day or period;
 - (b) the end of 28 February 2017;
 - (c) if it is revoked under regulation 269 of CAR—when it is revoked.
- (3) If:
 - (a) before 1 March 2014, an application was made, under regulation 30 of CAR, for a certificate of approval that covers the design of an aircraft, aircraft component or aircraft material; and
 - (b) the application was in accordance with that regulation as in force at the time the application was made; and
 - (c) the application was not finally determined by CASA before that date;Regulation 30 of CAR has effect, on and after that date, in relation to the application as if regulation 30 of CAR had not been amended.

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- (4) If a certificate of approval is granted under regulation 30 of CAR, as in effect under subregulation (3), subregulations (1) and (2) apply to the certificate of approval as if the certificate had been issued under regulation 30 of CAR immediately before 1 March 2014.
- (5) This regulation expires at the end of 1 March 2017 as if it had been repealed by another regulation.

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Subpart 202.AJ Transitional provisions for Part 21 (Certification and airworthiness requirements for aircraft and parts)

Division 202.AJ.2 Transitional provisions relating to approvals of designs of modifications and repairs

Regulation 202.053

Division 202.AJ.2—Transitional provisions relating to approvals of designs of modifications and repairs

Subdivision 202.AJ.2.A—Amendments made by the Civil Aviation and Civil Aviation Safety Amendment Regulations 2011 (No. 1)

202.053 Approvals of systems of certification under regulation 34 of CAR

Despite the repeal of regulation 34 of CAR:

- (a) an approval of a system of certification under that regulation, being an approval that was in force immediately before 27 June 2011, continues in force on and after 27 June 2011 according to its terms; and
- (b) CASA may vary, suspend or revoke the approval as if that regulation had not been repealed.

202.054 Approvals of designs of modifications and repairs under regulation 35 of CAR

- (1) Despite the repeal of regulation 35 and subregulations 47(4) and (7) of CAR:

- (a) an approval of a design of a modification or repair that was in force under subregulation 35(2) or (6) of CAR immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
- (b) an authorisation that was in force under subregulation 35(3) of CAR immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
- (c) subregulations 47(4) and (7) of CAR, as in force immediately before 27 June 2011, continue to apply to such an authorisation as if neither regulation 35 of CAR, nor those subregulations, had been repealed; and

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- (d) CASA may vary, suspend or revoke such an approval or authorisation as if regulation 35 of CAR had not been repealed.
- (2) If:
 - (a) before 27 June 2011, an application was made to CASA or an authorised person under regulation 35 of CAR for the approval of the design of a modification or repair; and
 - (b) the application was not finally determined by CASA or the authorised person immediately before 27 June 2011;the application is taken, on and after 27 June 2011, to be an application for a modification/repair design approval made to CASA or the authorised person under regulation 21.405.

202.055 Approvals of aircraft components for use as replacements under regulation 36 of CAR

- (1) Despite the repeal of regulation 36 and subregulations 47(4) and (7) of CAR:
 - (a) an approval of an aircraft component, or aircraft components included in a type of aircraft component, for use as a replacement that was in force under subregulation 36(2) or (6) of CAR immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
 - (b) an authorisation that was in force under subregulation 36(3) of CAR immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
 - (c) subregulations 47(4) and (7) of CAR, as in force immediately before 27 June 2011, continue to apply to such an authorisation as if neither regulation 36 of CAR, nor those subregulations, had been repealed; and
 - (d) CASA may vary, suspend or revoke such an approval or authorisation as if regulation 36 of CAR had not been repealed.
- (2) If:

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Subpart 202.AJ Transitional provisions for Part 21 (Certification and airworthiness requirements for aircraft and parts)

Division 202.AJ.2 Transitional provisions relating to approvals of designs of modifications and repairs

Regulation 202.056

- (a) before 27 June 2011, an application was made to CASA or an authorised person for an approval under regulation 36 of CAR; and
 - (b) the application was not finally determined by CASA or the authorised person immediately before 27 June 2011;
- the application is taken, on and after 27 June 2011, to be an application for a modification/repair design approval made to CASA or the authorised person under regulation 21.405.

202.056 Use of aircraft material for particular purposes under regulation 36A of CAR

- (1) Despite the repeal of regulation 36A of CAR:
 - (a) a direction under subregulation 36A(2) of CAR that was in force immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
 - (b) subregulation 36A(3) of CAR, as in force immediately before 27 June 2011, continues to apply to such a direction as if regulation 36A of CAR had not been repealed; and
 - (c) CASA may vary, suspend or revoke such a direction as if regulation 36A of CAR had not been repealed.
- (2) Despite the repeal of regulation 36A of CAR:
 - (a) an approval of an aircraft material, being an approval that was in force under subregulation 36A(3A) of CAR immediately before 27 June 2011, continues in force on and after 27 June 2011 according to its terms; and
 - (b) CASA may vary, suspend or revoke such an approval as if regulation 36A of CAR had not been repealed.
- (3) If:
 - (a) before 27 June 2011, a person asked CASA or an authorised person to approve the use of aircraft material for a particular purpose under regulation 36A of CAR; and
 - (b) CASA or the authorised person has not, before 27 June 2011, decided whether or not to approve the use of the material;

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the request is taken, on and after 27 June 2011, to be an application for a modification/repair design approval made to CASA or the authorised person under regulation 21.405.

202.058 Approval of changes to flight manuals under regulations 55 and 55A of CAR

- (1) Despite the repeal of regulation 55 of CAR, an approval of a change to an aircraft's flight manual that was in force under that regulation immediately before 27 June 2011 continues in force on and after 27 June 2011 as if it were an approval given under regulation 21.006A.
- (2) If:
 - (a) before 27 June 2011, a person asked CASA or an authorised person to approve a change to an aircraft's flight manual under regulation 55 of CAR; and
 - (b) CASA or the authorised person has not, before 27 June 2011, decided whether or not to give the approval;the request is taken, on and after 27 June 2011, to be an application for approval of the change made to CASA or the authorised person under regulation 21.006A.
- (3) Despite the repeal of regulation 55A of CAR, an approval of a change to an aircraft's flight manual that was in force under that regulation immediately before 27 June 2011 continues in force on and after 27 June 2011 as if it were an approval given by CASA under regulation 21.006A.
- (4) If:
 - (a) before 27 June 2011, an application was made under regulation 55A of CAR for the approval of a change to an aircraft's flight manual; and
 - (b) the application was not finally determined by CASA immediately before 27 June 2011;the application is taken, on and after 27 June 2011, to be an application for approval of the change under regulation 21.006A.

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Subpart 202.AJ Transitional provisions for Part 21 (Certification and airworthiness requirements for aircraft and parts)

Division 202.AJ.2 Transitional provisions relating to approvals of designs of modifications and repairs

Regulation 202.058A

**Subdivision 202.AJ.2.B—Amendments made by the Civil
Aviation Legislation Amendment (Part 21)
Regulation 2014**

**202.058A Approval of damage as permissible unserviceability under
regulation 21.007**

Despite the amendment of regulation 21.007 by the *Civil Aviation Legislation Amendment (Part 21) Regulation 2014*, an approval of damage as a permissible unserviceability that was in force immediately before 1 May 2014 continues in force in accordance with its terms.

Division 202.AJ.3—Transitional provisions relating to authorised persons

Subdivision 202.AJ.3.A—Amendments made by the Civil Aviation and Civil Aviation Safety Amendment Regulations 2011 (No. 1)

202.059 Authorised persons for regulations 35, 36 and 36A of CAR

- (1) This regulation applies to a person who was, immediately before 27 June 2011, an authorised person appointed under regulation 6 of CAR for the purposes of regulation 35, 36 or 36A of CAR (as in force before 27 June 2011).
- (2) CASA is taken to have appointed the person on 27 June 2011 under regulation 201.001 to be an authorised person for regulations 21.006A and 21.009 and the provisions of Subpart 21.M.
- (3) The appointment is subject to the conditions to which the person's appointment as an authorised person under regulation 6 of CAR was subject to immediately before 27 June 2011.
- (4) However, the appointment expires:
 - (a) when the person's appointment as an authorised person for regulation 35, 36 or 36A of CAR would have expired; or
 - (b) at the end of 26 June 2013; or
 - (c) when it is revoked;whichever happens first.

Regulation 202.060

**Subpart 202.AK—Transitional provisions for
Part 22 (Airworthiness standards for
sailplanes and powered sailplanes)**

**202.060 Approvals under airworthiness instruments in force before
1 July 2009**

- (1) Despite the amendments of Part 22 taking effect on 1 July 2009:
 - (a) an approval that:
 - (i) was given by CASA under a repealed provision; and
 - (ii) was in effect immediately before 1 July 2009;
has effect on and after 1 July 2009 as if those amendments had not been made; and
 - (b) CASA may suspend or cancel an approval mentioned in paragraph (a) if it is necessary in the interests of aviation safety.
- (2) In this regulation:

repealed provision means regulation 22.006, 22.007, 22.008 or 22.009 as in force immediately before 1 July 2009.

**Subpart 202.AL—Transitional provisions for
Part 23 (Airworthiness standards for
aeroplanes in the normal, utility, acrobatic
or commuter category)**

**202.070 Approvals under airworthiness instruments in force before
1 July 2009**

- (1) Despite the amendments of Part 23 taking effect on 1 July 2009:
 - (a) an approval that:
 - (i) was given by CASA under a repealed provision; and
 - (ii) was in effect immediately before 1 July 2009;has effect on and after 1 July 2009 as if those amendments had not been made; and
 - (b) CASA may suspend or cancel an approval mentioned in paragraph (a) if it is necessary in the interests of aviation safety.
- (2) In this regulation:

repealed provision means regulation 23.007 or 23.008 as in force immediately before 1 July 2009.

**Subpart 202.AN—Transitional provisions for
Part 25 (Airworthiness standards for
aeroplanes in the transport category)**

**202.090 Approvals under airworthiness instruments in force before
1 July 2009**

- (1) Despite the amendments of Part 25 taking effect on 1 July 2009:
 - (a) an approval that:
 - (i) was given by CASA under the former regulation 25.006; and
 - (ii) was in effect immediately before 1 July 2009; has effect on and after 1 July 2009 as if those amendments had not been made; and
 - (b) CASA may suspend or cancel an approval mentioned in paragraph (a) if it is necessary in the interests of aviation safety.

- (2) In this regulation:

the former regulation 25.006 means regulation 25.006 as in force immediately before 1 July 2009.

Subpart 202.AO—Transitional provisions for Part 26 (Airworthiness standards for aircraft in the primary category or intermediate category)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.100 to 202.109 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.AP Transitional provisions for Part 27 (Airworthiness standards for rotorcraft in the normal category)

**Subpart 202.AP—Transitional provisions for
Part 27 (Airworthiness standards for
rotorcraft in the normal category)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.110 to 202.119 are reserved for use in this Subpart.

Subpart 202.AR—Transitional provisions for Part 29 (Airworthiness standards for rotorcraft in the transport category)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.120 to 202.129 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.AT Transitional provisions for Part 31 (Airworthiness standards for manned free balloons)

**Subpart 202.AT—Transitional provisions for
Part 31 (Airworthiness standards for
manned free balloons)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.130 to 202.139 are reserved for use in this Subpart.

Subpart 202.AU—Transitional provisions for Part 32 (Airworthiness standards for engines for very light aeroplanes)

202.140 Approvals under airworthiness instruments in force before 1 July 2009

- (1) Despite the amendments of Part 32 taking effect on 1 July 2009:
 - (a) an approval that:
 - (i) was given by CASA under the former regulation 32.004; and
 - (ii) was in effect immediately before 1 July 2009; has effect on and after 1 July 2009 as if those amendments had not been made; and
 - (b) CASA may suspend or cancel an approval mentioned in paragraph (a) if it is necessary in the interests of aviation safety.

- (2) In this regulation:

the former regulation 32.004 means regulation 32.004 as in force immediately before 1 July 2009.

Part 202 Transitional

Subpart 202.AV Transitional provisions for Part 33 (Airworthiness standards for aircraft engines)

**Subpart 202.AV—Transitional provisions for
Part 33 (Airworthiness standards for
aircraft engines)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.150 to 202.159 are reserved for use in this Subpart.

Subpart 202.AX—Transitional provisions for Part 35 (Airworthiness standards for aircraft propellers)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.160 to 202.169 are reserved for use in this Subpart.

Subpart 202.AZ—Transitional provisions for Part 39 (Airworthiness directives)

202.170 Airworthiness directives

If an airworthiness directive issued under regulation 37A of CAR, or such an airworthiness directive as subsequently varied, had effect immediately before 1 January 2000, then, subject to these Regulations, the airworthiness directive, or the airworthiness directive as varied, continues to have effect on and after that day as if it were an airworthiness directive issued by CASA under regulation 39.001.

202.171 Application for exemption from, or variation of, requirement of airworthiness directive

If an application under regulation 42ZR of CAR for an exemption from, or a variation of, a requirement of an airworthiness directive, in so far as it relates to a particular aircraft, was still pending immediately before 1 January 2000, the application has effect as if it were a written request made by the applicant, on that day, for CASA to exclude, under regulation 39.004, the aircraft from the operation of the airworthiness directive.

202.172 Exemption from requirement of airworthiness directive

If an exemption from a requirement of an airworthiness directive granted, under regulation 42ZS of CAR, in relation to an aircraft was still in force immediately before 1 January 2000, then, subject to these Regulations, the exemption has effect as if it were an instrument issued under regulation 39.004, on that day, excluding the aircraft from the operation of the airworthiness directive.

Subpart 202.BA—Transitional provisions for Part 42 (Continuing airworthiness requirements for aircraft and aeronautical products)

202.180 Application of Part 42

- (1) Part 42 applies to:
 - (a) a registered aircraft that is authorised to operate under an AOC issued for a purpose mentioned in paragraph 206(1)(c) of CAR; and
 - (b) a registered aircraft for which an election under regulation 202.181 is in force; and
 - (c) an aeronautical product for an aircraft mentioned in paragraph (a) or (b).
- (2) Part 42 applies to a Part 145 organisation that is providing maintenance services for:
 - (a) an aircraft mentioned in paragraph (1)(a) or (b); or
 - (b) an aeronautical product for an aircraft mentioned in paragraph (1)(a) or (b).
- (3) Part 42 applies to an independent maintainer mentioned in item 4 or 5 of table 42.300 who is carrying out maintenance on an aircraft mentioned in paragraph (1)(a) or (b).

202.181 Election that Part 42 is to apply to an aircraft

- (1) This regulation applies to:
 - (a) a registered aircraft that is authorised to operate under an AOC issued for a purpose mentioned in paragraph 206(1)(a) or (b) of CAR; or
 - (b) a registered large aircraft that is not authorised to operate under an AOC.

Part 202 Transitional

Subpart 202.BA Transitional provisions for Part 42 (Continuing airworthiness requirements for aircraft and aeronautical products)

Regulation 202.183

- (2) The registered operator of the aircraft may, by written notice given to CASA, elect that Part 42 is to apply to the aircraft.
- (3) An election under this regulation must be in the approved form.
- (4) An election under this regulation is not revocable.
- (5) However, an election under this regulation for an aircraft ceases to be in force if there is a change of registered operator for the aircraft.

202.183 Application of subparagraph 42.030(2)(c)(ii) (airworthiness review certificates) to existing and new aircraft

Existing aircraft

- (1) Subparagraph 42.030(2)(c)(ii) applies to the registered operator of an existing aircraft of a particular type and model on and after the day that is 3 years after the approval day for the operator for that type and model of aircraft.
- (2) An aircraft of a particular type and model is an **existing aircraft** for a registered operator if the aircraft is mentioned in the registered operator's AOC on the approval day for the operator for that type and model of aircraft.

New aircraft

- (3) Subparagraph 42.030(2)(c)(ii) applies to the registered operator of a new aircraft of a particular type and model on and after the day after the approval day for the operator for that type and model of aircraft.
- (4) An aircraft of a particular type and model is a **new aircraft** for a registered operator if the aircraft was added to the registered operator's AOC after the approval day for the operator for that type and model of aircraft.

Approval day

- (5) In this regulation:

Regulation 202.185

approval day, for the registered operator of a particular type and model of aircraft, means the day when the operator is approved as a continuing airworthiness management organisation for that type and model of aircraft.

202.185 Approved maintenance programs taken to include approved systems of maintenance

For Part 42, a reference to an approved maintenance program for an aircraft is taken to include an approved system of maintenance for the aircraft.

202.186 Approved reliability programs taken to include reliability programs included in approved systems of maintenance

For Part 42, a reference to an approved reliability program for an aircraft is taken to include a reliability program included in an approved system of maintenance for the aircraft.

**202.187 Defects recorded in maintenance releases
(regulation 42.355)**

- (2) For regulation 42.355, if a maintenance release that is in force for an aircraft immediately before Part 42 begins to apply to the aircraft is endorsed with information about a defect in the aircraft, the defect is taken to be recorded in the continuing airworthiness records system for the aircraft.

- (3) In this regulation:

maintenance release, for the registered operator of an aircraft, includes another document approved by CASA for use by the operator as an alternative for the purposes of regulation 49 or 50 of CAR.

**202.188 References to authorised release certificates
(subparagraphs 42.420(5)(a)(i) and (b)(i))**

For subparagraphs 42.420(5)(a)(i) and (b)(i), a reference to an authorised release certificate is taken to include an authorised

Regulation 202.191

release certificate, within the meaning given by subclause 18(1) of Part 2 of the Dictionary, that is issued before 27 June 2013.

202.191 Maintenance certification taken to include certification of completion of maintenance (paragraph 42.745(c))

- (1) This regulation applies to an approved maintenance organisation that, before becoming an approved maintenance organisation:
 - (a) was the holder of a certificate of approval that covered maintenance of aircraft or aircraft components; and
 - (b) carried out maintenance on an aircraft.
- (2) For paragraph 42.745(c), a reference to maintenance certification having been performed for maintenance carried out on an aircraft is taken to include, in relation to maintenance mentioned in paragraph (1)(b), certification of the completion of the maintenance in accordance with regulation 42ZE or 42ZN of CAR.

202.193 Reference to maintenance carried out in accordance with Part 42 (subparagraph 42.795(c)(i))

- (1) This regulation applies to an approved maintenance organisation that, before becoming an approved maintenance organisation:
 - (a) was the holder of a certificate of approval that covered maintenance of aircraft or aircraft components; and
 - (b) carried out maintenance:
 - (i) on an aeronautical product that is an aircraft component; and
 - (ii) in accordance with the approved maintenance data for the component.

Note: For the definition of *approved maintenance data*, see subsection 2(1) of CAR.
- (2) For subparagraph 42.795(c)(i), a reference to maintenance having been carried out on the product in accordance with Part 42 is taken to include maintenance mentioned in paragraph (1)(b).

Regulation 202.194

**202.194 CASA may direct making of applications under
regulation 42.585**

- (1) CASA may direct the registered operator of an aircraft of a particular type and model to make an application under regulation 42.585 for approval as a continuing airworthiness management organisation for that type and model of aircraft.
- (2) A direction under this regulation must:
 - (a) be in writing; and
 - (b) specify the time within which the direction must be complied with.
- (3) A person to whom a direction is given must comply with the direction within the time specified in the direction.

Note: CASA intends to give directions under this regulation to assist it in managing the implementation of Part 42.

**Subpart 202.BD—Transitional provisions for
Part 45 (Display of nationality and
registration marks)**

202.200 Australian aircraft marked in accordance with CAR

Despite Part 45, an Australian aircraft registered before 1 October 2000 need not bear markings that comply with that Part until it is repainted if, until then, the aircraft bears nationality marks and registration marks in accordance with Division 7 of Part 3 of CAR (as in force immediately before 1 October 2000).

Subpart 202.BF—Transitional provisions for Part 47 (Registration of aircraft and related matters)

Division 202.BF.1—Transitional provisions relating to the commencement of Part 47

202.220 Definitions for Division 202.BF.1

In this Division:

certificate of registration means a certificate of registration issued under the old Regulations.

eligible person has the meaning given by regulation 47.010.

old Regulations means CAR as in force immediately before 15 November 2004.

property interest has the meaning given by the old Regulations.

registered operator has the meaning given by regulation 47.100.

202.221 Continuation of Aircraft Register

- (1) For Subpart 47.B, the Aircraft Register mentioned in regulation 8 of the old Regulations (the *Aircraft Register*) continues in existence under the name *Australian Civil Aircraft Register*.
- (2) Entries made in the Aircraft Register under Part 3 of the old Regulations are incorporated in, and form part of, the Australian Civil Aircraft Register.

202.222 Reference to holder of a certificate of registration

- (1) A reference in CAR to the holder of a certificate of registration of an aircraft is taken to be a reference to the registered operator of the aircraft.

Part 202 Transitional

Subpart 202.BF Transitional provisions for Part 47 (Registration of aircraft and related matters)

Division 202.BF.1 Transitional provisions relating to the commencement of Part 47

Regulation 202.223

- (2) A duty imposed on the holder of a certificate of registration of an aircraft is taken to be imposed on the registered operator of the aircraft.

202.223 Registration under CAR to continue

- (1) The registration of an aircraft in the Aircraft Register continues as if the old Regulations were still in force until:
- (a) the day when CASA registers, or refuses to register, the aircraft under Part 47; or
 - (b) CASA cancels the registration.

Note: After 15 November 2005, CASA may cancel or suspend the registration of an aircraft if the owner of the aircraft does not reply to a request made under subregulation 202.225(5).

- (2) However, CASA must not accept an application for a change of any details about an aircraft that are kept in the Aircraft Register, other than an application for:
- (a) a change of name or address of the holder of the certificate of registration, or a property interest holder, of the aircraft; or
 - (b) the cancellation of the registration of the aircraft.
- (3) If the registration of an aircraft is suspended under the old Regulations, the suspension continues as if the old Regulations were still in force.

202.224 Pending applications or notices

- (1) This regulation applies if:
- (a) before 15 November 2004, a person applied to CASA or sent CASA a notice under Part 3 of the old Regulations; and
 - (b) on or after 15 November 2004, CASA had not decided about the application or acted on the notice.
- (2) CASA must decide about the application or act on the notice as if the old Regulations were still in force.

202.225 Application to register aircraft under Part 47

- (1) The owner of an aircraft that is registered in the Aircraft Register may apply to CASA to register the aircraft under Part 47.
- (2) The application must be made in an approved form and include:
 - (a) the aircraft's registration mark, manufacturer, model and serial number; and
 - (b) the name, address and signature of the owner of the aircraft; and
 - (c) the registered operator's name and postal address, and:
 - (i) if the registered operator is an individual—his or her home address; or
 - (ii) if the registered operator is a corporation—the address of the corporation's registered office; and
 - (d) the name, address and signature of the person who holds the certificate of registration; and
 - (e) the name, address and signature of each person who holds a property interest in the aircraft.
- (3) If CASA receives an application in accordance with subregulation (2), CASA must register the aircraft.
- (4) However, CASA may approve an application without 1 or more of the signatures required by paragraph (2)(e), if there is other evidence available to demonstrate that the application is genuine.
- (5) If, after 15 November 2005, CASA asks an applicant, or the owner of an aircraft, to provide information, or take an action, to complete an application in the approved form, the applicant, or owner, must provide the information, or take the action, within 90 days of CASA making the request.

Note: Regulation 47.045 of CASR sets out relevant directions about communicating with CASA.
- (6) CASA may cancel or suspend the registration of the aircraft if the applicant, or owner of the aircraft, fails to comply with subregulation (5).

Part 202 Transitional

Subpart 202.BF Transitional provisions for Part 47 (Registration of aircraft and related matters)

Division 202.BF.1 Transitional provisions relating to the commencement of Part 47

Regulation 202.225

Note: An explanation of the procedures that apply in relation to a suspension are set out in the advisory circular AC 47-1 which can be viewed at, or downloaded from, CASA's website: www.casa.gov.au.

Division 202.BF.2—Amendments made by the Civil Aviation Safety Amendment (Cape Town Convention) Regulation 2014

202.226 Definitions for Division 202.BF.2

In this Division:

amending regulation means the *Civil Aviation Safety Amendment (Cape Town Convention) Regulation 2014*.

commencement means the commencement of the amending regulation.

202.227 Application of regulation 47.131A

Regulation 47.131A applies if:

- (a) CASA became aware, before commencement, that a registered operator of an aircraft was not an eligible person, but CASA has not, as at commencement, issued a notice cancelling the registration of the aircraft; or
- (b) CASA becomes aware, after commencement, that a registered operator of an aircraft is not an eligible person (whether the aircraft is registered before or after commencement).

202.228 Application of regulation 47.165

The amendment of regulation 47.165 made by the amending regulation applies in relation to applications under that regulation approved after commencement (whether the application is made before or after commencement).

Subpart 202.CA—Transitional provisions for Part 60 (Synthetic training devices)

202.240 Definitions for this Subpart

In this Subpart:

accreditation, of a flight simulator, means accreditation of the flight simulator under Part 45 of the Civil Aviation Orders for the purpose of granting an approval of the flight simulator under the old regulations, and includes an accreditation certificate issued for that purpose.

flight simulator qualification has the meaning given by regulation 60.015.

old regulations means CAR as in force immediately before 18 September 2003.

transitional accreditation, of a flight simulator, means accreditation of the flight simulator that is continued in force on and after 18 September 2003 by regulation 202.241 as if it were a flight simulator qualification.

202.241 Transitional accreditation—flight simulators

- (1) The accreditation of a flight simulator that was in force immediately before 18 September 2003 at a level (the **old level**) specified in column 2 of an item in table 202.241 continues to be in force on and after that day, subject to subregulations (2), (3) and (4), as if it were a flight simulator qualification for the flight simulator at the level (the **new level**) specified in column 3 of that item.
- (2) A transitional accreditation remains subject to any conditions to which it was subject immediately before 18 September 2003.
- (3) A transitional accreditation continues in force until the sooner of the following:

Regulation 202.241

- (a) the date of expiry of the accreditation;
 - (b) 18 September 2004.
- (4) However, a transition accreditation ceases if:
- (a) it is cancelled; or
 - (b) there is a change of operator of the simulator or device; or
 - (c) the simulator or device is deactivated or relocated.

Table 202.241 Accreditation and qualification levels

Item	Old level	New level
1	3	B
2	4	C
3	5	D

Subpart 202.CB—Transitional provisions for Part 61 (Flight crew licensing)

Division 202.CB.1—Amendments made by regulations commencing 1 September 2014

Note: The regulations comprise:

- (a) the *Civil Aviation Legislation Amendment Regulation 2013 (No. 1)*; and
- (b) the *Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013*; and
- (c) the *Civil Aviation Legislation Amendment (Flight Crew Licensing) Regulation 2014*.

Subdivision 202.CB.1.1—General

202.260 Application of Division 202.CB.1—balloons excluded

This Division does not apply in relation to an old authorisation for a balloon.

202.261 Definitions for Division 202.CB.1

In this Division:

amendments means:

- (a) the amendments of these Regulations made by:
 - (i) the *Civil Aviation Legislation Amendment Regulation 2013 (No. 1)*; and
 - (ii) the *Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013*; and
 - (iii) the *Civil Aviation Legislation Amendment (Flight Crew Licensing) Regulation 2014*; and
- (b) the amendments of the following commencing on 1 September 2014:
 - (i) Civil Aviation Order 26.6;
 - (ii) Civil Aviation Order 29.10;
 - (iii) Civil Aviation Order 29.11;

(iv) Civil Aviation Order 82.6.

approved course of training: see regulation 61.010.

Certificate IV in Training and Assessment: see regulation 61.010.

cessation time, for an old authorisation that is continued in force under this Division, means the earliest of the following:

- (a) when the old authorisation expires or is surrendered or cancelled;
- (b) when CASA grants a new authorisation to the holder of the old authorisation as a replacement for the old authorisation;
- (c) the end of 31 August 2018.

continued authorisation means an old authorisation that is continued in force under subregulation 202.263(1) or subparagraph 202.264(2)(b)(ii).

new authorisation means a flight crew licence, rating or endorsement granted under Part 61.

old authorisation:

- (a) means a civil aviation authorisation to carry out an activity essential to, or associated with, the operation of an aircraft in flight (a ***flight activity***) issued under either of the following before 1 September 2014:
 - (i) Part 5 of CAR;
 - (ii) a relevant CAO; and
- (b) includes the following:
 - (i) an appointment as an approved person under a relevant CAO for a flight activity;
 - (ii) an approval or certification, including a certification in a personal log book, under CAR or a relevant CAO to carry out a flight activity;
 - (iii) a delegation under CAR to give a permission (however described) to conduct a flight activity.

relevant CAO means any of the following:

- (a) a Civil Aviation Order made under Part 5 of CAR;
- (b) Civil Aviation Order 26.6;

Regulation 202.262

- (c) Civil Aviation Order 29.10;
- (d) Civil Aviation Order 29.11;
- (e) Civil Aviation Order 82.6.

time-limited authorisation: see regulation 11.015.

202.262 Application of Division 202.CB.1 to student pilot licences

- (1) This Division applies to a student pilot licence issued under Part 5 of CAR only if the holder of the licence passed a general flying progress test under Part 5 of CAR before 1 September 2014.
- (2) For this Division, the student pilot licence is taken to be equivalent to a recreational pilot licence.

Subdivision 202.CB.1.2—Continued authorisations

202.263 Continuation of old authorisations

- (1) Despite the amendments, an old authorisation that was in force immediately before 1 September 2014 is continued in force on and after 1 September 2014 according to its terms.
- (2) Part 61 applies to the continued authorisation as if it were the equivalent new authorisation.
- (2A) For subregulation (2), if the old authorisation is an aircraft endorsement for a type of aircraft for which there is no equivalent pilot type rating, the aircraft endorsement is taken to be equivalent to a class rating for the class of aircraft that includes the type of aircraft.
- (3) The continued authorisation ceases to be in force at its cessation time.
- (4) Subregulation (3) applies despite Parts 11 and 61.

202.264 Continuation of suspended old authorisations

- (1) This regulation applies to an old authorisation that was under suspension immediately before 1 September 2014.

- (2) Despite the amendments:
- (a) the suspension continues according to its terms on and after 1 September 2014; and
 - (b) if the suspension ends before the cessation time for the authorisation:
 - (i) the old authorisation comes back into force at the end of the suspension; and
 - (ii) the old authorisation is continued in force on and after the time mentioned in subparagraph (i) according to its terms; and
 - (iii) Part 61 applies to the old authorisation as if it were the equivalent new authorisation; and
 - (iv) the old authorisation ceases to be in force at its cessation time.
- (3) Subparagraph (2)(b)(iv) applies despite Parts 11 and 61.

202.265 Non-finalised action to vary, suspend or cancel old authorisations

Action to vary, suspend or cancel a person's old authorisation that, immediately before 1 September 2014, had not been finally determined is taken to be the same action in relation to the person's continued authorisation.

202.266 Removal of conditions on certain continued authorisations

Pilot licence conditions about airspace

- (1) Subregulation (2) applies to a continued authorisation that is equivalent to a pilot licence if the authorisation is subject to the condition that operations are limited to:
- (a) flight within 25 nautical miles of the departure aerodrome; or
 - (b) flight within a flight training area; or
 - (c) flight direct between the departure aerodrome and a flight training area.
- (2) If this subregulation applies, CASA must remove the condition if:

Regulation 202.266

- (a) the licence holder applies to CASA, in writing, for the removal of the condition; and
 - (b) the licence holder meets the requirements for the grant of a private pilot licence or commercial pilot licence under Part 61.
- (3) Subregulation (4) applies to a continued authorisation that is equivalent to a pilot licence if the authorisation is subject to the condition that operations as pilot in command are limited to uncontrolled airspace and any other class of airspace endorsed in the licence holder's personal log book by an instructor before 1 September 2014.
- (4) If this subregulation applies, CASA must remove the condition if:
 - (a) the licence holder applies to CASA, in writing, for the removal of the condition; and
 - (b) the licence holder meets the requirements for the grant of a controlled airspace endorsement under Part 61.

Instrument rating conditions about acting as pilot in command under IFR

- (5) Subregulation (6) applies to a continued authorisation that is equivalent to an instrument rating if the authorisation is subject to the condition that the holder is not authorised to act as pilot in command under the IFR.
- (6) If this subregulation applies, CASA must remove the condition, to the extent that it relates to a particular aircraft category or class, if:
 - (a) the holder applies to CASA, in writing, for the removal of the condition; and
 - (b) the holder meets the requirements for the grant, under Part 61, of:
 - (i) an instrument rating; and
 - (ii) an instrument endorsement that would authorise the holder to pilot an aircraft of that category or class under the IFR.

Type rating conditions about acting as pilot in command

- (7) Subregulation (8) applies to a continued authorisation that is equivalent to an aircraft type rating if the authorisation is subject to the condition that the holder must not act as pilot in command of the relevant aircraft type.
- (8) If this subregulation applies, CASA must remove the condition if:
 - (a) the holder applies to CASA, in writing, for the removal of the condition; and
 - (b) the holder meets the requirements for the grant of the type rating under Part 61.
- (9) In this regulation:
 - instructor*: see regulation 61.010.
 - pilot licence*: see regulation 61.010.

202.267 Flight review and proficiency check requirements

- (1) Subregulation (2) applies to the holder of a continued authorisation at a particular time if:
 - (a) the continued authorisation is equivalent to a private instrument rating; and
 - (b) the holder would have met the flight review requirements for the continued authorisation at that time if the amendments had not been made.
- (2) Despite Part 61, the holder is taken to meet the flight review requirements for the continued authorisation at that time.
- (3) Subregulation (4) applies to the holder of a continued authorisation (the ***first authorisation***) at a particular time if:
 - (a) the first authorisation is equivalent to a rating, other than a private instrument rating, for which there are flight review requirements under Part 61; and
 - (b) the holder also holds a continued authorisation (the ***second authorisation***), other than a student pilot licence, that is equivalent to a flight crew licence; and

Regulation 202.268

- (c) the holder would have met the flight review requirements for the second authorisation at that time if the amendments had not been made.
- (4) Despite Part 61, the holder is taken to meet the flight review requirements for the first authorisation at that time.
- (5) Subregulation (6) applies at a particular time if:
 - (a) an old authorisation that is continued in force under this Division was, before the amendments, a time-limited authorisation; and
 - (b) the old authorisation would have remained in force at that time if the amendments had not been made.
- (6) Despite Part 61, the holder of the old authorisation is taken to meet the proficiency check requirements for the equivalent new authorisation at that time.

202.268 Removal of limitation on exercise of privileges of private or commercial pilot licences—multi-crew operations

- (1) Regulation 61.510 does not apply to the holder of a continued authorisation that is equivalent to a private pilot licence if, before 1 September 2015, the holder conducted a multi-crew operation.
- (2) Regulation 61.575 does not apply to the holder of a continued authorisation that is equivalent to a commercial pilot licence if, before 1 September 2015, the holder conducted a multi-crew operation.

Note: Under regulations 61.510 and 61.575, a licence holder is authorised to exercise the privileges of the licence only if the holder has completed an approved course of training in multi-crew cooperation.

202.268A Removal of limitation on exercise of privileges of class rating for aircraft prescribed under regulation 61.062

Regulation 61.747 does not apply to the holder of a continued authorisation that is equivalent to a class rating if:

- (a) the holder held an aircraft endorsement, for an aircraft covered by the class rating, that was in force immediately before 1 September 2014; and

- (b) the endorsement was for a type of aircraft prescribed in an instrument under regulation 61.062.

202.269 Personal log books under regulation 5.51 of CAR—certain continued authorisations

- (1) This regulation applies to the holder of a continued authorisation that is equivalent to:
 - (a) a flight crew licence; or
 - (b) a certificate of validation for a flight crew licence.
- (2) Regulation 61.355 (Retention of personal logbooks) applies to the holder as if a reference to a personal logbook under regulation 61.345 or 61.350 included a reference to the personal logbook that the holder was required to keep under regulation 5.51 of CAR as in force immediately before 1 September 2014.
- (3) Regulation 61.365 (Production of personal logbooks) applies to the holder as if a reference to the holder's personal logbook included a reference to the personal logbook that the holder was required to keep under regulation 5.51 of CAR as in force immediately before 1 September 2014.

202.270 Extended meaning of *licence document* in Part 61

- (1) This regulation applies to the holder of a continued authorisation.
- (2) A reference to a licence document in Part 61 is taken to include a reference to the document issued to the holder by CASA showing the authorisations that were granted to the holder before 1 September 2014 under:
 - (a) Part 5 of CAR; or
 - (b) a relevant CAO.

202.271 Expiry of Subdivision 202.CB.1.2 at end of 31 August 2018

This Subdivision, and the entries for this Subdivision in the Part 202 table of contents, expire at the end of 31 August 2018 as if they had been repealed by another regulation.

Subdivision 202.CB.1.3—New authorisations for holders of continued authorisations

202.272 Grant of equivalent new authorisations

- (1) Despite Parts 11 and 61, the holder of a continued authorisation is taken to have applied for, and to meet the requirements for, the grant of the equivalent new authorisation.
- (1A) However, the holder of a continued aircraft endorsement is taken to meet the requirements for the grant of the equivalent aircraft class or type rating only if the holder also holds a continued authorisation that is equivalent to a flight crew licence.
- (2) Unless the continued authorisation is sooner cancelled under these Regulations, CASA must, under the provision of Part 61 that provides for the grant of the authorisation, before 1 September 2018:
 - (a) grant the equivalent new authorisation to the holder; and
 - (b) issue a new licence document to the holder indicating that the holder holds the equivalent new authorisation.
- (3) If, when CASA grants the new authorisation, the continued authorisation is under suspension, the new authorisation is suspended until the time the suspension of the continued authorisation would, according to its terms, have ended.
- (4) If, when CASA grants the new authorisation, the continued authorisation is subject to a condition, other than a condition set out in a relevant CAO, the new authorisation must be granted subject to an equivalent condition.

Limitation on exercise of privileges of helicopter grade 2 training endorsements

- (5) Despite subregulation (1), the holder of a grade 2 training endorsement (helicopter) that is granted in accordance with subregulation (2) is authorised to conduct the activities mentioned in column 2 of item 2 of table 61.1235 only if the holder meets the requirements mentioned in column 3 of the item.

202.273 Expiry of Subdivision 202.CB.1.3 at end of 31 August 2018

This Subdivision, and the entries for this Subdivision in the Part 202 table of contents, expire at the end of 31 August 2018 as if they had been repealed by another regulation.

Subdivision 202.CB.1.4—Other provisions

202.274 Non-finalised applications for old authorisations

- (1) An application for the issue of an old authorisation that, immediately before 1 September 2014, had not been finally determined is taken to be an application for the grant of the equivalent new authorisation.
- (2) For subregulation (1), and despite Parts 11 and 61, if a person met the requirements for the grant of an old authorisation before 1 September 2014, but the old authorisation had not been granted, the person is taken to meet the requirements for the grant of the equivalent new authorisation on 1 September 2014.
- (3) This regulation, and the entry for this regulation in the Part 202 table of contents, expire at the end of 31 August 2018 as if they had been repealed by another regulation.

202.275 Eligibility for ratings—former holders of time-limited authorisations

- (1) This regulation applies to a person if:
 - (a) before 1 September 2014, the person held an old authorisation that is equivalent to an operational rating (other than a flight examiner rating); and
 - (b) the old authorisation was time-limited; and
 - (c) the old authorisation expired before 1 September 2014.
- (2) Despite Parts 11 and 61, the person is taken to meet the requirements for the grant of the equivalent operational rating.
- (3) In this regulation:
operational rating: see regulation 61.010.

Regulation 202.276

- (4) This regulation, and the entry for this regulation in the Part 202 table of contents, expire at the end of 31 August 2018 as if they had been repealed by another regulation.

202.276 Flight review and proficiency check requirements for certain new authorisations

- (1) Subregulation (2) applies at a particular time to the holder of a new authorisation granted on the basis of regulation 202.272 if:
- (a) the new authorisation has flight review requirements; and
 - (b) the holder would have met the flight review requirements for the equivalent continued authorisation if it were still in force at that time.
- (2) Despite Part 61, the holder is taken to meet the flight review requirements for the new authorisation at that time.
- (2A) To avoid doubt, the holder of an aircraft class rating or type rating granted on the basis of regulation 202.272 must meet the flight review requirements for the rating under Part 61.
- (3) Subregulation (4) applies at a particular time to the holder of a new authorisation granted on the basis of regulation 202.272 if:
- (a) the new authorisation has proficiency check requirements; and
 - (b) the new authorisation is equivalent to an old authorisation that was a time-limited authorisation; and
 - (c) the old authorisation would not have expired by that time if the amendments had not been made.
- (4) Despite Part 61, the holder is taken to meet the proficiency check requirements for the new authorisation at that time.
- (5) This regulation, and the entry for this regulation in the Part 202 table of contents, expire at the end of 31 August 2018 as if they had been repealed by another regulation.

202.277 Personal log books under regulation 5.51 of CAR—certain new authorisations

- (1) This regulation applies to the holder of:
 - (a) a flight crew licence; or
 - (b) a certificate of validation for a flight crew licence; granted on the basis of regulation 202.272.
- (2) Regulation 61.355 (Retention of personal logbooks) applies to the holder as if a reference to a personal logbook under regulation 61.345 or 61.350 included a reference to the personal logbook that the holder was required to keep under regulation 5.51 of CAR as in force immediately before 1 September 2014.
- (3) Regulation 61.365 (Production of personal logbooks) applies to the holder as if a reference to the holder's personal logbook included a reference to the personal logbook that the holder was required to keep under regulation 5.51 of CAR as in force immediately before 1 September 2014.

202.277A Grant of private pilot licence with helicopter category rating on basis of old requirements

- (1) An applicant for a private pilot licence with a helicopter category rating is taken to meet the requirements of paragraphs 61.515(2)(b), (c) and (d) if the applicant meets the requirements mentioned in paragraphs 5.87(1)(d), (e) and (f) of CAR, as in force immediately before 1 September 2014.
- (2) For subregulation (1):
 - (a) CASA may set and conduct a private pilot (helicopter) licence flight test; and
 - (b) the helicopter syllabus published under regulation 5.59 of CAR, as in force immediately before 1 September 2014:
 - (i) continues in force; and
 - (ii) may be amended as if that regulation had not been repealed; and
 - (c) regulation 5.93 of CAR, as in force immediately before 1 September 2014, continues in force.

Regulation 202.277B

- (3) This regulation, and the entry for this regulation in the Part 202 table of contents, expire at the end of 31 August 2017 as if they had been repealed by another regulation.

202.277B Grant of commercial pilot licence with helicopter category rating on basis of old requirements

- (1) An applicant for a commercial pilot licence with a helicopter category rating is taken to meet the requirements of paragraphs 61.580(2)(b), (c) and (d) if the applicant meets the requirements mentioned in paragraphs 5.120(1)(d), (e) and (f) of CAR, as in force immediately before 1 September 2014.
- (2) For subregulation (1):
- (a) CASA may set and conduct a commercial pilot (helicopter) licence flight test; and
 - (b) the helicopter syllabus published under regulation 5.59 of CAR, as in force immediately before 1 September 2014:
 - (i) continues in force; and
 - (ii) may be amended as if that regulation had not been repealed; and
 - (c) regulation 5.127 of CAR, as in force immediately before 1 September 2014, continues in force.
- (3) This regulation, and the entry for this regulation in the Part 202 table of contents, expire at the end of 31 August 2017 as if they had been repealed by another regulation.

202.277C English competency for certain holders of student pilot licences

- (1) Subregulation (2) applies to a person who:
- (a) held a student pilot licence immediately before 1 September 2014; and
 - (b) had not passed a general flying progress flight test under Part 5 of CAR before that day.
- (2) The person is taken to have been assessed by CASA as meeting the general English language proficiency standard mentioned in the Part 61 Manual of Standards.

202.278 Grant of pilot type ratings on basis of overseas training and assessment

- (1) An applicant for a pilot type rating is taken to meet the requirements of subregulation 61.810(3) (Requirements for grant of pilot type ratings) if CASA is satisfied that:
 - (a) the applicant has completed training, conducted by a training provider that is authorised by the national aviation authority of a recognised foreign State to conduct the training, for the grant of an overseas rating; and
 - (b) the applicant has been assessed, by a person who is authorised by the national aviation authority of the recognised foreign State to conduct the assessment, as meeting the flight test standard for the grant of the overseas rating; and
 - (c) the training meets the standards specified in the Part 61 Manual of Standards for training for the rating; and
 - (d) the overseas rating is at least equivalent to the rating.
- (2) This regulation, and the entry for this regulation in the Part 202 table of contents, expire at the end of 31 August 2018 as if they had been repealed by another regulation.

202.279 Instrument proficiency checks partially conducted by foreign-authorised person

- (1) This regulation applies in relation to:
 - (a) an instrument proficiency check mentioned in paragraph 61.650(3)(d) or (e) for the holder of a multi-crew pilot licence; and
 - (b) an instrument proficiency check mentioned in paragraph 61.695(3)(d) or (e) for the holder of an air transport pilot licence; and
 - (c) an instrument proficiency check mentioned in paragraph 61.880(3)(e) or (f) for the holder of an instrument rating.
- (2) The holder is taken to have successfully completed the instrument proficiency check if:

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Subpart 202.CB Transitional provisions for Part 61 (Flight crew licensing)

Division 202.CB.1 Amendments made by regulations commencing 1 September 2014

Regulation 202.281

- (a) a person who is authorised by the national aviation authority of a recognised State to conduct an instrument proficiency check (however named) conducts a check of the holder; and
 - (b) the check meets the authority's flight standards for a proficiency check; and
 - (c) CASA or a flight examiner:
 - (i) assesses the holder against the knowledge standards mentioned in the Part 61 Manual of Standards for the instrument proficiency check; and
 - (ii) is satisfied that the holder meets the knowledge standards; and
 - (iii) endorses the holder's licence document to the effect that the holder has completed the instrument proficiency check.
- (3) This regulation, and the entry for this regulation in the Part 202 table of contents, expire at the end of 31 August 2018 as if they had been repealed by another regulation.

202.281 Expiry of Division 202.CB.1 at end of 31 August 2025

This Division, and the entries for this Division in the Part 202 table of contents, expire at the end of 31 August 2025 as if they had been repealed by another regulation.

Subpart 202.CE—Transitional provisions for Part 64 (Authorisations for non-licensed personnel)

Division 202.CE.1—Amendments made by regulations commencing 1 September 2014

- Note: The regulations comprise:
- (a) the *Civil Aviation Legislation Amendment Regulation 2013 (No. 1)*; and
 - (b) the *Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013*; and
 - (c) the *Civil Aviation Legislation Amendment (Flight Crew Licensing) Regulation 2014*.

Subdivision 202.CE.1.1—Aircraft radiotelephone operator certificate of proficiency

202.300 Definitions for Subdivision 202.CE.1.1

In this Subdivision:

aeronautical radio operator certificate: see regulation 64.010.

amendments means the amendments made by:

- (a) the *Civil Aviation Legislation Amendment Regulation 2013 (No. 1)*; and
- (b) the *Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013*; and
- (c) the *Civil Aviation Legislation Amendment (Flight Crew Licensing) Regulation 2014*.

cessation time, for an old authorisation that is continued in force under this Subdivision, means the earliest of the following:

- (a) when the old authorisation expires or is surrendered or cancelled;
- (b) when CASA grants a new authorisation to the holder of the old authorisation as a replacement for the old authorisation;

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Subpart 202.CE Transitional provisions for Part 64 (Authorisations for non-licensed personnel)

Division 202.CE.1 Amendments made by regulations commencing 1 September 2014

Regulation 202.301

(c) the end of 31 August 2018.

continued authorisation means an old authorisation that is continued in force under subregulation 202.301(1) or subparagraph 202.302(2)(b)(ii).

old authorisation means:

- (a) a flight radio operator's licence issued under Part 5 of CAR;
or
- (b) an aircraft radiotelephone operator certificate of proficiency issued under regulation 83A of CAR.

202.301 Continuation of old authorisations

- (1) Despite the amendments, an old authorisation that was in force immediately before 1 September 2014 is continued in force on and after 1 September 2014 according to its terms.
- (2) These Regulations apply to the continued authorisation as if the authorisation were an aeronautical radio operator certificate.
- (3) The continued authorisation ceases to be in force at its cessation time.
- (4) Subregulation (3) applies despite Parts 11 and 64.

202.302 Continuation of suspended old authorisations

- (1) This regulation applies to an old authorisation that was under suspension immediately before 1 September 2014.
- (2) Despite the amendments:
 - (a) the suspension continues according to its terms on and after 1 September 2014; and
 - (b) if the suspension ends before the cessation time for the authorisation:
 - (i) the old authorisation comes back into force at the end of the suspension; and
 - (ii) the old authorisation is continued in force on and after the time mentioned in subparagraph (i) according to its terms; and

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- (iii) these Regulations apply to the old authorisation as if it were an aeronautical radio operator certificate; and
 - (iv) the old authorisation ceases to be in force at the cessation time for the authorisation.
- (3) Subparagraph (2)(b)(iv) applies despite Parts 11 and 64.

202.303 Non-finalised action to vary, suspend or cancel old authorisations

Action to vary, suspend or cancel a person's old authorisation that, immediately before 1 September 2014, had not been finally determined is taken to be the same action in relation to the person's continued authorisation.

202.304 Grant of aeronautical radio operator certificates

- (1) Despite Parts 11 and 64, the holder of a continued authorisation is taken to have applied for, and to meet the requirements for, the grant of an aeronautical radio operator certificate.
- (1A) However, the holder is not taken to have applied for the grant of an aeronautical radio operator certificate if, under regulation 202.272, the holder is taken to have applied for, and met the requirements for, the grant of a flight crew licence under Part 61.
- (2) Unless the continued authorisation is sooner cancelled under these Regulations, CASA must, under regulation 64.030, before 1 September 2018:
 - (a) grant an aeronautical radio operator certificate to the holder; and
 - (b) issue a new document to the holder, indicating that the holder holds the aeronautical radio operator certificate.
- (3) If, when CASA grants the new authorisation, the continued authorisation is under suspension, the aeronautical radio operator certificate is suspended until the time the suspension of the continued authorisation would, according to its terms, have ended.
- (4) If, when CASA grants the new authorisation, the continued authorisation is subject to a condition, the aeronautical radio

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operator certificate must be granted subject to an equivalent condition.

202.305 Non-finalised applications for old authorisations

- (1) An application for the issue of an old authorisation that, immediately before 1 September 2014, had not been finally decided is taken to be an application for the grant of an aeronautical radio operator certificate.
- (2) For subregulation (1), and despite Parts 11 and 64, if a person met the requirements for the grant of an old authorisation before 1 September 2014, but the old authorisation had not been granted, the person is taken to meet the requirements for the grant of an aeronautical radio operator certificate on 1 September 2014.

Subdivision 202.CE.1.2—Approval to taxi an aeroplane

202.307 Definitions for Subdivision 202.CE.1.2

In this Subdivision:

amendments means:

- (a) the amendments of these Regulations made by:
 - (i) the *Civil Aviation Legislation Amendment Regulation 2013 (No. 1)*; and
 - (ii) the *Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013*; and
 - (iii) the *Civil Aviation Legislation Amendment (Flight Crew Licensing) Regulation 2014*; and
- (b) the amendments of Civil Aviation Order 20.22 commencing on 1 September 2014.

certificate of competency: see regulation 64.010.

cessation time, for an old authorisation that is continued in force under this Subdivision, means the earlier of the following:

- (a) when the old authorisation expires or is surrendered or cancelled;
- (b) the end of 31 August 2018.

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continued authorisation means an old authorisation that is continued in force under subregulation 202.308(1) or subparagraph 202.309(2)(b)(ii).

old authorisation means:

- (a) an approval issued under regulation 229 of CAR entitling a person to taxi an aeroplane; or
- (b) an approval issued under Civil Aviation Order 20.22 entitling a person to taxi an aircraft.

202.308 Continuation of old authorisations

- (1) Despite the amendments, an old authorisation that was in force immediately before 1 September 2014 continues in force on and after 1 September 2014 according to its terms.
- (2) These Regulations apply to the continued authorisation as if the authorisation were a certificate of competency.
- (3) The continued authorisation ceases to be in force at its cessation time.
- (4) Subregulation (3) applies despite Parts 11 and 64.

202.309 Continuation of suspended old authorisations

- (1) This regulation applies to an old authorisation that was under suspension immediately before 1 September 2014.
- (2) Despite the amendments:
 - (a) the suspension continues according to its terms on and after 1 September 2014; and
 - (b) if the suspension ends before the cessation time for the authorisation:
 - (i) the old authorisation comes back into force at the end of the suspension; and
 - (ii) the old authorisation is continued in force on and after the time mentioned in subparagraph (i) according to its terms; and

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Subpart 202.CE Transitional provisions for Part 64 (Authorisations for non-licensed personnel)

Division 202.CE.1 Amendments made by regulations commencing 1 September 2014

Regulation 202.310

- (iii) these Regulations apply to the old authorisation as if it were a certificate of competency; and
 - (iv) the old authorisation ceases to be in force at the cessation time for the authorisation.
- (3) Subparagraph (2)(b)(iv) applies despite Parts 11 and 64.

202.310 Non-finalised action to vary, suspend or cancel old authorisations

Action to vary, suspend or cancel a person's old authorisation that, immediately before 1 September 2014, had not been finally determined is taken to be the same action in relation to the person's continued authorisation.

202.311 Production of continued authorisation

- (1) This regulation applies to the holder of an old authorisation that is continued in force under this Subpart.
- (2) Regulation 64.060 (Production of certificate of competency) applies to the holder as if a reference to the holder's certificate of competency were a reference to the holder's old authorisation.

Subdivision 202.CE.1.3—Expiry of Division 202.CE.1

202.312 Expiry of Division 202.CE.1 at end of 31 August 2018

This Division, and the entries for this Division in the Part 202 table of contents, expire at the end of 31 August 2018 as if they had been repealed by another regulation.

Subpart 202.CF—Transitional provisions for Part 65 (Air traffic services licensing)

202.320 Manual of Standards for Part 65

- (1) A document called ‘Manual of Standards (MOS) – Part 65’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 65.033.
- (2) The procedures in regulations 65.033A, 65.033B and 65.033C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

202.321 Persons holding certain licences

- (1) In this regulation:

old licence means an air traffic controller licence or a flight service officer licence issued under CAR and in force (or suspended) immediately before 1 May 2003.
- (2) A person who, immediately before 1 May 2003, held an old licence (including a licence that is suspended) is taken to hold a corresponding licence issued under Part 65.
- (3) A rating, endorsement or qualification endorsed on an old licence is taken to continue in force for the period during which it would have been in force but for that Part.
- (4) A licence that a person is taken to hold under subregulation (2), or a rating, endorsement or qualification mentioned in subregulation (3), may be suspended or cancelled as if it had been granted under that Part.
- (5) An old licence that, immediately before 1 May 2003, was suspended is taken, on and after that day, to continue to be suspended.

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Subpart 202.CF Transitional provisions for Part 65 (Air traffic services licensing)

Regulation 202.321

- (6) For the purposes of action against the holder of an old licence mentioned in subregulation (5), the amendments of CAR by regulation 4 of, and Schedule 2 to, the *Civil Aviation Amendment Regulations 2002 (No. 2)* are to be disregarded.

Subpart 202.CG—Transitional provisions for Part 66 (Continuing airworthiness— aircraft engineer licences and ratings)

202.340 Having regard to other airworthiness authorities in granting aircraft engineer licences

If:

- (a) a person holds, or has held, an airworthiness authority of the kind mentioned in paragraph 33B(1)(a) of CAR; and
 - (b) CASA grants an aircraft engineer licence to the person;
- CASA must have regard to the authority in granting the licence.

202.341 Category A licence holders and certification of completion of maintenance

- (1) Despite anything in Part 4A of CAR, a person may certify completion of maintenance if:
 - (a) the person is a category A licence holder; and
 - (b) the maintenance is mentioned in Appendix II to the Part 145 Manual of Standards; and
 - (c) the person certifies completion of the maintenance:
 - (i) in accordance with regulation 42ZE of CAR; and
 - (ii) on behalf of a holder of a certificate of approval under regulation 30 of CAR.
- (2) If a person certifies completion of maintenance in accordance with subregulation (1), the person is taken, for the purposes of regulation 42ZC of CAR, to be permitted by that regulation to carry out the maintenance.
- (3) A person commits an offence of strict liability if:
 - (a) the person is a category A licence holder; and
 - (b) the person certifies completion of maintenance:
 - (i) in accordance with regulation 42ZE of CAR; and

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- (ii) on behalf of a holder of a certificate of approval under regulation 30 of CAR; and
- (c) one or more of the following apply:
 - (i) the person did not carry out the maintenance;
 - (ii) the maintenance is not mentioned in Appendix II to the Part 145 Manual of Standards.

Penalty: 50 penalty units.

- (4) A reference in subregulation (3) to maintenance does not include supervision of maintenance.

202.342 Category A licence holders and final certificates for completion of maintenance

- (1) Despite anything in Part 4A of CAR, a person may issue a final certificate for completion of maintenance for an aircraft in relation to maintenance carried out on the aircraft if:
 - (a) the person is a category A licence holder; and
 - (b) the maintenance is mentioned in Appendix II to the Part 145 Manual of Standards; and
 - (c) he or she issues the final certificate for completion of maintenance:
 - (i) in accordance with Part 4 of Schedule 6 of CAR; and
 - (ii) on behalf of the holder of a certificate of approval under regulation 30 of CAR.
- (2) If a person issues a final certificate for completion of maintenance in accordance with subregulation (1), the person is taken, for the purposes of regulation 42ZC of CAR, to be permitted by that regulation to carry out the maintenance.
- (3) A person commits an offence of strict liability if:
 - (a) the person is a category A licence holder; and
 - (b) the person issues a final certificate for completion of maintenance:
 - (i) in accordance with Part 4 of Schedule 6 of CAR; and
 - (ii) on behalf of the holder of a certificate of approval under regulation 30 of CAR; and

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- (c) the maintenance is not mentioned in Appendix II to the Part 145 Manual of Standards.

Penalty: 50 penalty units.

- (4) A reference in subregulation (3) to maintenance does not include supervision of maintenance.

202.343 Category A licence holders and endorsing maintenance releases

- (1) Despite anything in Part 4A of CAR, a person may endorse a maintenance release for an aircraft for the purposes of regulation 48 of CAR if:
 - (a) the person is a category A licence holder; and
 - (b) the maintenance is mentioned in Appendix II to the Part 145 Manual of Standards; and
 - (c) the endorsement is on behalf of the holder of a certificate of approval under regulation 30 of CAR.
- (2) If a person endorses a maintenance release in accordance with subregulation (1), the person is taken, for the purposes of regulation 42ZC of CAR, to be permitted by that regulation to carry out the maintenance.
- (3) A person commits an offence of strict liability if:
 - (a) the person is a category A licence holder; and
 - (b) the person endorses a maintenance release on behalf of the holder of a certificate of approval under regulation 30 of CAR; and
 - (c) the maintenance is not mentioned in Appendix II to the Part 145 Manual of Standards.

Penalty: 50 penalty units.

Subpart 202.CH—Transitional provisions for Part 67 (Medical)

202.360 Medical certificates issued under *Civil Aviation Regulations 1988*

- (1) A medical certificate or special medical certificate issued before 3 September 2003, under Part 6 of CAR, as in force at any time before that day, continues to have, on and after that day, the same force and effect as it would have had if that Part had continued in force.
- (2) Such a certificate may be suspended or cancelled under Part 67.
- (3) Subject to subregulation (4), such a certificate expires at the time it would have expired if Part 6 of CAR had continued in force.
- (4) The period during which such a certificate is in force may be extended under Part 67, but not beyond the end of 1 year after the day when the certificate would expire if the period had not been extended.

202.361 Designated aviation medical examiners appointed under *Civil Aviation Regulations 1988*

- (1) The appointment of a person, before 3 September 2003, as a designated aviation medical examiner continues to have effect according to its terms.
- (2) Such an appointment may be cancelled in accordance with Part 67.

202.362 Actions by Director of Aviation Medicine

- (1) In this regulation:

Principal Medical Officer means the officer of CASA occupying, or performing the duties of, the position in CASA of that title, and includes a person who occupied, or performed the duties of, the

Regulation 202.363

former position in CASA known as ‘Director of Aviation Medicine’.

- (2) An approval given by the Principal Medical Officer, before 3 September 2003, for the purposes of a provision of Schedule 1 to CAR, as in force at any time before that day, continues to have effect according to its terms, on and after that day, as if CASA had given the approval for the purposes of the corresponding provision of table 67.150, table 67.155 or table 67.160.

202.363 Applications for issue of medical certificates pending on 3 September 2003

- (1) This regulation applies if:
- (a) an application under Part 6 of the old regulations for the issue of a medical certificate was pending immediately before 3 September 2003; and
 - (b) the application was in accordance with that Part as then in force.
- (2) The application is taken, for these Regulations, to be an application for the issue of the medical certificate, made, on 3 September 2003, in accordance with Subpart 67.C.
- (3) If an examination required for the issue of the medical certificate under Part 6 of the old regulations had commenced but was not completed before 3 September 2003, the examination is taken to have commenced under Subpart 67.C.
- (4) In this regulation:

old regulations means CAR as in force at any time before 3 September 2003.

Subpart 202.DA—Transitional provisions for Part 71 (Airspace)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.380 to 202.399 are reserved for use in this Subpart.

Subpart 202.EA—Transitional provisions for Part 90 (Additional airworthiness requirements)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.400 to 202.419 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.EB Transitional provisions for Part 91 (General operating and flight rules)

**Subpart 202.EB—Transitional provisions for
Part 91 (General operating and flight
rules)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.420 to 202.439 are reserved for use in this Subpart.

Subpart 202.EC—Transitional provisions for Part 92 (Consignment and carriage of dangerous goods by air)

202.440 Approval of certain training courses and instructors

- (1) Subregulations (2) and (3) have effect if the Governor-General has made regulations that will amend CASR to require the approval of:
 - (a) courses of training in relation to dangerous goods; and
 - (b) instructors to give such courses;and those regulations have been registered but have not come into force.
- (2) CASA may approve such a course of training, or such an instructor, for the purposes of CASR as so to be amended.
- (3) Such an approval may be expressed to be for the purposes of a provision of CASR as so to be amended.
- (4) Such an approval given before the amending regulations come into force is not, after those regulations come into force, ineffective only because it was given before those regulations came into force.

Subpart 202.FA—Transitional provisions for Part 101 (Unmanned aircraft and rockets)

202.460 Authorisations, permissions and approvals in force immediately before 1 July 2002

- (1) Despite the amendment of CAR by Schedule 2 to the *Civil Aviation Amendment Regulations 2001 (No. 4)*, and despite any repeal of regulation 4 of those Regulations, an authorisation given under regulation 137 of CAR, or a permission given under regulation 259, 260 or 295 of CAR, before 1 July 2002 continues to have effect according to its terms.
- (2) Such an authorisation or permission may be amended or revoked as if it were an approval given under Part 101.
- (3) Despite any repeal of regulation 4 of the *Civil Aviation Amendment Regulations 2001 (No. 4)*, an approval given by CASA, before 1 July 2002, of an area as an area for the operation or launching of unmanned aircraft or rockets continues to have effect according to its terms.
- (4) An approval referred to in subregulation (3) may be revoked or amended as if it had been given under Part 101.

Subpart 202.FC—Transitional provisions for Part 103 (Sport and recreational aviation operations)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.480 to 202.499 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.FE Transitional provisions for Part 105 (Sport and recreational parachuting from aircraft)

**Subpart 202.FE—Transitional provisions for
Part 105 (Sport and recreational
parachuting from aircraft)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.500 to 202.519 are reserved for use in this Subpart.

Subpart 202.FJ—Transitional provisions for Part 115 (Operations using sport aviation aircraft for non-recreational activities)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.520 to 202.539 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.FL Transitional provisions for Part 119 (Air operator certification—air transport)

**Subpart 202.FL—Transitional provisions for
Part 119 (Air operator certification—air
transport)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.540 to 202.559 are reserved for use in this Subpart.

Subpart 202.FN—Transitional provisions for Part 121A (Air transport operations—large aeroplanes)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.560 to 202.579 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.FO Transitional provisions for Part 121B (Air transport operations—small aeroplanes)

**Subpart 202.FO—Transitional provisions for
Part 121B (Air transport operations—
small aeroplanes)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.580 to 202.599 are reserved for use in this Subpart.

Subpart 202.FR—Transitional provisions for Part 129 (Air operator certification— foreign operators)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.600 to 202.619 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.FT Transitional provisions for Part 133 (Air transport and aerial work operations—rotorcraft)

**Subpart 202.FT—Transitional provisions for
Part 133 (Air transport and aerial work
operations—rotorcraft)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.620 to 202.639 are reserved for use in this Subpart.

**Subpart 202.FV—Transitional provisions for
Part 136 (Aerial work operations—other
than those covered by Parts 133, 137, 138,
141 and 142)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.640 to 202.659 are reserved for use in this
Subpart.

Part 202 Transitional

Subpart 202.FW Transitional provisions for Part 137 (Aerial agriculture operations—other than rotorcraft)

**Subpart 202.FW—Transitional provisions for
Part 137 (Aerial agriculture operations—
other than rotorcraft)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.660 to 202.679 are reserved for use in this Subpart.

Subpart 202.FX—Transitional provisions for Part 138 (Search and rescue operations)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.680 to 202.699 are reserved for use in this Subpart.

Subpart 202.FY—Transitional provisions for Part 139 (Aerodromes)

202.700 Definitions for this Subpart

In this Subpart:

old regulations means CAR as in force immediately before 2 May 2003.

Rules and Practices for Aerodromes means the document called ‘Rules and Practices for Aerodromes’, published by CASA, as in force immediately before 2 May 2003.

transitional aerodrome licence means an aerodrome licence that is continued in force after 2 May 2003 by regulation 202.701 as if it were an aerodrome certificate granted under regulation 139.050.

202.701 Aerodrome licences issued under CAR

An aerodrome licence in force under Part 9 of the old regulations immediately before 2 May 2003 continues in force on and after that day as if it were an aerodrome certificate granted under regulation 139.050.

202.702 Conditions of transitional aerodrome licences

A transitional aerodrome licence remains subject to any conditions to which it was subject immediately before 2 May 2003 (including any condition to which the licence was subject under regulation 303 of CAR).

202.703 Duration of transitional aerodrome licences

Despite regulation 139.065, a transitional aerodrome licence continues in force, unless sooner cancelled, until the earlier of the following:

Regulation 202.704

- (a) CASA grants an aerodrome certificate in respect of the aerodrome under regulation 139.050;
- (b) 1 May 2006.

202.704 Previous aerodrome manuals and standards for aerodromes

- (1) This regulation applies to the operator of an aerodrome if the operator holds a transitional aerodrome licence for the aerodrome.
- (2) The operator is taken to satisfy the requirements of Division 139.B.2 of CASR if the operator has an aerodrome manual for the aerodrome that, immediately before 2 May 2003, satisfied the requirements of Part 9, Division 3 of the old regulations.
- (3) The operator is taken to comply with regulation 139.165 if the operator complies with any requirements or standards for the physical characteristics of the movement area of an aerodrome that:
 - (a) are set out or referred to in the Rules and Practices for Aerodromes; and
 - (b) applied to the operator in respect of the aerodrome immediately before 2 May 2003.
- (4) The operator is taken to comply with regulations 139.170, 139.190 and 139.195 if the operator complies with any requirements or standards for the marking and lighting of the movement area of an aerodrome that:
 - (a) are set out or referred to in the Rules and Practices for Aerodromes; and
 - (b) applied to the operator in respect of the aerodrome immediately before 2 May 2003.
- (5) The operator is taken to comply with regulations 139.175 and 139.180 if the operator complies with any requirements or standards for the signal area and wind direction indicators for an aerodrome that:
 - (a) are set out or referred to in the Civil Aviation Orders; and
 - (b) applied to the operator in respect of the aerodrome immediately before 2 May 2003.

Regulation 202.705

- (6) The operator is taken to comply with regulation 139.355 if the operator complies with any requirements and standards for the establishment of obstacle limitation surfaces for an aerodrome that:
 - (a) are set out or referred to in the Rules and Practices for Aerodromes; and
 - (b) applied to the operator in respect of the aerodrome immediately before 2 May 2003.

202.705 Exemptions

- (1) An exemption from a provision of Part 9 of the old regulations (the *old provision*) that:
 - (a) was granted to the operator of an aerodrome under regulation 89ZD of the old regulations; and
 - (b) was in effect immediately before 2 May 2003;continues in force on and after that day as if it were an exemption granted to the operator under regulation 139.020 from the provision of these Regulations, or the Manual of Standards, that corresponds to the old provision.
- (2) Any such exemption continues in force subject to any conditions to which it was subject immediately before that day.
- (3) In this regulation:
Manual of Standards has the meaning given by regulation 139.010.

Subpart 202.FYH—Transitional provisions for Subpart 139.H (Aerodrome rescue and fire fighting services)

202.710 Manual of Standards for Subpart 139.H

- (1) A document called ‘Manual of Standards (MOS) – Subpart 139.H’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 139.712.
- (2) The procedures in regulations 139.712A, 139.712B and 139.712C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

**Subpart 202.GA—Transitional provisions for
Part 141 (Recreational, private and
commercial pilot flight training, other than
certain integrated training courses)**

**Division 202.GA.1—Amendments made by regulations
commencing 1 September 2014**

Note: The regulations comprise:

- (a) the *Civil Aviation Legislation Amendment Regulation 2013 (No. 1)*; and
- (b) the *Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013*; and
- (c) the *Civil Aviation Legislation Amendment (Flight Crew Licensing) Regulation 2014*.

202.720 Definitions for Division 202.GA.1

A term that is used in this Division has the same meaning in this Division as it has in Part 141.

**202.721 AOCs and approvals under regulation 60.055 held
immediately before 1 September 2014**

- (1) This regulation applies if:
 - (a) immediately before 1 September 2014, a person held an AOC authorising the holder to engage in flying training (the *old training*); and
 - (b) the old training is equivalent to Part 141 flight training conducted in an aeroplane, rotorcraft or airship (the *new training*).
- (2) This regulation also applies if:
 - (a) before 1 September 2014, a person conducted training (the *old training*) in a qualified flight simulator or qualified flight training device; and

Regulation 202.722

- (b) the old training is equivalent to Part 141 flight training conducted in a flight simulation training device (the ***new training***); and
 - (c) immediately before 1 September 2014, the person held an approval under regulation 60.055 as a user of the simulator or device.
- (3) On 1 September 2014, the person is taken to have applied for, and to meet the requirements mentioned in regulations 11.055 and 141.060 for the issue of, a Part 141 certificate that authorises the person to conduct the new training.
- (4) A Part 141 certificate issued to the person on the basis of subregulation (3) must be issued subject to the conditions of the person's AOC or approval that relate to the old training.
- (5) A Part 141 certificate issued to the person on the basis of subregulation (3) ceases to have effect at the earlier of the following times:
- (a) the end of 31 August 2017;
 - (b) if it is cancelled—when it is cancelled.

202.722 AOCs and approvals under regulation 60.055 that were under suspension immediately before 1 September 2014

- (1) This regulation applies if:
- (a) before 1 September 2014, a person held an AOC authorising the holder to engage in flying training (the ***old training***); and
 - (b) the old training is equivalent to Part 141 flight training conducted in an aeroplane, rotorcraft or airship (the ***new training***); and
 - (c) immediately before 1 September 2014, the AOC was under suspension in relation to some or all of the old training (the ***suspended old training***).
- (2) This regulation also applies if:
- (a) before 1 September 2014, a person held an approval under regulation 60.055 as a user of a qualified flight simulator or qualified flight training device; and

Part 202 Transitional

Subpart 202.GA Transitional provisions for Part 141 (Recreational, private and commercial pilot flight training, other than certain integrated training courses)

Division 202.GA.1 Amendments made by regulations commencing 1 September 2014

Regulation 202.723

- (b) before 1 September 2014, the person conducted training (the *old training*) in the simulator or device; and
 - (c) the old training is equivalent to Part 141 flight training conducted in a flight simulation training device (the *new training*); and
 - (d) immediately before 1 September 2014, the approval was under suspension in relation to some or all of the old training (the *suspended old training*).
- (3) On 1 September 2014, the person is taken to have applied for, and to meet the requirements mentioned in regulations 11.055 and 141.060 for the issue of, a Part 141 certificate that authorises the person to conduct the new training.
- (4) A Part 141 certificate issued to a person on the basis of subregulation (3):
 - (a) must be issued subject to the conditions of the person's AOC or approval that relate to the old training; and
 - (b) is taken to have been suspended in relation to the new training that is equivalent to the suspended old training.
- (5) CASA may, by written notice given to the holder of the certificate, revoke the suspension of the certificate.
- (6) A Part 141 certificate issued to the person on the basis of subregulation (3) ceases to have effect at the earlier of the following times:
 - (a) the end of 31 August 2017;
 - (b) if it is cancelled—when it is cancelled.

202.723 Applications for AOCs and approvals under regulation 60.055 made but not finally determined before 1 September 2014

- (1) This regulation applies if, before 1 September 2014:
 - (a) a person applied for an AOC that would have authorised the person to engage in flying training that is equivalent to Part 141 flight training conducted in an aeroplane, rotorcraft or airship; and
 - (b) the application was not finally determined by CASA.
-

Regulation 202.724

- (2) This regulation also applies if, before 1 September 2014:
 - (a) a person applied for an approval under regulation 60.055 to be a user of a qualified flight simulator or qualified flight training device; and
 - (b) the person intended to conduct training in the simulator or device that is equivalent to Part 141 flight training conducted in a flight simulation training device; and
 - (c) the application was not finally determined by CASA.
- (3) CASA must determine whether CASA would have issued the AOC or approval to the person.
- (4) If CASA determines that CASA would have issued the AOC or approval to the person, the person is taken to have applied for, and to meet the requirements mentioned in regulations 11.055 and 141.060 for the issue of, a Part 141 certificate that authorises the person to conduct the Part 141 flight training.
- (5) If CASA determines that CASA would not have issued the AOC or approval to the person, CASA must give the person written notice of:
 - (a) the determination; and
 - (b) the reasons for the determination.
- (6) A Part 141 certificate issued to the person on the basis of subregulation (4) ceases to have effect at the earlier of the following times:
 - (a) the end of 31 August 2017;
 - (b) if it is cancelled—when it is cancelled.

**202.724 Application of Part 141 to certain Part 141 operators—
references to operations manual**

- (1) This regulation applies if a Part 141 operator holds a Part 141 certificate that was issued on the basis of subregulation 202.721(3), 202.722(3) or 202.723(4).
- (2) Part 141 applies to the operator as if references in Part 141 to the operator's operations manual were references to the following documents:

Part 202 Transitional

Subpart 202.GA Transitional provisions for Part 141 (Recreational, private and commercial pilot flight training, other than certain integrated training courses)

Division 202.GA.1 Amendments made by regulations commencing 1 September 2014

Regulation 202.726

- (a) the operations manual the operator held immediately before 1 September 2014;
- (b) the operator's dangerous goods manual (if any);
- (c) the operator's training and checking manual (if any);
- (d) each document for which the operator holds an approval under these Regulations or the Civil Aviation Orders.

202.726 Application of Part 141 to certain Part 141 operators without Part 60 quality systems

- (1) This regulation applies if:
 - (a) a Part 141 operator holds a Part 141 certificate that was issued on the basis of subregulation 202.721(3), 202.722(3) or 202.723(4); and
 - (b) immediately before 1 September 2014, the operator did not have a quality system under regulation 60.060 for a qualified flight simulator or qualified flight training device.
- (2) The operator does not contravene a provision of Part 141 only because the operator does not have a quality system.

202.727 Application of Part 141 to certain Part 141 operators—provisions that do not apply

- (1) This regulation applies if a Part 141 operator holds a Part 141 certificate that was issued on the basis of subregulation 202.721(3), 202.722(3) or 202.723(4).
- (2) A provision mentioned in table 202.727 does not apply to the operator.

Table 202.727—Part 141 provisions that do not apply

Item	Provision
1	regulations 141.080, 141.090 and 141.095
2	subparagraph 141.130(4)(b)(ii)
3	regulations 141.200 and 141.260

Regulation 202.727A

202.727A Application of subregulation 141.085(3) (about applications for approval of significant changes)

- (1) This regulation applies if a Part 141 operator holds a Part 141 certificate that was issued on the basis of subregulation 202.721(3), 202.722(3) or 202.723(4).
- (2) The operator is taken to have applied to CASA for the approval of a significant change in accordance with subregulation 141.085(4) if the operator makes the application to CASA for the approval of a significant change:
 - (a) in writing; and
 - (b) setting out the change.

Note: Under this regulation, the requirement in paragraph 141.085(4)(c) does not apply to the operator.

202.728 References to standardisation and proficiency checks for instructors for certain Part 141 operators

- (1) This regulation applies if, immediately before 1 September 2014:
 - (a) a Part 141 operator held an AOC that authorised the holder to engage in flying training; and
 - (b) an instructor for the operator was engaged by the AOC holder to give flying training.
- (2) The instructor is taken to hold a valid standardisation and proficiency check for the operator under regulation 141.190 on a day if, within 12 months before the day, the instructor satisfactorily completed a standardisation and proficiency flight check conducted by the AOC holder's chief flying instructor.

Note: See paragraph 9.10 of Civil Aviation Order 40.1.7 (in relation to standardisation and proficiency flight checks for aeroplanes) and paragraph 11.6 of Civil Aviation Order 40.3.7 (in relation to standardisation and proficiency flight checks for helicopters).

202.729 Expiry of Division 202.GA.1 at end of 31 August 2017

This Division, and the entries for this Division in the Part 202 table of contents, expire at the end of 31 August 2017 as if they had been repealed by another regulation.

**Subpart 202.GB—Transitional provisions for
Part 142 (Integrated and multi-crew pilot
flight training, contracted recurrent
training and contracted checking)**

**Division 202.GB.1—Amendments made by regulations
commencing 1 September 2014**

Note: The regulations comprise:

- (a) the *Civil Aviation Legislation Amendment Regulation 2013 (No. 1)*; and
- (b) the *Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013*; and
- (c) the *Civil Aviation Legislation Amendment (Flight Crew Licensing) Regulation 2014*.

202.740 Definitions for Division 202.GB.1

A term that is used in this Division has the same meaning in this Division as it has in Part 142.

**202.741 AOCs authorising flying training—if in force immediately
before 1 September 2014**

- (1) This regulation applies to an AOC if, immediately before 1 September 2014:
 - (a) the AOC authorised the flying or operation of an aeroplane, rotorcraft or airship for flying training (the *old training*); and
 - (b) the AOC was in force.
- (2) While the AOC is in force, and subject to any changes to the AOC:
 - (a) the AOC is taken to authorise the flying or operation of the aeroplane, rotorcraft or airship for Part 142 flight training that is equivalent to the old training; and
 - (b) subject to any changes to the conditions of the AOC, any conditions of the AOC that relate to the old training are taken to apply to the Part 142 flight training.

**202.742 AOCs authorising flying training—if under suspension
immediately before 1 September 2014**

- (1) This regulation applies to an AOC if, immediately before 1 September 2014:
 - (a) the AOC authorised the flying or operation of an aeroplane, rotorcraft or airship for flying training (the *old training*); and
 - (b) the AOC was under suspension in relation to the old training.
- (2) If the suspension is lifted, then, while the AOC is in force, and subject to any changes to the AOC:
 - (a) the AOC is taken to authorise the flying or operation of the aeroplane, rotorcraft or airship for Part 142 flight training that is equivalent to the old training; and
 - (b) subject to any changes to the conditions of the AOC, any conditions of the AOC that relate to the old training are taken to apply to the Part 142 flight training.

**202.743 Applications for AOCs authorising flying training—if made
but not finally determined before 1 September 2014**

- (1) This regulation applies if, before 1 September 2014:
 - (a) a person applied for an AOC authorising the flying or operation of an aeroplane, rotorcraft or airship for flying training (the *proposed training*); and
 - (b) the application was not finally determined by CASA.
- (2) The application is taken to be an application for an AOC for Part 142 flight training that is equivalent to the proposed training.

**202.744 Approvals under regulation 60.055 held immediately before
1 September 2014**

- (1) This regulation applies if:
 - (a) before 1 September 2014, a person conducted training (the *old training*) in a qualified flight simulator or qualified flight training device; and

Part 202 Transitional

Subpart 202.GB Transitional provisions for Part 142 (Integrated and multi-crew pilot flight training, contracted recurrent training and contracted checking)

Division 202.GB.1 Amendments made by regulations commencing 1 September 2014

Regulation 202.745

- (b) the old training is equivalent to Part 142 flight training conducted in a flight simulation training device (the *new training*); and
 - (c) immediately before 1 September 2014, the person held an approval under regulation 60.055 as a user of the simulator or device.
- (2) On 1 September 2014, the person is taken to have applied for, and to meet the requirements mentioned in regulations 11.055 and 142.110 for the issue of, a certificate under Division 142.B.2 that authorises the person to conduct the new training.
- (3) A certificate under Division 142.B.2 issued to the person on the basis of subregulation (2) must be issued subject to the conditions of the person's approval that relate to the old training.
- (4) A certificate under Division 142.B.2 issued to the person on the basis of subregulation (2) ceases to have effect at the earlier of the following times:
 - (a) the end of 31 August 2017;
 - (b) if it is cancelled—when it is cancelled.

202.745 Approvals under regulation 60.055 that were under suspension immediately before 1 September 2014

- (1) This regulation applies if:
 - (a) before 1 September 2014, a person held an approval under regulation 60.055 as a user of a qualified flight simulator or qualified flight training device; and
 - (b) before 1 September 2014, the person conducted training (the *old training*) in the simulator or device; and
 - (c) the old training is equivalent to Part 142 flight training conducted in a flight simulation training device (the *new training*); and
 - (d) immediately before 1 September 2014, the approval was under suspension in relation to some or all of the old training (the *suspended old training*).
 - (2) On 1 September 2014, the person is taken to have applied for, and to meet the requirements mentioned in regulations 11.055 and
-

Regulation 202.746

142.110 for the issue of, a certificate under Division 142.B.2 that authorises the person to conduct the new training.

- (3) A certificate under Division 142.B.2 issued to the person on the basis of subregulation (2):
 - (a) must be issued subject to the conditions of the person's approval that relate to the old training; and
 - (b) is taken to have been suspended in relation to the new training that is equivalent to the suspended old training.
- (4) CASA may, by written notice given to the holder of the certificate, revoke the suspension of the certificate.
- (5) A certificate under Division 142.B.2 issued to the person on the basis of subregulation (2) ceases to have effect at the earlier of the following times:
 - (a) the end of 31 August 2017;
 - (b) if it is cancelled—when it is cancelled.

202.746 Applications for approvals under regulation 60.055 made but not finally determined before 1 September 2014

- (1) This regulation applies if, before 1 September 2014:
 - (a) a person applied for an approval under regulation 60.055 to be a user of a qualified flight simulator or qualified flight training device; and
 - (b) the person intended to conduct training in the simulator or device that is equivalent to Part 142 flight training conducted in a flight simulation training device; and
 - (c) the application was not finally determined by CASA.
- (2) CASA must determine whether CASA would have issued the approval to the person.
- (3) If CASA determines that CASA would have issued the approval to the person, the person is taken to have applied for, and to meet the requirements mentioned in regulations 11.055 and 142.110 for the issue of, a certificate under Division 142.B.2 that authorises the person to conduct the Part 142 flight training.

Part 202 Transitional

Subpart 202.GB Transitional provisions for Part 142 (Integrated and multi-crew pilot flight training, contracted recurrent training and contracted checking)

Division 202.GB.1 Amendments made by regulations commencing 1 September 2014

Regulation 202.747

- (4) If CASA determines that CASA would not have issued the approval to the person, CASA must give the person written notice of:
 - (a) the determination; and
 - (b) the reasons for the determination.
- (5) A certificate under Division 142.B.2 issued to the person on the basis of subregulation (3) ceases to have effect at the earlier of the following times:
 - (a) the end of 31 August 2017;
 - (b) if it is cancelled—when it is cancelled.

**202.747 Application of Part 142 to certain Part 142 operators—
references to exposition**

- (1) This regulation applies if a Part 142 operator holds:
 - (a) an AOC mentioned in regulation 202.741 or 202.742; or
 - (aa) an AOC granted on the basis of an application to which regulation 202.743 applied; or
 - (b) a certificate under Division 142.B.2 that was issued on the basis of subregulation 202.744(2), 202.745(2) or 202.746(3).
- (2) Part 142 applies to the operator as if references in Part 142 to the operator's exposition were references to the following documents:
 - (a) the operator's operations manual;
 - (b) the operator's dangerous goods manual (if any);
 - (c) the operator's training and checking manual (if any);
 - (d) each document for which the operator holds an approval under these Regulations or the Civil Aviation Orders.

**202.748 Application of Part 142 to certain Part 142 operators with
Part 60 quality systems—safety management system and
quality assurance management system**

- (1) This regulation applies if:
 - (a) a Part 142 operator holds a certificate under Division 142.B.2 that was issued on the basis of subregulation 202.744(2), 202.745(2) or 202.746(3); and

Regulation 202.749

- (b) immediately before 1 September 2014, the operator had a quality system under regulation 60.060 for a qualified flight simulator or qualified flight training device.
- (2) For regulation 142.260, the quality system is taken to meet the requirements of regulation 142.265 for a safety management system.
- (3) For regulation 142.270, the quality system is taken to meet the requirements of regulation 142.275 for a quality assurance management system.

202.749 Application of Part 142 to certain Part 142 operators without Part 60 quality systems—safety and quality assurance management systems not required

- (1) This regulation applies if:
 - (a) a Part 142 operator holds:
 - (i) an AOC mentioned in regulation 202.741 or 202.742; or
 - (ia) an AOC granted on the basis of an application to which regulation 202.743 applied; or
 - (ii) a certificate under Division 142.B.2 that was issued on the basis of subregulation 202.744(2), 202.745(2) or 202.746(3); and
 - (b) immediately before 1 September 2014, the operator did not have a quality system under regulation 60.060 for a qualified flight simulator or qualified flight training device.
- (2) The operator does not contravene a provision of Part 142 only because the operator does not have:
 - (a) a safety management system; or
 - (b) a quality assurance management system.

202.750 Application of Part 142 to certain Part 142 operators—provisions that do not apply

- (1) This regulation applies if a Part 142 operator holds:
 - (a) an AOC mentioned in regulation 202.741 or 202.742; or

Part 202 Transitional

Subpart 202.GB Transitional provisions for Part 142 (Integrated and multi-crew pilot flight training, contracted recurrent training and contracted checking)

Division 202.GB.1 Amendments made by regulations commencing 1 September 2014

Regulation 202.751

- (aa) an AOC granted on the basis of an application to which regulation 202.743 applied; or
 - (b) a certificate under Division 142.B.2 that was issued on the basis of subregulation 202.744(2), 202.745(2) or 202.746(3).
- (2) A provision mentioned in table 202.750 does not apply to the operator.

Table 202.750 Part 142 provisions that do not apply

Item	Provision
1	regulation 142.025, definition of <i>key personnel</i> , paragraphs (c) and (d)
2	regulations 142.135, 142.140, 142.145 and 142.150
3	subparagraph 142.190(2)(n)(iii)
4	regulations 142.195, 142.200, 142.205, 142.210, 142.335 and 142.340

202.751 References to standardisation and proficiency checks for instructors for certain Part 142 operators

- (1) This regulation applies to an instructor for a Part 142 operator if, immediately before 1 September 2014:
- (a) the operator held an AOC that authorised the holder to engage in flying training; and
 - (b) the instructor was engaged by the AOC holder to give flying training.
- (2) The instructor is taken to hold a valid standardisation and proficiency check for the operator under regulation 142.325 on a day if, within 12 months before the day, the instructor satisfactorily completed a standardisation and proficiency flight check conducted by the AOC holder's chief flying instructor.

Note: See paragraph 9.10 of Civil Aviation Order 40.1.7 (in relation to standardisation and proficiency flight checks for aeroplanes) and paragraph 11.6 of Civil Aviation Order 40.3.7 (in relation to standardisation and proficiency flight checks for helicopters).

202.752 Expiry of Division 202.GB.1 at end of 31 August 2017

This Division, and the entries for this Division in the Part 202 table of contents, expire at the end of 31 August 2017 as if they had been repealed by another regulation.

**Subpart 202.GC—Transitional provisions for
Part 143 (Air traffic services training
providers)**

202.760 Manual of Standards for Part 143

- (1) A document called ‘Manual of Standards (MOS) – Part 143’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 143.017.
- (2) The procedures in regulations 143.017A, 143.017B and 143.017C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

Subpart 202.GD—Transitional provisions for Part 144 (Product distribution organisations)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.780 to 202.799 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.GE Transitional provisions for Part 145 (Continuing airworthiness—Part 145 approved maintenance organisations)

Division 202.GE.1 Amendments made by the Civil Aviation and Civil Aviation Safety Amendment Regulations 2010 (No. 1)

Regulation 202.800

**Subpart 202.GE—Transitional provisions for
Part 145 (Continuing airworthiness—
Part 145 approved maintenance
organisations)**

**Division 202.GE.1—Amendments made by the Civil
Aviation and Civil Aviation Safety Amendment
Regulations 2010 (No. 1)**

**202.800 CASA may direct making of applications under
regulation 145.025**

- (1) CASA may direct the holder of a certificate of approval that covers maintenance of an aircraft or aeronautical product to which Part 42 applies to make an application under regulation 145.025 for approval as a Part 145 organisation.
- (2) A direction under this regulation must:
 - (a) be in writing; and
 - (b) specify the time within which the direction must be complied with.
- (3) The holder of the certificate must comply with the direction within the time specified in the direction.

Note: CASA intends to give directions under this regulation to assist it in managing the implementation of Part 145.

**Division 202.GE.2—Amendments made by the Civil
Aviation Legislation Amendment (Maintenance
and Other Matters) Regulation 2013**

**Subdivision 202.GE.2.1—Part 145 organisations undertaking
CAR maintenance activities—general**

**202.801 Interpretation for Division 202.GE.2—Part 145 references
to maintenance services taken to include references to
CAR maintenance activities**

For this Division:

- (a) the references in paragraphs (b) and (c) of the definition of *accountable manager* in subregulation 145.010(1) to providing maintenance services are taken to include references to undertaking CAR maintenance activities; and
- (b) the reference in paragraph 145.010(2)(d) to the maintenance services provided by an organisation is taken to include a reference to the CAR maintenance activities undertaken by the organisation; and
- (c) the reference in paragraph 145.010(2)(f) to the maintenance services that an organisation is approved to provide is taken to include a reference to the CAR maintenance activities that the organisation is approved to undertake.

**202.802 Interpretation for Division 202.GE.2—Part 145 definition of
*approval rating***

For this Division, the definition of *approval rating* in subregulation 145.010(1) is taken to include a rating for a kind of aircraft, aircraft component or aircraft material specified in the Part 145 Manual of Standards in relation to CAR maintenance activities.

Part 202 Transitional

Subpart 202.GE Transitional provisions for Part 145 (Continuing airworthiness—Part 145 approved maintenance organisations)

Division 202.GE.2 Amendments made by the Civil Aviation Legislation Amendment (Maintenance and Other Matters) Regulation 2013

Regulation 202.803

202.803 Interpretation for Division 202.GE.2—Part 145 definition of *significant change*

For this Division, the definition of *significant change* in subregulation 145.010(2) is taken to include the following:

- (a) a change to the CAR maintenance activities undertaken by the organisation, if the change would require a change to the approval ratings mentioned in the organisation's approval certificate;
- (b) a change to the organisation's facilities, equipment, tools, materials, procedures or employees that could adversely affect the organisation's ability to undertake the CAR maintenance activities that it is approved to undertake;
- (c) a change to the organisation's system of certification of completion of maintenance.

202.804 Part 145 Manual of Standards—additional matters for CAR maintenance activities

A Manual of Standards issued under regulation 145.015 may specify the following matters in relation to CAR maintenance activities:

- (a) ratings for kinds of aircraft, aircraft components and aircraft materials;
- (b) requirements for a Part 145 organisation's exposition;
- (c) the privileges that apply to an approval rating;
- (d) requirements for undertaking CAR maintenance activities, including requirements in relation to the following:
 - (i) a system of certification of completion of maintenance;
 - (ii) aircraft, aircraft components and aircraft materials;
 - (iii) defects;
 - (iv) writing procedures for meeting the requirements of Parts 4, 4A and 4B of CAR.

**Subdivision 202.GE.2.2—Part 145 organisations undertaking
CAR maintenance activities—approval of
organisations**

202.805 Applying for approval

- (1) An application under regulation 145.025 may cover the undertaking of CAR maintenance activities.
- (2) If the application covers the undertaking of CAR maintenance activities, the application must include the approval rating sought by the applicant for each kind of aircraft, aircraft component or aircraft material for which the applicant proposes to undertake CAR maintenance activities.

202.806 Issuing approval

- (1) If the application covers the undertaking of CAR maintenance activities, CASA must approve the applicant as a Part 145 organisation only if CASA is satisfied that:
 - (a) the applicant has an exposition that complies with the requirements specified in the Part 145 Manual of Standards relating to CAR maintenance activities; and
 - (b) the applicant has facilities, equipment, materials, approved maintenance data and tools that are suitable for undertaking CAR maintenance activities for the kinds of aircraft, aircraft components and aircraft materials for which the applicant proposes to undertake CAR maintenance activities; and
 - (c) the facilities, equipment, materials, approved maintenance data and tools mentioned in paragraph (b) comply with the requirements specified in the Part 145 Manual of Standards.
- (2) If CASA decides to approve the applicant as a Part 145 organisation, CASA must determine:
 - (a) the approval rating for each kind of aircraft, aircraft component or aircraft material for which the applicant is approved to undertake CAR maintenance activities; and

Part 202 Transitional

Subpart 202.GE Transitional provisions for Part 145 (Continuing airworthiness—Part 145 approved maintenance organisations)

Division 202.GE.2 Amendments made by the Civil Aviation Legislation Amendment (Maintenance and Other Matters) Regulation 2013

Regulation 202.807

- (b) any limitations applying to an approval rating mentioned in paragraph (a).

202.807 Approval certificate

If CASA approves the applicant as a Part 145 organisation, the certificate issued under regulation 145.035 must include the approval rating for each kind of aircraft, aircraft component or aircraft material for which the applicant is approved to undertake CAR maintenance activities.

202.808 Privileges for Part 145 organisations

A Part 145 organisation may undertake the CAR maintenance activities that it is approved to undertake.

202.809 Approval subject to conditions

It is a condition of approval of a Part 145 organisation that is approved to undertake CAR maintenance activities that:

- (a) the organisation must, at all times, comply with the requirements of the following in relation to CAR maintenance activities it undertakes:
 - (i) its exposition;
 - (ii) the approval rating for each kind of aircraft, aircraft component or aircraft material for which the organisation is approved to undertake CAR maintenance activities;
 - (iii) any limitations applying to an approval rating mentioned in subparagraph (ii);
 - (iv) Parts 4, 4A and 4B of CAR; and
- (b) the organisation must ensure that, at all times, its employees comply with the requirements mentioned in paragraph (a) in relation to CAR maintenance activities the organisation undertakes.

**Subdivision 202.GE.2.3—Part 145 organisations undertaking
CAR maintenance activities—offence**

202.810 Undertaking CAR maintenance activities

- (1) A Part 145 organisation commits an offence if it undertakes CAR maintenance activities in contravention of any of the following:
- (a) its exposition;
 - (b) the approval rating for each kind of aircraft, aircraft component or aircraft material for which the organisation is approved to undertake CAR maintenance activities;
 - (c) any limitations applying to an approval rating mentioned in paragraph (b);
 - (d) the privileges that apply to the approval rating under the Part 145 Manual of Standards.

Penalty: 50 penalty units.

- (2) An offence against this regulation is an offence of strict liability.

Subpart 202.GG—Transitional provisions for Part 147 (Continuing airworthiness— maintenance training organisations)

202.840 Recognised organisations taken to be maintenance training organisations

- (1) This regulation applies to an organisation that, immediately before 27 June 2011, is a recognised organisation within the meaning given by Schedule 1 to the *Civil Aviation Order 100.66 Instrument 2007*.
- (2) On 27 June 2011, the organisation is taken to have applied for, and to meet the requirements mentioned in regulation 147.030 for the grant of, approval as a maintenance training organisation.

202.841 Applications for approval as a recognised organisation made but not finally determined before 27 June 2011

- (1) This regulation applies to a person if:
 - (a) before 27 June 2011, the person made an application for approval as a recognised organisation; and
 - (b) the application was not finally determined by CASA before 27 June 2011.
- (2) On 27 June 2011, the person is taken to have made an application under regulation 147.025 for approval as a maintenance training organisation.

202.842 CASA may direct the making of applications under regulation 147.025

- (1) CASA may direct the holder of a certificate of approval that covers:
 - (a) the training of candidates for examinations mentioned in paragraph 31(4)(e) of CAR, as in force before 27 June 2011; or

Regulation 202.842

- (b) the conducting of examinations mentioned in paragraph 31(4)(e) of CAR, as in force before 27 June 2011; to make an application under regulation 147.025 for approval as a maintenance training organisation.
- (2) A direction under this regulation must:
 - (a) be in writing; and
 - (b) specify the time within which the direction must be complied with.
- (3) The holder of the certificate must comply with the direction within the time mentioned in the direction.

Note: CASA intends to give directions under this regulation to assist it in managing the implementation of Part 147.

Part 202 Transitional

Subpart 202.GI Transitional provisions for Part 149 (Recreational aviation administration organisations)

**Subpart 202.GI—Transitional provisions for
Part 149 (Recreational aviation
administration organisations)**

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.860 to 202.879 are reserved for use in this Subpart.

**Subpart 202.HA—Transitional provisions for
Part 171 (Aeronautical telecommunication
service and radionavigation service
providers)**

202.880 Manual of Standards for Part 171

- (1) A document called ‘Manual of Standards (MOS) – Part 171’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 171.017.
- (2) The procedures in regulations 171.017A, 171.017B and 171.017C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

Subpart 202.HB—Transitional provisions for Part 172 (Air traffic service providers)

202.900 Manual of Standards for Part 172

- (1) A document called ‘Manual of Standards (MOS) – Part 172’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 172.022.
- (2) The procedures in regulations 172.022A, 172.022B and 172.022C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

Subpart 202.HC—Transitional provisions for Part 173 (Instrument flight procedure design)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.920 to 202.939 are reserved for use in this Subpart.

Part 202 Transitional

Subpart 202.HD Transitional provisions for Part 174 (Aviation meteorological services)

Subpart 202.HD—Transitional provisions for Part 174 (Aviation meteorological services)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.940 to 202.959 are reserved for use in this Subpart.

**Subpart 202.HE—Transitional provisions for
Part 175 (Aeronautical information
management)**

Subpart 202.HL—Transitional provisions for Part 200 (Exemptions)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.980 to 202.989 are reserved for use in this Subpart.

Subpart 202.HM—Transitional provisions for Part 201 (Miscellaneous)

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.990 to 202.999 are reserved for use in this Subpart.

Dictionary

(regulation 1.4)

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.

Act means the *Civil Aviation Act 1988*.

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.

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 registration identification plate see regulation 45.140.

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 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 transport operations means operations for a commercial purpose mentioned in paragraph 206(1)(b) or (c) of CAR.

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.

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

approved means approved by CASA.

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

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.

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).

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

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.

ATSO means an Australian Technical Standard Order mentioned in paragraph 21.601(2)(a).

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

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

Australian nationality mark see regulation 45.015.

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

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.

aviation English language proficiency assessment: see regulation 61.010.

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

cabin crew member, in relation to an aircraft, means a crew member, other than a flight crew member, who performs, in the interests of the safety of the aircraft's passengers, duties assigned by the operator or the pilot in command of the aircraft.

CAR means the *Civil Aviation Regulations 1988*.

cargo means things other than persons carried in an aircraft.

carry-on baggage means baggage or personal effects carried on, or to be carried on, to an aircraft by:

- (a) a passenger on the aircraft or a member of the aircraft's crew; or
- (b) an employee of the aircraft operator on behalf of a passenger or crew member.

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.

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.

certified UAV controller—see regulation 101.240.

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.

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).

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.

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.

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.

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.

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.

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 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 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 engineer means the holder of a flight engineer licence.

flight examiner: see 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 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 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 supplemental type certificate—see regulation 21.114.

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.

foreign type certificate—see regulation 21.041.

free balloon means a balloon that is intended for flight without being permanently tethered.

free balloon—see regulation 101.145.

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.

hang glider: see regulation 200.001.

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

heavy balloon—see subregulation 101.145(6).

high power rocket—see regulation 101.425.

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.

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.

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.

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.

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.

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.

large UAV—see regulation 101.240.

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.

light balloon—see subregulation 101.145(4).

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.

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

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.

lowest safe altitude has the same meaning as in the AIP.

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 of an Australian aircraft—see subregulation 45.025(1).

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 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.

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 subregulation 101.145(5).

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

micro UAV—see regulation 101.240.

minimum equipment list, for an aircraft, means a list of each defect in the aircraft that is approved as a permissible unserviceability under regulation 37 of CAR.

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.

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.

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.

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.

operations manual, for an operator, means the manual required to be provided by the operator under regulation 215 of CAR.

Note: The definition of **operator** in subregulation 2(1) of CAR is as follows:

operator means a person, organisation, or enterprise engaged in, or offering to engage in, an aircraft operation.

operator, of an aircraft, means:

- (a) if the operation of the aircraft is authorised by an AOC—the holder of the AOC; or
- (b) if the operation of the aircraft is not authorised by an AOC—the person, organisation or enterprise that makes the aircraft available to the aircraft's pilot in command for a flight.

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

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

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.

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 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.

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*.

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.

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.

recognised country—see regulation 21.010B.

recreational unmanned aircraft means an aircraft that:

- (a) is not designed for, nor capable of, accommodating a person; and
- (b) is used only for sport and recreation.

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—see regulation 45.020.

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

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.

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.

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

route segment means a portion of a route.

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>).

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.

set of markings of an Australian aircraft—see subregulation 45.025(2).

small balloon—see subregulation 101.145(3).

small UAV—see regulation 101.240.

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 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.

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>.

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

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.

successfully participating, in an operator's approved cyclic training and proficiency program, has the meaning given by regulation 61.010.

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.

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.

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.

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.

UAV—see regulation 101.240.

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.

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

Source FARs section 1.2.

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.

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 certification of validation of an overseas flight crew licence that is equivalent to a commercial pilot licence granted under Part 61.

37 References to *flight manual*

- (1) A reference in these Regulations to an aircraft's *flight manual*:
- (a) is a reference to:
 - (i) if the aircraft's type certification basis required the provision of an aircraft flight manual—that manual; or
 - (ii) if regulation 21.005 applies to the aircraft—the manual that must be given to the owner of the aircraft under that regulation; or
 - (iii) for an aircraft not mentioned in subparagraph (i) or (ii)—another document that contains the aircraft's operating limitations and other information required for safe operation of the aircraft; and
 - (b) includes each amendment to the flight manual that:
 - (i) is approved by CASA, an authorised person or an approved design organisation under regulation 21.006A; or
 - (ia) is approved by a person mentioned in subclause (2); 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; and
 - (c) includes each supplement to the flight manual that:
 - (i) is approved by CASA, an authorised person or an approved design organisation under regulation 21.006A; or
 - (ia) is approved by a person mentioned in subclause (2); 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.
- (2) For subparagraphs (1)(b)(ia) and (1)(c)(ia), the persons are the following:
 - (a) if there is an agreement (however described) between Australia and a Contracting State for the acceptance of approvals of changes to aircraft flight manuals—the national aviation authority of the Contracting State, or a person authorised to do so by the national aviation authority;
 - (b) if there is an agreement (however described) between CASA and the national aviation authority of a Contracting State for the acceptance of approvals of changes to aircraft flight manuals—the national aviation authority or a person authorised to do so by the national aviation authority.

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.

55 References to populous areas etc

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.

Dictionary

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

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.

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.

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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.

Dictionary

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

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 type rated 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 type rated 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.

Dictionary

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

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 Quality Training 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

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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 granted in accordance with a method specified in a legislative instrument issued under 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;

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- (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.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can

Endnotes

Endnote 1—About the endnotes

be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Number and year	Registration and Assent	Commencement	Application, saving and transitional provisions
237, 1998	22 July 1998	SubPt F, G, J, K and O of Pt 21: 1 Dec 1998 (r 1.2(1)) Remainder: 1 Oct 1998 (r 1.2(2))	
166, 1999	16 Aug 1999	Sch 1: 16 Aug 1999 (r 2(2))	—
262, 1999	27 Oct 1999	Sch 1: 1 Jan 2000 (r 2(c))	—
7, 2000	23 Feb 2000	23 Feb 2000 (r 2)	—
204, 2000	31 July 2000	r 5–8 and Sch 2: 1 Oct 2000 (r 2(b)) Sch 1: 31 July 2000 (r 2(a)) Note: Pt 47 of Sch 2 (item 7) was disallowed by the Senate on 8 Nov 2000	r 5–8
as amended by			
345, 2004	8 Dec 2004	Sch 3: 8 Dec 2004 (r 2)	—
227, 2000	17 Aug 2000	r 4 and Sch 2: 17 Aug 2000 (r 2(b)) Sch 1: 1 Dec 1998 (r 2(a)) Sch 4: 1 Sept 2000 (r 2(c))	r 4
34, 2001	1 Mar 2001	1 Mar 2001 (r 2)	—
242, 2001	5 Sept 2001	5 Sept 2001 (r 2)	—

Endnote 3—Legislation history

Number and year	Registration and Assent	Commencement	Application, saving and transitional provisions
349, 2001	21 Dec 2001	r 4 and Sch 1: 1 July 2002 (r 2)	r 4
as amended by			
79, 2002	18 Apr 2002	18 Apr 2002 (r 2)	—
345, 2004	8 Dec 2004	Sch 4: 8 Dec 2004 (r 2)	—
167, 2002	3 July 2002	r 5 and Sch 1: 1 May 2003 (r 2)	r 5
as amended by			
345, 2004	8 Dec 2004	Sch 5: 8 Dec 2004 (r 2)	—
266, 2002	6 Nov 2002	1 July 2002 (r 2)	—
268, 2002	6 Nov 2002	Sch 1: 6 Nov 2002 (r 2)	—
320, 2002	19 Dec 2002	19 Dec 2002 (r 2)	—
321, 2002	19 Dec 2002	19 Dec 2002 (r 2)	—
349, 2002	20 Dec 2002	20 Dec 2002 (r 2)	—
350, 2002	20 Dec 2002	Sch 1 and 3: 20 Dec 2002 (r 2)	—
58, 2003	14 Apr 2003	Sch 1: 2 May 2003 (r 2(b))	—
75, 2003	1 May 2003	Sch 1: 1 May 2003 (r 2(a)) Sch 3: 3 May 2003 (r 2(b))	—
189, 2003	24 July 2003	Sch 1: 1 Oct 2003 (r 2)	—
232, 2003	3 Sept 2003	Sch 1: 3 Sept 2003 (r 2)	—
240, 2003	18 Sept 2003	Sch 2: 18 Sept 2003 (r 2)	—
297, 2003	27 Nov 2003	27 Nov 2003 (r 2)	—

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Endnote 3—Legislation history

Number and year	Registration and Assent	Commencement	Application, saving and transitional provisions
365, 2003	23 Dec 2003	Sch 1: 23 Dec 2003 (r 2(a)) Sch 2: 1 Jan 2004 (r 2(b)) Sch 4: 1 July 2004 (r 2(c))	—
4, 2004	12 Feb 2004	20 Feb 2004 (r 2)	—
134, 2004	18 June 2004	Sch 2: 15 Nov 2004 (r 2)	—
216, 2004	15 July 2004	Sch 2: 15 July 2004 (r 2)	—
222, 2004	22 July 2004	Sch 4: 1 July 2004 (r 2)	—
230, 2004	28 July 2004	28 July 2004 (r 2)	—
345, 2004	8 Dec 2004	Sch 2: 8 Dec 2004 (r 2)	—
207, 2005	19 Sept 2005 (F2005L02673)	Sch 1 (items 1–3): 1 Oct 2005 (r 2)	—
242, 2005	24 Oct 2005 (F2005L03219)	Sch 1: 25 Oct 2005 (r 2)	—
258, 2005	15 Nov 2005 (F2005L03421)	16 Nov 2005 (r 2)	—
321, 2005	19 Dec 2005 (F2005L04039)	Sch 1: 20 Dec 2005 (r 2)	—
323, 2005	19 Dec 2005 (F2005L04033)	20 Dec 2005 (r 2)	—
124, 2006	2 June 2006 (F2006L01624)	3 June 2006 (r 2)	—
185, 2006	17 July 2006 (F2006L02115)	18 July 2006 (r 2)	—
41, 2007	26 Mar 2007 (F2007L00794)	25 May 2007 (r 2)	—

Endnote 3—Legislation history

Number and year	Registration and Assent	Commencement	Application, saving and transitional provisions
172, 2007	26 June 2007 (F2007L01842)	1 July 2007 (r 2)	—
226, 2007	24 July 2007 (F2007L02284)	25 July 2007 (r 2)	—
192, 2008	22 Sept 2008 (F2008L03483)	23 Sept 2008 (r 2)	—
274, 2008	18 Dec 2008 (F2008L04644)	19 Dec 2008 (r 2)	—
275, 2008	18 Dec 2008 (F2008L04587)	19 Dec 2008 (r 2)	—
64, 2009	15 Apr 2009 (F2009L01295)	Sch 1: 16 Apr 2009 (r 2(a)) Sch 2: 1 Oct 2009 (r 2(b))	—
147, 2009	26 June 2009 (F2009L02511)	1 July 2009 (r 2)	—
232, 2009	9 Sept 2009 (F2009L03481)	10 Sept 2009 (r 2)	—
120, 2010	7 June 2010 (F2010L01546)	8 June 2010 (r 2)	—
277, 2010	19 Nov 2010 (F2010L03002)	Sch 2: 1 Mar 2012 (r 2(b)) Sch 3: never commenced (r 2(c)) Remainder: 1 Dec 2010 (r 2(a))	—
as amended by			
245, 2015	14 Dec 2015 (F2015L01980)	Sch 1 (items 4–7): 15 Dec 2015 (s 2(1) item 2)	—
328, 2010	14 Dec 2010 (F2010L03195)	Sch 1: 27 June 2011 (r 2(a))	—

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Endnote 3—Legislation history

Number and year	Registration and Assent	Commencement	Application, saving and transitional provisions
76, 2011	7 June 2011 (F2011L00968)	Sch 1: 27 June 2011 (r 2)	—
77, 2011	8 June 2011 (F2011L00971)	Sch 1: 27 June 2011 (r 2)	—
120, 2011	30 June 2011 (F2011L01364)	Sch 2 (items 10, 11): 1 July 2011 (r 2)	—
164, 2011	2 Sept 2011 (F2011L01804)	3 Sept 2011 (r 2)	—
265, 2011	12 Dec 2011 (F2011L02648)	Sch 2: 1 Apr 2012 (r 2(b)) Remainder: 13 Dec 2011 (r 2(a))	—
107, 2012	14 June 2012 (F2012L01199)	15 June 2012 (s 2)	—
5, 2013	19 Feb 2013 (F2013L00218)	Sch 1: 1 Sept 2014 (s 2)	—
as amended by			
254, 2013	25 Nov 2013 (F2013L01976)	Sch 1 (items 2–10): 26 Nov 2013 (s 2)	—
274, 2013	17 Dec 2013 (F2013L02129)	Sch 2: 18 Dec 2013 (s 2 item 3)	—
80, 2013	20 May 2013 (F2013L00798)	Sch 1 (items 8–123, 125, 126, 128–152): 21 May 2013 (s 2)	—
188, 2013	26 July 2013 (F2013L01444)	Sch 1 (items 6–81): 1 Mar 2014 (s 2)	—
222, 2013	8 Aug 2013 (F2013L01539)	Sch 1 (item 2): 1 Sept 2014 (s 2)	—

Endnote 3—Legislation history

Number and year	Registration and Assent	Commencement	Application, saving and transitional provisions
as amended by			
254, 2013	25 Nov 2013 (F2013L01976)	Sch 1 (item 1): 26 Nov 2013 (s 2)	—
274, 2013	17 Dec 2013 (F2013L02129)	Sch 1 (items 22–464, 468–476): 1 Sept 2014 (s 2 item 2)	—
275, 2013	17 Dec 2013 (F2013L02128)	Sch 1 (items 9–81): 18 Dec 2013 (s 2)	—
40, 2014	15 Apr 2014 (F2014L00414)	Sch 1 (items 12–35): 1 May 2014 (s 2 item 2) Sch 2: 1 Sept 2014 (s 2 item 3)	—
125, 2014	25 Aug 2014 (F2014L01122)	Sch 1 (items 4–219): 1 Sept 2014 (s 2)	—
as amended by			
Act No 145, 2015	12 Nov 2015	Sch 2 (item 6): 1 Sept 2014 (s 2(1) item 6)	—
135, 2014	23 Sept 2014 (F2014L01261)	Sch 1 (items 3–6): 5 Mar 2015 (s 2)	—
166, 2014	3 Nov 2014 (F2014L01470)	Sch 1 (items 4–33): 4 Nov 2014 (s 2)	—
204, 2014	16 Dec 2014 (F2014L01717)	1 Sept 2015 (s 2)	—
90, 2015	19 June 2015 (F2015L00854)	Sch 2 (item 74): 1 July 2015 (s 2(1) item 2)	—

Endnotes

Endnote 3—Legislation history

Number and year	Registration and Assent	Commencement	Application, saving and transitional provisions
245, 2015	14 Dec 2015 (F2015L01980)	Sch 1 (items 8–10): 15 Dec 2015 (s 2(1) item 2) Sch 2 (items 5–53): <u>1 June 2016 (s 2(1) item 3)</u> Sch 3 (items 3–17): <u>4 July 2016 (s 2(1) item 4)</u>	—
246, 2015	14 Dec 2015 (F2015L01992)	Sch 1 (items 1–33): <u>4 July 2016 (s 2(1) item 2)</u> Sch 1 (items 46–48): 15 Dec 2015 (s 2(1) item 3)	—
247, 2015	14 Dec 2015 (F2015L01995)	Sch 1 (items 4–9): <u>20 Apr 2016 (s 2(1) item 1)</u>	—
Name	Registration	Commencement	Application, saving and transitional provisions
Acts and Instruments (Framework Reform) (Consequential Amendments) Regulation 2016	29 Feb 2016 (F2016L00170)	Sch 1 (items 8–14): 5 Mar 2016 (s 2(1) item 1)	—

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Guide	ad No 350, 2002 am No 345, 2004; No 323, 2005; No 172, 2007 rep No 77, 2011
Part 1	
Part 1	am No 345, 2004; No 80, 2013; No 275, 2013
r 1.0	ad No 204, 2000 am No 350, 2002
r 1.000 (prev r 1.0)	renum No 350, 2002 rep No 345, 2004
r 1.1	rs No 350, 2002
r 1.001 (prev r 1.1)	renum No 350, 2002
r 1.2	rep No 350, 2002
r 1.003 (prev r 1.3)	renum No 350, 2002 am No 80, 2013
r 1.4	rs No 204, 2000
r 1.004 (prev r 1.4)	renum No 350, 2002 am No 345, 2004
r 1.5	rep No 204, 2000
r 1.005	ad No 345, 2004
r 1.006 (prev r 1.6)	renum No 350, 2002 rs No 345, 2004 rep No 275, 2013 ad No 166, 2014
r 1.007 (prev r 1.7)	renum No 350, 2002 am No 80, 2013 rep No 275, 2013
r 1.008	ad No 345, 2004
Part 11	

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
Part 11.....	ad No 204, 2000 rs No 345, 2004 am No 80, 2013; No 188, 2013; No 274, 2013 (Sch 1 item 22 md)
Subpart 11.A	
r 11.005.....	ad No 345, 2004 rs No 77, 2011
r 11.010.....	ad No 345, 2004 am No 77, 2011
r 11.015.....	ad No 345, 2004 am No 77, 2011; No 80, 2013
r 11.018.....	ad No 77, 2011
Subpart 11.B	
Subpart 11.B heading.....	rs No 77, 2011
r 11.020.....	ad No 345, 2004
r 11.025.....	ad No 345, 2004 rs No 77, 2011 am No 80, 2013; No 188, 2013
r 11.026.....	ad No 188, 2013
r 11.028.....	ad No 5, 2013
r 11.030.....	ad No 345, 2004 am No 77, 2011
r 11.032.....	ad No 77, 2011
r 11.035.....	ad No 345, 2004 am No 77, 2011
r 11.040.....	ad No 345, 2004 am No 77, 2011
r 11.045.....	ad No 345, 2004 am No 77, 2011
r 11.047.....	ad No 77, 2011
r 11.050.....	ad No 345, 2004 am No 77, 2011

Endnote 4—Amendment history

Provision affected	How affected
Subpart 11.BA	
Subpart 11.BA heading.....	ad No 77, 2011
r 11.055.....	ad No 345, 2004 am No 77, 2011; No 80, 2013
r 11.056.....	ad No 77, 2011 am No 80, 2013; No 274, 2013
r 11.060.....	ad No 345, 2004 rs No 77, 2011 am No 80, 2013
r 11.065.....	ad No 345, 2004 am No 77, 2011
r 11.067.....	ad No 77, 2011 am No 80, 2013
r 11.068.....	ad No 77, 2011
r 11.070.....	ad No 345, 2004 rs No 77, 2011
r 11.071.....	ad No 77, 2011
r 11.072.....	ad No 77, 2011
r 11.073.....	ad No 77, 2011
r 11.074.....	ad No 77, 2011
r 11.075.....	ad No 77, 2011
r 11.077.....	ad No 77, 2011
r 11.080.....	ad No 345, 2004 rep No 77, 2011 ad No 80, 2013 am <u>No 245, 2015</u>
Subpart 11.C	
r 11.090.....	ad No 345, 2004 am No 77, 2011
r 11.095.....	ad No 345, 2004 am No 77, 2011

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Endnote 4—Amendment history

Provision affected	How affected
r 11.100.....	ad No 345, 2004
r 11.105.....	ad No 345, 2004
r 11.110.....	ad No 345, 2004 am No 77, 2011
r 11.115.....	ad No 345, 2004
Subpart 11.D	
Subpart 11.D heading.....	rs No 274, 2013
r 11.120.....	ad No 345, 2004 rs No 77, 2011; No 274, 2013
r 11.125.....	ad No 345, 2004 am No 77, 2011
r 11.130.....	ad No 345, 2004 am No 77, 2011; No 274, 2013; No 204, 2014
r 11.132.....	ad No 77, 2011
Subpart 11.E	
r 11.135.....	ad No 345, 2004 rs No 77, 2011
r 11.140.....	ad No 345, 2004 am No 77, 2011
r 11.145.....	ad No 345, 2004 am No 77, 2011
r 11.150.....	ad No 345, 2004 am No 77, 2011
Subpart 11.F	
Subpart 11.F heading	rs No 77, 2011
Division 11.F.1	
r 11.155.....	ad No 345, 2004 am No 77, 2011
r 11.160.....	ad No 345, 2004 am No 77, 2011; F2016L00170
r 11.165.....	ad No 345, 2004

Endnote 4—Amendment history

Provision affected	How affected
	am No 77, 2011
r 11.170.....	ad No 345, 2004
r 11.175.....	ad No 345, 2004
Division 11.F.2	
r 11.180.....	ad No 345, 2004
	rs No 77, 2011
r 11.185.....	ad No 345, 2004
	am No 77, 2011; F2016L00170
r 11.190.....	ad No 345, 2004
r 11.195.....	ad No 345, 2004
Division 11.F.3	
r 11.200.....	ad No 345, 2004
	rs No 77, 2011
r 11.205.....	ad No 345, 2004
r 11.210.....	ad No 345, 2004
r 11.215.....	ad No 345, 2004
	rep No 77, 2011
r 11.220.....	ad No 345, 2004
	am No 323, 2005; No 77, 2011
r 11.225.....	ad No 345, 2004
	am No 323, 2005; No 77, 2011
r 11.230.....	ad No 345, 2004
	am No 323, 2005; No 77, 2011
r 11.235.....	ad No 345, 2004
Subpart 11.G	
r 11.240.....	ad No 345, 2004
	am No 77, 2011
r 11.245.....	ad No 345, 2004
	am No 323, 2005; No 77, 2011; F2016L00170
r 11.250.....	ad No 345, 2004
	am No 323, 2005; No 77, 2011

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Provision affected	How affected
r 11.255.....	ad No 345, 2004 am No 77, 2011
Subpart 11.H	
r 11.260.....	ad No 345, 2004 am No 77, 2011; No 80, 2013
Subpart 11.J	
r 11.265.....	ad No 345, 2004 am No 323, 2005 rs No 77, 2011 am F2016L00170
r 11.267.....	ad No 77, 2011
r 11.270.....	ad No 345, 2004
r 11.275.....	ad No 345, 2004 am No 77, 2011
r 11.280.....	ad No 345, 2004 am No 77, 2011
r 11.285.....	ad No 345, 2004
r 11.290.....	ad No 345, 2004
r 11.295.....	ad No 345, 2004
Part 13	
Part 13.....	ad No 204, 2000 rs No 4, 2004
Subpart 13.K	
Division 13.K.1	
r 13.320.....	ad No 4, 2004
r 13.325.....	ad No 4, 2004
r 13.330.....	ad No 4, 2004
r 13.335.....	ad No 4, 2004
r 13.340.....	ad No 4, 2004
r 13.345.....	ad No 4, 2004 am No 192, 2008

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Provision affected	How affected
r 13.350.....	ad No 4, 2004
r 13.355.....	ad No 4, 2004
r 13.360.....	ad No 4, 2004
r 13.365.....	ad No 4, 2004
Division 13.K.2	
r 13.370.....	ad No 4, 2004
r 13.375.....	ad No 4, 2004
	am No 345, 2004; No 328, 2010; No 5, 2013; No 274, 2013
r 13.380.....	ad No 4, 2004
Part 21	
Part 21.....	am No 345, 2004; No 80, 2013; No 188, 2013; No 274, 2013; No 40, 2014
Subpart 21.A	
Subpart 21.A (prev Subpart A)	renum No 350, 2002
r 21.0.....	ad No 204, 2000
	am No 204, 2000; No 242, 2001; No 320, 2002; No 350, 2002
r 21.000 (prev r 21.0).....	renum No 350, 2002
	rep No 345, 2004
r 21.001 (prev r 21.1).....	renum No 350, 2002
	am No 76, 2011; No 188, 2013
r 21.001A (prev r 21.1A)	renum No 350, 2002
r 21.1B	rep No 320, 2002
r 21.2.....	rep No 268, 2002
r 21.002A (prev r 21.2A)	renum No 350, 2002
	rep No 77, 2011
r 21.2B	am No 166, 1999
r 21.002B (prev r 21.2B).....	renum No 350, 2002
	am No 350, 2002
	rep No 77, 2011
r 21.002C (prev r 21.2C).....	renum No 350, 2002
	am No 350, 2002

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Endnote 4—Amendment history

Provision affected	How affected
r 21.002D (prev r 21.2D)	renum No 350, 2002 am No 350, 2002
r 21.002E (prev r 21.2E)	renum No 350, 2002 am No 345, 2004
r 21.3	am No 166, 1999; No 268, 2002; No 350, 2002
r 21.003 (prev r 21.3)	renum No 350, 2002 am No 350, 2002; No 76, 2011; No 188, 2013; <u>No 245, 2015</u>
r 21.5	am No 268, 2002
r 21.005 (prev r 21.5)	renum No 350, 2002 am No 76, 2011; No 166, 2014
r 21.006	ad No 76, 2011 am No 188, 2013
r 21.006A	ad No 76, 2011 am No 188, 2013; <u>No 245, 2015</u>
r 21.007	ad No 76, 2011 am No 188, 2013; No 40, 2014
r 21.007A	ad No 76, 2011 rs No 188, 2013
r 21.008	ad No 76, 2011
r 21.009	ad No 76, 2011 am No 188, 2013; No 40, 2014; No 166, 2014
r 21.010	ad No 76, 2011
r 21.010A	ad No 40, 2014 am No 40, 2014 (Sch 2 item 3 md)
r 21.010B	ad No 166, 2014
r 21.010C	ad No 166, 2014
r 21.010D	ad <u>No 245, 2015</u>
Subpart 21.B	
Subpart 21.B heading	rs No 80, 2013
Subpart 21.B (prev Subpart B)	renum No 350, 2002
r 21.011 (prev r 21.11)	renum No 350, 2002

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Provision affected	How affected
	am No 274, 2013
r 21.12.....	am No 166, 1999
r 21.012 (prev r 21.12)	renum No 350, 2002
	am No 80, 2013
	rep No 166, 2014
r 21.013 (prev r 21.13).....	renum No 350, 2002
r 21.013A (prev r 21.13A)	renum No 350, 2002
	am No 350, 2002; No 77, 2011; No 188, 2013
r 21.014 (prev r 21.14)	renum No 350, 2002
	am No 350, 2002
r 21.015 (prev r 21.15)	renum No 350, 2002
	am No 77, 2011
r 21.16.....	am No 268, 2002
r 21.016 (prev r 21.16)	renum No 350, 2002
	am No 80, 2013
r 21.017 (prev r 21.17)	renum No 350, 2002
	am No 350, 2002; No 80, 2013; <u>No 245, 2015</u>
r 21.19.....	am No 166, 1999
r 21.019 (prev r 21.19)	renum No 350, 2002
	am No 350, 2002
r 21.021 (prev r 21.21)	renum No 350, 2002
	am No 350, 2002; No 80, 2013
r 21.24.....	am No 166, 1999
r 21.024 (prev r 21.24)	renum No 350, 2002
	am No 350, 2002; No 328, 2010; No 274, 2013
r 21.25.....	am No 166, 1999
r 21.025 (prev r 21.25)	renum No 350, 2002
r 21.26.....	am No 166, 1999
r 21.026 (prev r 21.26)	renum No 350, 2002
	am No 350, 2002; No 328, 2010; No 274, 2013
r 21.27.....	am No 350, 2002

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Endnote 4—Amendment history

Provision affected	How affected
r 21.027 (prev r 21.27)	renum No 350, 2002 am <u>No 245, 2015</u>
r 21.29	am No 320, 2002
r 21.029 (prev r 21.29)	renum No 350, 2002 am No 350, 2002; No 77, 2011; No 80, 2013; No 274, 2013
r 21.29A	am No 166, 1999
r 21.029A (prev r 21.29A)	renum No 350, 2002 am No 350, 2002; No 77, 2011; No 274, 2013
r 21.29B	am No 268, 2002
r 21.029B (prev r 21.29B)	renum No 350, 2002 am No 350, 2002; No 323, 2005; No 274, 2013
r 21.029C (prev r 21.29C)	renum No 350, 2002 am No 350, 2002; No 323, 2005; No 274, 2013
r 21.31	am No 320, 2002
r 21.031 (prev r 21.31)	renum No 350, 2002 am No 350, 2002; No 328, 2010; No 188, 2013; No 274, 2013; <u>No 245, 2015</u>
r 21.33	am No 166, 1999
r 21.033 (prev r 21.33)	renum No 350, 2002 am No 350, 2002; No 80, 2013
r 21.035 (prev r 21.35)	renum No 350, 2002 am No 350, 2002; No 80, 2013; <u>No 245, 2015</u>
r 21.037 (prev r 21.37)	renum No 350, 2002 am No 350, 2002 rs No 5, 2013
r 21.039 (prev r 21.39)	renum No 350, 2002 am No 350, 2002
r 21.41	am No 166, 1999
r 21.041 (prev r 21.41)	renum No 350, 2002 am No 350, 2002; No 80, 2013; No 274, 2013
r 21.043 (prev r 21.43)	renum No 350, 2002

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Provision affected	How affected
	am No 350, 2002
r 21.47.....	am No 268, 2002
r 21.047 (prev r 21.47)	renum No 350, 2002
	rs No 188, 2013
r 21.048.....	ad No 188, 2013
r 21.49.....	am No 268, 2002
r 21.049 (prev r 21.49)	renum No 350, 2002
r 21.50.....	am No 268, 2002
r 21.050 (prev r 21.50)	renum No 350, 2002
	am No 350, 2002; No 80, 2013; <u>No 245, 2015</u>
r 21.051 (prev r 21.51)	renum No 350, 2002
	am No 350, 2002; No 323, 2005; No 274, 2013
r 21.053 (prev r 21.53)	renum No 350, 2002
	am No 350, 2002
Subpart 21.C	
Subpart 21.C heading.....	rs No 80, 2013
Subpart 21.C (prev Subpart C).....	renum No 350, 2002
r 21.071 (prev r 21.71)	renum No 350, 2002
r 21.073 (prev r 21.73)	renum No 350, 2002
r 21.075 (prev r 21.75)	renum No 350, 2002
r 21.076 (prev r 21.76)	renum No 350, 2002
	am No 350, 2002; No 77, 2011
r 21.077 (prev r 21.77)	renum No 350, 2002
r 21.078 (prev r 21.78)	renum No 350, 2002
	am No 350, 2002
r 21.079 (prev r 21.79)	renum No 350, 2002
	rep No 80, 2013
r 21.81.....	am No 166, 1999; No 350, 2002
r 21.081 (prev r 21.81)	renum No 350, 2002
	am No 80, 2013
r 21.83.....	am No 166, 1999; No 350, 2002

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Provision affected	How affected
r 21.083 (prev r 21.83)	renum No 350, 2002 am No 80, 2013; No 274, 2013
r 21.85	am No 166, 1999; No 350, 2002
r 21.085 (prev r 21.85)	renum No 350, 2002 am No 80, 2013; No 274, 2013
Subpart 21.D	
Subpart 21.D (prev Subpart D)	renum No 350, 2002
r 21.091 (prev r 21.91)	renum No 350, 2002
r 21.093 (prev r 21.93)	renum No 350, 2002
r 21.095 (prev r 21.95)	renum No 350, 2002 rs No 188, 2013
r 21.097 (prev r 21.97)	renum No 350, 2002 am No 188, 2013
r 21.098 (prev r 21.98)	renum No 350, 2002 am No 350, 2002; No 77, 2011; No 188, 2013
r 21.99	am No 268, 2002
r 21.099 (prev r 21.99)	renum No 350, 2002
r 21.101	am No 166, 1999; No 350, 2002; No 80, 2013; <u>No 245, 2015</u>
Subpart 21.E	
Subpart 21.E heading	rs No 80, 2013
Subpart 21.E (prev Subpart E)	renum No 350, 2002
r 21.113	am No 350, 2002; No 77, 2011
r 21.113A	am No 77, 2011
r 21.114	am No 80, 2013; No 274, 2013
r 21.115	am No 350, 2002 rs No 188, 2013
r 21.117	am No 166, 1999 rs No 188, 2013
r 21.118	am No 350, 2002
r 21.119	am No 350, 2002; No 274, 2013
r 21.120	ad No 188, 2013

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Provision affected	How affected
r 21.120A.....	ad No 188, 2013
r 21.120B.....	ad No 40, 2014
Subpart 21.F	
Subpart 21.F (prev Subpart F).....	renum No 350, 2002
r 21.121.....	am No 350, 2002
r 21.123.....	am No 268, 2002
r 21.125.....	am No 268, 2002; No 188, 2013
r 21.127.....	am No 268, 2002
r 21.128.....	am No 268, 2002
r 21.129.....	am No 268, 2002
r 21.130.....	am No 227, 2000
r 21.130A.....	am No 268, 2002; No 80, 2013
Subpart 21.G	
Subpart 21.G (prev Subpart G)	renum No 350, 2002
r 21.131.....	am No 227, 2000
r 21.132.....	ad No 227, 2000
	am No 350, 2002; No 188, 2013; No 274, 2013; <u>No 245, 2015</u>
r 21.132A.....	ad No 227, 2000
	am No 242, 2001
	rs No 188, 2013
r 21.133.....	rs No 227, 2000
	am No 242, 2001; No 297, 2003; No 77, 2011; No 188, 2013
r 21.134.....	am No 268, 2002; No 77, 2011
r 21.135.....	am No 227, 2000
r 21.137.....	am No 80, 2013; No 188, 2013
r 21.139.....	rs No 227, 2000
r 21.143.....	am No 227, 2000; No 268, 2002; No 297, 2003
r 21.144.....	am No 227, 2000
r 21.145.....	am No 268, 2002; No 297, 2003
r 21.147.....	am No 227, 2000; No 268, 2002
r 21.149.....	rs No 227, 2000

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Provision affected	How affected
r 21.151.....	rs No 227, 2000 am No 297, 2003
r 21.153.....	am No 227, 2000; No 77, 2011
r 21.155.....	rep No 80, 2013
r 21.157.....	rs No 268, 2002
r 21.159.....	am No 350, 2002
r 21.161.....	am No 268, 2002
r 21.163.....	am No 350, 2002; No 328, 2010
r 21.165.....	rs No 227, 2000 am No 268, 2002
r 21.166.....	rs No 227, 2000 am No 268, 2002; No 80, 2013
Subpart 21.H	
Subpart H heading	rs No 166, 1999
Subpart 21.H heading.....	rs No 80, 2013
Subpart 21.H (prev Subpart H)	renum No 350, 2002
r 21.171.....	am No 166, 1999; No 323, 2005
r 21.172.....	ad No 321, 2005 am <u>No 245, 2015</u>
r 21.173.....	am No 166, 1999; No 204, 2000; No 134, 2004; No 321, 2005; No 77, 2011
r 21.175.....	am No 321, 2005; No 80, 2013
r 21.176.....	am No 166, 1999; No 268, 2002; No 350, 2002; No 77, 2011
r 21.181.....	am No 166, 1999; No 268, 2002; No 350, 2002; No 321, 2005; No 328, 2010; No 274, 2013
r 21.182.....	ad No 204, 2000 am No 321, 2005; No 274, 2013
r 21.183.....	am No 166, 1999; No 320, 2002; No 350, 2002; No 328, 2010; No 76, 2011
r 21.184.....	am No 166, 1999; No 350, 2002; No 328, 2010; No 76, 2011; No 275, 2013; <u>No 245, 2015</u>
r 21.184A.....	am No 166, 1999; No 350, 2002; No 76, 2011; <u>No 245, 2015</u>

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Provision affected	How affected
r 21.185.....	am No 166, 1999; No 350, 2002; No 76, 2011
r 21.186.....	ad No 321, 2005
	am No 188, 2013
r 21.187.....	am No 268, 2002; No 350, 2002
r 21.190.....	am No 166, 1999; No 227, 2000; No 345, 2004; No 76, 2011
r 21.191.....	am No 350, 2002; No 321, 2005
r 21.192.....	am No 204, 2000; No 134, 2004; No 321, 2005
r 21.193.....	am No 321, 2005; No 80, 2013; No 188, 2013
r 21.195A.....	am No 166, 1999; No 268, 2002; No 77, 2011; No 188, 2013
r 21.195B.....	am No 268, 2002; No 350, 2002; No 321, 2005; No 188, 2013
r 21.195C.....	ad No 188, 2013
r 21.197.....	am No 166, 1999; No 320, 2002; No 350, 2002; No 328, 2010
r 21.199.....	am No 77, 2011
r 21.200.....	am No 268, 2002; No 350, 2002; No 230, 2004; No 64, 2009; No 77, 2011
r 21.201.....	am No 268, 2002; No 350, 2002; No 77, 2011
Subpart 21.I	
Subpart 21.I heading.....	rs No 80, 2013
Subpart 21.I (prev Subpart I)	renum No 350, 2002
r 21.215.....	am No 80, 2013
r 21.216.....	am No 77, 2011
r 21.217.....	am No 350, 2002
r 21.219.....	rs No 80, 2013
r 21.221.....	am No 166, 1999; No 350, 2002; No 80, 2013
r 21.223.....	am No 166, 1999; No 350, 2002; No 80, 2013
r 21.225.....	am No 166, 1999; No 350, 2002; No 80, 2013
Subpart 21.J	
Subpart 21.J (prev Subpart J)	renum No 350, 2002
	rs No 188, 2013
Division 21.J.1	
r 21.231.....	am No 227, 2000

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Provision affected	How affected
	rs No 188, 2013
r 21.233.....	ad No 188, 2013
	am No 40, 2014; No 166, 2014
r 21.235.....	am No 77, 2011
	rs No 188, 2013
r 21.237.....	ad No 188, 2013
r 21.239.....	am No 77, 2011; No 80, 2013
	rs No 188, 2013
Division 21.J.2	
r 21.241.....	ad No 188, 2013
r 21.243.....	am No 350, 2002
	rs No 188, 2013
r 21.245.....	am No 268, 2002
	rs No 188, 2013
r 21.247.....	rep No 80, 2013
	ad No 188, 2013
	am <u>No 245, 2015</u>
r 21.248.....	ad No 188, 2013
	am <u>No 245, 2015</u>
r 21.249.....	rs No 188, 2013
Division 21.J.3	
r 21.251.....	am No 227, 2000
	rs No 188, 2013
	am No 40, 2014
Division 21.J.4	
r 21.253.....	am No 80, 2013
	rs No 188, 2013
r 21.255.....	ad No 188, 2013
	am No 166, 2014
r 21.256.....	ad No 188, 2013
r 21.257.....	rs No 188, 2013

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Provision affected	How affected
r 21.258.....	ad No 188, 2013 am <u>No 245, 2015</u>
r 21.259.....	ad No 188, 2013
r 21.261.....	am No 268, 2002; No 80, 2013 rs No 188, 2013
Division 21.J.5	
r 21.263.....	ad No 188, 2013 am <u>No 245, 2015</u>
r 21.265.....	ad No 188, 2013
r 21.267.....	am No 350, 2002 rs No 188, 2013
r 21.269.....	rs No 188, 2013 am <u>No 245, 2015</u>
r 21.270.....	ad No 188, 2013 am <u>No 245, 2015</u>
r 21.271.....	am No 227, 2000; No 268, 2002; No 345, 2004 rs No 188, 2013
r 21.273.....	rs No 188, 2013
r 21.275.....	rs No 188, 2013
r 21.277.....	am No 268, 2002; No 350, 2002 rs No 188, 2013
r 21.279.....	ad No 188, 2013
r 21.281.....	ad No 188, 2013
r 21.283.....	ad No 188, 2013
r 21.289.....	rep No 188, 2013
r 21.293.....	am No 268, 2002 rep No 188, 2013
Subpart 21.K	
Subpart 21.K (prev Subpart K)	renum No 350, 2002

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Provision affected	How affected
r 21.303.....	am No 227, 2000; No 268, 2002; No 350, 2002; No 297, 2003; No 328, 2010; No 76, 2011; No 77, 2011; No 80, 2013; No 188, 2013; No 274, 2013; No 166, 2014
r 21.304.....	ad No 297, 2003 rep No 77, 2011
r 21.304A.....	ad No 297, 2003
r 21.305.....	am No 350, 2002; No 328, 2010; <u>No 245, 2015</u>
r 21.305A.....	am No 188, 2013; <u>No 245, 2015</u>
r 21.306.....	rs No 328, 2010
Subpart 21.L	
Subpart 21.L (prev Subpart L)	renum No 350, 2002
r 21.321.....	am No 80, 2013; No 274, 2013
r 21.324.....	am No 77, 2011
r 21.325.....	am No 227, 2000; No 268, 2002; No 350, 2002
r 21.327.....	am No 166, 1999; No 77, 2011; No 80, 2013
r 21.329.....	am No 166, 1999; No 350, 2002; No 328, 2010
r 21.331.....	am No 166, 1999; No 188, 2013
r 21.333.....	am No 166, 1999; No 188, 2013
r 21.337.....	rep No 328, 2010
Subpart 21.M	
Subpart 21.M	ad No 76, 2011
Division 21.M.1	
r 21.400.....	ad No 76, 2011 am <u>No 245, 2015</u>
r 21.402.....	ad No 76, 2011 rs No 188, 2013
r 21.403.....	ad No 188, 2013
Division 21.M.2	
r 21.405.....	ad No 76, 2011 am No 188, 2013; <u>No 245, 2015</u>
r 21.410.....	ad No 76, 2011

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Provision affected	How affected
	am No 188, 2013
r 21.414.....	ad No 76, 2011
	am No 188, 2013
r 21.416.....	ad No 76, 2011
	rs No 188, 2013
r 21.418.....	ad No 188, 2013
r 21.420.....	ad No 76, 2011
	am No 188, 2013
r 21.425.....	ad No 76, 2011
r 21.430.....	ad No 76, 2011
	am No 188, 2013
r 21.435.....	ad No 76, 2011
	am No 188, 2013
r 21.436.....	ad No 188, 2013
r 21.437.....	ad No 76, 2011
	am No 188, 2013
r 21.440.....	ad No 76, 2011
	am No 188, 2013
r 21.445.....	ad No 76, 2011
	am No 188, 2013
Division 21.M.3	
r 21.448.....	ad No 76, 2011
	am <u>No 245, 2015</u>
r 21.450.....	ad No 76, 2011
r 21.455.....	ad No 76, 2011
r 21.460.....	ad No 76, 2011
Division 21.M.4	
r 21.465.....	ad No 76, 2011
r 21.470.....	ad No 76, 2011
	am No 274, 2013; No 166, 2014
r 21.475.....	ad No 76, 2011

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Endnote 4—Amendment history

Provision affected	How affected
	rs <u>No 245, 2015</u>
Subpart 21.N	
Subpart 21.N (prev Subpart N)	renum No 350, 2002
r 21.500.....	am No 166, 1999; No 350, 2002; No 80, 2013; No 188, 2013; No 40, 2014
r 21.500A.....	am No 77, 2011; No 188, 2013
r 21.502.....	am No 166, 1999; No 350, 2002; No 80, 2013; No 40, 2014; <u>No 245, 2015</u>
r 21.502A.....	am No 166, 1999; No 77, 2011; No 188, 2013; <u>No 245, 2015</u>
Subpart 21.O	
Subpart 21.O (prev Subpart O)	renum No 350, 2002
r 21.601.....	am No 34, 2001; No 80, 2013; No 188, 2013; <u>No 245, 2015</u>
r 21.603.....	am No 34, 2001
	rs No 268, 2002
	am No 188, 2013
r 21.605.....	am No 166, 1999; No 34, 2001; No 297, 2003; No 77, 2011; No 188, 2013
r 21.607.....	am No 34, 2001; No 268, 2002; No 80, 2013; No 188, 2013; <u>No 245, 2015</u>
r 21.609.....	am No 166, 1999; No 34, 2001; No 77, 2011; No 188, 2013; No 274, 2013
r 21.611.....	am No 34, 2001; No 268, 2002; No 350, 2002; No 76, 2011; No 188, 2013
r 21.613.....	am No 268, 2002; No 297, 2003
r 21.617.....	am No 166, 1999; No 274, 2013; No 275, 2013
r 21.619.....	am No 34, 2001; No 350, 2002; No 188, 2013
r 21.621.....	am No 80, 2013
Subpart 21.Q	
Subpart Q.....	ad No 204, 2000
Subpart 21.Q (prev Subpart Q)	renum No 350, 2002
Division 21.Q.1	

Endnote 4—Amendment history

Provision affected	How affected
Division 21.Q.1 (prev Division 1)	renum No 350, 2002
r 21.805.....	ad No 204, 2000
r 21.810.....	ad No 204, 2000
Division 21.Q.2	
Division 21.Q.2 (prev Division 2)	renum No 350, 2002
r 21.815.....	ad No 204, 2000
r 21.820.....	ad No 204, 2000
	am No 242, 2001; No 268, 2002; No 321, 2005; No 77, 2011
r 21.825.....	ad No 204, 2000
	am No 242, 2001; No 268, 2002
r 21.830.....	ad No 204, 2000
	am No 242, 2001; No 268, 2002
r 21.835.....	ad No 204, 2000
	am No 242, 2001; No 268, 2002
r 21.840.....	ad No 204, 2000
	am No 242, 2001; No 268, 2002
Division 21.Q.3	
Division 21.Q.3 (prev Division 3)	renum No 350, 2002
r 21.845.....	ad No 204, 2000
	am No 345, 2004
r 21.850.....	ad No 204, 2000
	am No 268, 2002
r 21.855.....	ad No 204, 2000
	am No 268, 2002
Division 21.Q.4	
Division 21.Q.4 heading	rs No 297, 2003
Division 21.Q.4 (prev Division 4)	renum No 350, 2002
r 21.860.....	ad No 204, 2000

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Endnote 4—Amendment history

Provision affected	How affected
	rs No 297, 2003
	am No 345, 2004
r 21.865.....	ad No 204, 2000
	am No 242, 2001; No 268, 2002; No 297, 2003
r 21.870.....	ad No 204, 2000
	am No 242, 2001; No 268, 2002; No 297, 2003
r 21.875.....	ad No 297, 2003
	am No 345, 2004
r 21.880.....	ad No 297, 2003
Part 22	
Part 22.....	am No 345, 2004
	rs No 147, 2009
	am No 80, 2013
r 22.0.....	ad No 204, 2000
r 22.000 (prev r 22.0).....	renum No 350, 2002
	rep No 345, 2004
r 22.001 (prev r 22.1).....	renum No 350, 2002
	am No 345, 2004
	rs No 147, 2009
r 22.002 (prev r 22.2).....	renum No 350, 2002
	am No 350, 2002
	rs No 147, 2009
r 22.003 (prev r 22.3).....	renum No 350, 2002
	rs No 147, 2009
r 22.004 (prev r 22.4).....	renum No 350, 2002
	rs No 147, 2009
r 22.005 (prev r 22.5).....	renum No 350, 2002
	am No 350, 2002
	rep No 147, 2009
r 22.006 (prev r 22.6).....	renum No 350, 2002
	rep No 147, 2009

Endnote 4—Amendment history

Provision affected	How affected
r 22.007 (prev r 22.7)	renum No 350, 2002 rep No 147, 2009
r 22.008 (prev r 22.8)	renum No 350, 2002 am No 350, 2002 rep No 147, 2009
r 22.009 (prev r 22.9)	renum No 350, 2002 rep No 147, 2009
Part 23	
Part 23	am No 345, 2004; No 80, 2013
r 23.0	ad No 204, 2000
r 23.000 (prev r 23.0)	renum No 350, 2002 rep No 345, 2004
r 23.001 (prev r 23.1)	renum No 350, 2002 am No 345, 2004 rs No 147, 2009
r 23.002 (prev r 23.2)	renum No 350, 2002 am No 350, 2002 rs No 147, 2009
r 23.003 (prev r 23.3)	renum No 350, 2002
r 23.004 (prev r 23.4)	renum No 350, 2002 rs No 147, 2009
r 23.005 (prev r 23.5)	renum No 350, 2002 rs No 147, 2009
r 23.006 (prev r 23.6)	renum No 350, 2002 am No 80, 2013
r 23.007 (prev r 23.7)	renum No 350, 2002 rs No 147, 2009
r 23.008 (prev r 23.8)	renum No 350, 2002 rs No 147, 2009
Part 25	
Part 25	am No 345, 2004; No 80, 2013

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 25.A	
Subpart A heading	ad No 227, 2000 reloc No 350, 2002
Subpart 25.A (prev Subpart A)	renum No 350, 2002
r 25.0	ad No 204, 2000 rs No 350, 2002
r 25.000 (prev r 25.0)	renum No 350, 2002 rep No 345, 2004
r 25.1	am No 227, 2000
r 25.001 (prev r 25.1)	renum No 350, 2002 rs No 147, 2009
r 25.002 (prev r 25.2)	renum No 350, 2002 am No 350, 2002 rs No 147, 2009
Subpart 25.B	
Subpart B heading	ad No 227, 2000
Subpart 25.B heading	rs No 147, 2009
Subpart 25.B (prev Subpart B)	renum No 350, 2002
r 25.003 (prev r 25.3)	renum No 350, 2002
r 25.004 (prev r 25.4)	renum No 350, 2002 rs No 147, 2009
r 25.005 (prev r 25.5)	renum No 350, 2002 am No 80, 2013
r 25.006 (prev r 25.6)	renum No 350, 2002 rs No 147, 2009
Subpart 25.C	
Subpart C	ad No 227, 2000
Subpart 25.C (prev Subpart C)	renum No 350, 2002
r 25.11	ad No 227, 2000
r 25.011 (prev r 25.11)	renum No 350, 2002
r 25.13	ad No 227, 2000

Endnote 4—Amendment history

Provision affected	How affected
r 25.013 (prev r 25.13)	renum No 350, 2002
Part 26	
Part 26.....	am No 345, 2004; No 80, 2013
r 26.0.....	ad No 204, 2000
r 26.000 (prev r 26.0)	renum No 350, 2002
	rep No 345, 2004
r 26.001 (prev r 26.1)	renum No 350, 2002
r 26.002 (prev r 26.2)	renum No 350, 2002
	am No 80, 2013
Part 27	
Part 27 heading	rs No 166, 1999
Part 27.....	am No 345, 2004; No 80, 2013
r 27.0.....	ad No 204, 2000
r 27.000 (prev r 27.0)	renum No 350, 2002
	rep No 345, 2004
r 27.1.....	am No 166, 1999
r 27.001 (prev r 27.1)	renum No 350, 2002
	am No 345, 2004
	rs No 147, 2009
r 27.002 (prev r 27.2)	renum No 350, 2002
	am No 345, 2004
	rs No 147, 2009
r 27.003 (prev r 27.3)	renum No 350, 2002
r 27.003A.....	ad No 147, 2009
r 27.004 (prev r 27.4)	renum No 350, 2002
	am No 80, 2013
r 27.005.....	ad No 147, 2009
Part 29	
Part 29.....	am No 345, 2004; No 80, 2013
r 29.0.....	ad No 204, 2000
r 29.000 (prev r 29.0)	renum No 350, 2002

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
	rep No 345, 2004
r 29.001 (prev r 29.1)	renum No 350, 2002
	am No 345, 2004
	rs No 147, 2009
r 29.002 (prev r 29.2)	renum No 350, 2002
	am No 345, 2004
	rs No 147, 2009
r 29.003 (prev r 29.3)	renum No 350, 2002
r 29.003A	ad No 147, 2009
r 29.004 (prev r 29.4)	renum No 350, 2002
	am No 80, 2013
r 29.005	ad No 147, 2009
Part 31	
Part 31	am No 345, 2004; No 80, 2013
	rs No 166, 2014
r 31.0	ad No 204, 2000
r 31.000 (prev r 31.0)	renum No 350, 2002
	rep No 345, 2004
r 31.001 (prev r 31.1)	renum No 350, 2002
	rs No 166, 2014
r 31.002 (prev r 31.2)	renum No 350, 2002
	am No 80, 2013
	rs No 166, 2014
r 31.003	ad No 166, 2014
r 31.004	ad No 166, 2014
r 31.005	ad No 166, 2014
r 31.006	ad No 166, 2014
r 31.007	ad No 166, 2014
r 31.008	ad No 166, 2014
Part 32	
Part 32	am No 345, 2004; No 80, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 32.0.....	ad No 204, 2000
r 32.000 (prev r 32.0).....	renum No 350, 2002 rep No 345, 2004
r 32.001 (prev r 32.1).....	renum No 350, 2002 am No 345, 2004 rs No 147, 2009
r 32.002 (prev r 32.2).....	renum No 350, 2002 am No 345, 2004; No 147, 2009; No 80, 2013
r 32.003 (prev r 32.3).....	renum No 350, 2002 rs No 147, 2009
r 32.004 (prev r 32.4).....	renum No 350, 2002 rs No 147, 2009
Part 33	
Part 33.....	am No 345, 2004; No 80, 2013
r 33.0.....	ad No 204, 2000
r 33.000 (prev r 33.0).....	renum No 350, 2002 rep No 345, 2004
r 33.001 (prev r 33.1).....	renum No 350, 2002 am No 345, 2004 rs No 147, 2009
r 33.002 (prev r 33.2).....	renum No 350, 2002 am No 345, 2004 rs No 147, 2009
r 33.003 (prev r 33.3).....	renum No 350, 2002
r 33.003A.....	ad No 147, 2009
r 33.004 (prev r 33.4).....	renum No 350, 2002 am No 80, 2013
r 33.005.....	ad No 147, 2009
Part 35	
Part 35.....	am No 345, 2004; No 80, 2013
r 35.0.....	ad No 204, 2000

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Endnote 4—Amendment history

Provision affected	How affected
r 35.000 (prev r 35.0)	renum No 350, 2002 rep No 345, 2004
r 35.001 (prev r 35.1)	renum No 350, 2002 am No 345, 2004 rs No 147, 2009
r 35.002 (prev r 35.2)	renum No 350, 2002 am No 345, 2004 rs No 147, 2009
r 35.003 (prev r 35.3)	renum No 350, 2002
r 35.003A	ad No 147, 2009
r 35.004 (prev r 35.4)	renum No 350, 2002 am No 80, 2013
r 35.005	ad No 147, 2009
Part 39	
Part 39	ad No 262, 1999 am No 345, 2004; No 80, 2013
r 39.0	ad No 204, 2000
r 39.000 (prev r 39.0)	renum No 350, 2002 rep No 345, 2004
r 39.001A	ad No 64, 2009 am No 274, 2013
r 39.1	ad No 262, 1999
r 39.001 (prev r 39.1)	renum No 350, 2002 am No 230, 2004; No 323, 2005; No 64, 2009
r 39.2	ad No 262, 1999
r 39.002 (prev r 39.2)	renum No 350, 2002 am No 350, 2002; No 64, 2009; No 274, 2013
r 39.002A	ad No 64, 2009
r 39.3	ad No 262, 1999 rs No 268, 2002
r 39.003 (prev r 39.3)	renum No 350, 2002

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Provision affected	How affected
	am No 134, 2004
	rs No 230, 2004
	am No 64, 2009
r 39.4.....	ad No 262, 1999
r 39.004 (prev r 39.4).....	renum No 350, 2002
	am No 230, 2004
	rs No 64, 2009
r 39.5.....	ad No 262, 1999
	am No 350, 2002
r 39.005 (prev r 39.5).....	renum No 350, 2002
	rs No 64, 2009
	am No 274, 2013
r 39.6.....	ad No 262, 1999
r 39.006 (prev r 39.6).....	renum No 350, 2002
	am No 64, 2009
r 39.7.....	ad No 262, 1999
r 39.007 (prev r 39.7).....	renum No 350, 2002
	am No 350, 2002; No 64, 2009
Part 42	
Part 42.....	ad No 328, 2010
	am No 80, 2013; No 274, 2013
Subpart 42.A	
r 42.005.....	ad No 328, 2010
r 42.010.....	ad No 328, 2010
	am No 275, 2013
r 42.015.....	ad No 328, 2010
	am No 76, 2011; No 107, 2012; No 275, 2013; No 166, 2014; <u>No 245, 2015</u>
r 42.020.....	ad No 328, 2010
	am No 80, 2013
Subpart 42.B	

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Endnote 4—Amendment history

Provision affected	How affected
Division 42.B.1	
r 42.025.....	ad No 328, 2010
Division 42.B.2	
r 42.030.....	ad No 328, 2010 am No 80, 2013; No 275, 2013
r 42.035.....	ad No 328, 2010
r 42.040.....	ad No 328, 2010
r 42.045.....	ad No 328, 2010
r 42.050.....	ad No 328, 2010
r 42.055.....	ad No 328, 2010
r 42.060.....	ad No 328, 2010
r 42.065.....	ad No 328, 2010
r 42.070.....	ad No 328, 2010
r 42.075.....	ad No 328, 2010
r 42.080.....	ad No 328, 2010 am No 80, 2013
Division 42.B.3	
r 42.085.....	ad No 328, 2010
r 42.090.....	ad No 328, 2010
r 42.095.....	ad No 328, 2010
Subpart 42.C	
Division 42.C.1	
r 42.100.....	ad No 328, 2010
r 42.105.....	ad No 328, 2010
Division 42.C.2	
r 42.110.....	ad No 328, 2010
r 42.115.....	ad No 328, 2010
r 42.120.....	ad No 328, 2010 am No 274, 2013
r 42.125.....	ad No 328, 2010
r 42.130.....	ad No 328, 2010

Endnote 4—Amendment history

Provision affected	How affected
r 42.135.....	ad No 328, 2010
r 42.140.....	ad No 328, 2010
r 42.145.....	ad No 328, 2010
r 42.150.....	ad No 328, 2010
r 42.155.....	ad No 328, 2010
r 42.160.....	ad No 328, 2010
r 42.165.....	ad No 328, 2010
Division 42.C.3	
Subdivision 42.C.3.1	
r 42.170.....	ad No 328, 2010
Subdivision 42.C.3.2	
r 42.175.....	ad No 328, 2010
r 42.180.....	ad No 328, 2010
	am No 275, 2013
r 42.185.....	ad No 328, 2010
r 42.190.....	ad No 328, 2010
r 42.195.....	ad No 328, 2010
	am No 275, 2013
r 42.200.....	ad No 328, 2010
	am No 275, 2013
r 42.205.....	ad No 328, 2010
	am No 275, 2013
r 42.210.....	ad No 328, 2010
	am No 275, 2013
Subdivision 42.C.3.3	
r 42.215.....	ad No 328, 2010
Subdivision 42.C.3.4	
r 42.220.....	ad No 328, 2010
	am No 80, 2013
r 42.225.....	ad No 328, 2010
Subdivision 42.C.3.5	

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Endnote 4—Amendment history

Provision affected	How affected
r 42.230.....	ad No 328, 2010
r 42.235.....	ad No 328, 2010
r 42.240.....	ad No 328, 2010
Subdivision 42.C.3.6	
r 42.245.....	ad No 328, 2010
r 42.250.....	ad No 328, 2010
r 42.255.....	ad No 328, 2010
Subdivision 42.C.3.7	
r 42.260.....	ad No 328, 2010
	am No 275, 2013
r 42.265.....	ad No 328, 2010
Division 42.C.4	
r 42.270.....	ad No 328, 2010
	am No 76, 2011; No 166, 2014; <u>No 245, 2015</u>
r 42.275.....	ad No 328, 2010
r 42.280.....	ad No 328, 2010
	am No 80, 2013
r 42.285.....	ad No 328, 2010
Subpart 42.D	
Division 42.D.1	
r 42.290.....	ad No 328, 2010
Division 42.D.2	
r 42.295.....	ad No 328, 2010
r 42.300.....	ad No 328, 2010
	am No 5, 2013
r 42.301.....	ad No 80, 2013
	am No 274, 2013; No 275, 2013; No 166, 2014
Division 42.D.3	
r 42.305.....	ad No 328, 2010
r 42.306.....	ad No 80, 2013
	am No 274, 2013; No 275, 2013

Endnote 4—Amendment history

Provision affected	How affected
Division 42.D.4	
r 42.310.....	ad No 328, 2010
r 42.315.....	ad No 328, 2010
r 42.320.....	ad No 328, 2010
r 42.325.....	ad No 328, 2010
	am No 275, 2013
r 42.330.....	ad No 328, 2010
Division 42.D.5	
r 42.335.....	ad No 328, 2010
	am No 5, 2013
r 42.340.....	ad No 328, 2010
r 42.345.....	ad No 328, 2010
Division 42.D.6	
Subdivision 42.D.6.1	
r 42.350.....	ad No 328, 2010
r 42.355.....	ad No 328, 2010
r 42.360.....	ad No 328, 2010
	am No 40, 2014
r 42.365.....	ad No 328, 2010
r 42.370.....	ad No 328, 2010
Subdivision 42.D.6.2	
r 42.375.....	ad No 328, 2010
r 42.380.....	ad No 328, 2010
r 42.385.....	ad No 328, 2010
r 42.390.....	ad No 328, 2010
Division 42.D.7	
r 42.395.....	ad No 328, 2010
	am No 275, 2013
r 42.400.....	ad No 328, 2010
r 42.405.....	ad No 328, 2010
r 42.410.....	ad No 328, 2010

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 42.E	
Division 42.E.1	
r 42.415.....	ad No 328, 2010
Division 42.E.2	
r 42.420.....	ad No 328, 2010
	am No 80, 2013
r 42.425.....	ad No 328, 2010
r 42.430.....	ad No 328, 2010
	am No 80, 2013; No 166, 2014
r 42.435.....	ad No 328, 2010
r 42.440.....	ad No 328, 2010
	am No 274, 2013
r 42.445.....	ad No 328, 2010
r 42.450.....	ad No 328, 2010
r 42.455.....	ad No 328, 2010
Division 42.E.3	
r 42.460.....	ad No 328, 2010
r 42.465.....	ad No 328, 2010
Division 42.E.4	
r 42.470.....	ad No 328, 2010
	am No 274, 2013
r 42.475.....	ad No 328, 2010
r 42.480.....	ad No 328, 2010
r 42.485.....	ad No 328, 2010
r 42.490.....	ad No 328, 2010
Subpart 42.F	
Division 42.F.1	
r 42.495.....	ad No 328, 2010
r 42.500.....	ad No 328, 2010
r 42.505.....	ad No 328, 2010
Division 42.F.2	

Endnote 4—Amendment history

Provision affected	How affected
r 42.510.....	ad No 328, 2010
r 42.515.....	ad No 328, 2010
r 42.520.....	ad No 328, 2010
r 42.525.....	ad No 328, 2010
r 42.530.....	ad No 328, 2010
Division 42.F.3	
r 42.535.....	ad No 328, 2010
r 42.540.....	ad No 328, 2010
r 42.545.....	ad No 328, 2010
r 42.550.....	ad No 328, 2010
Division 42.F.4	
r 42.555.....	ad No 328, 2010
r 42.560.....	ad No 328, 2010
r 42.565.....	ad No 328, 2010
Subpart 42.G	
Division 42.G.1	
r 42.570.....	ad No 328, 2010
r 42.575.....	ad No 328, 2010
r 42.580.....	ad No 328, 2010
Division 42.G.2	
r 42.585.....	ad No 328, 2010
r 42.590.....	ad No 328, 2010
r 42.595.....	ad No 328, 2010
r 42.600.....	ad No 328, 2010
r 42.605.....	ad No 328, 2010
Division 42.G.3	
r 42.610.....	ad No 328, 2010
r 42.615.....	ad No 328, 2010
r 42.620.....	ad No 328, 2010
r 42.625.....	ad No 328, 2010
Division 42.G.4	

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Endnote 4—Amendment history

Provision affected	How affected
r 42.630.....	ad No 328, 2010 am No 5, 2013
r 42.635.....	ad No 328, 2010
r 42.640.....	ad No 328, 2010
r 42.645.....	ad No 328, 2010
Division 42.G.5	
r 42.650.....	ad No 328, 2010
r 42.655.....	ad No 328, 2010
r 42.660.....	ad No 328, 2010
r 42.665.....	ad No 328, 2010
r 42.670.....	ad No 328, 2010
r 42.675.....	ad No 328, 2010
Subpart 42.H	
Division 42.H.1	
r 42.680.....	ad No 328, 2010
Division 42.H.2	
Subdivision 42.H.2.1	
r 42.685.....	ad No 328, 2010
Subdivision 42.H.2.2	
r 42.690.....	ad No 328, 2010
r 42.695.....	ad No 328, 2010
r 42.700.....	ad No 328, 2010
Subdivision 42.H.2.3	
r 42.705.....	ad No 328, 2010
r 42.710.....	ad No 328, 2010
Subdivision 42.H.2.4	
r 42.715.....	ad No 328, 2010
Division 42.H.3	
Subdivision 42.H.3.1	
r 42.720.....	ad No 328, 2010
r 42.725.....	ad No 328, 2010

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Provision affected	How affected
Subdivision 42.H.3.2	
r 42.730.....	ad No 328, 2010
r 42.735.....	ad No 328, 2010
r 42.740.....	ad No 328, 2010
Subdivision 42.H.3.3	
r 42.745.....	ad No 328, 2010
r 42.750.....	ad No 328, 2010
r 42.755.....	ad No 328, 2010
Subdivision 42.H.3.4	
r 42.760.....	ad No 328, 2010
	am No 80, 2013
r 42.765.....	ad No 328, 2010
Subdivision 42.H.3.5	
r 42.770.....	ad No 328, 2010
Division 42.H.4	
Subdivision 42.H.4.1	
r 42.775.....	ad No 328, 2010
r 42.780.....	ad No 328, 2010
Subdivision 42.H.4.2	
r 42.785.....	ad No 328, 2010
r 42.790.....	ad No 328, 2010
Subdivision 42.H.4.3	
r 42.795.....	ad No 328, 2010
r 42.800.....	ad No 328, 2010
r 42.805.....	ad No 328, 2010
Subdivision 42.H.4.4	
r 42.810.....	ad No 328, 2010
r 42.815.....	ad No 328, 2010
	am No 80, 2013
Subdivision 42.H.4.5	
r 42.820.....	ad No 328, 2010

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Endnote 4—Amendment history

Provision affected	How affected
r 42.825.....	ad No 328, 2010
Subpart 42.I	
Division 42.I.1	
r 42.830.....	ad No 328, 2010
r 42.835.....	ad No 328, 2010
Division 42.I.2	
r 42.840.....	ad No 328, 2010
r 42.845.....	ad No 328, 2010
r 42.850.....	ad No 328, 2010
r 42.855.....	ad No 328, 2010
r 42.860.....	ad No 328, 2010
r 42.865.....	ad No 328, 2010
r 42.870.....	ad No 328, 2010
Division 42.I.3	
r 42.875.....	ad No 328, 2010
r 42.880.....	ad No 328, 2010
r 42.885.....	ad No 328, 2010
r 42.890.....	ad No 328, 2010
r 42.895.....	ad No 328, 2010
Division 42.I.4	
r 42.900.....	ad No 328, 2010 am No 275, 2013
Division 42.I.5	
r 42.905.....	ad No 328, 2010
r 42.910.....	ad No 328, 2010
r 42.915.....	ad No 328, 2010
r 42.920.....	ad No 328, 2010
r 42.925.....	ad No 328, 2010
Division 42.I.6	
r 42.930.....	ad No 328, 2010
Subpart 42.J	

Endnote 4—Amendment history

Provision affected	How affected
Division 42.J.1	
r 42.935.....	ad No 328, 2010
Division 42.J.2	
r 42.940.....	ad No 328, 2010
r 42.945.....	ad No 328, 2010
r 42.950.....	ad No 328, 2010
r 42.955.....	ad No 328, 2010
r 42.960.....	ad No 328, 2010
r 42.965.....	ad No 328, 2010
Division 42.J.3	
r 42.970.....	ad No 328, 2010
r 42.975.....	ad No 328, 2010
r 42.980.....	ad No 328, 2010
Division 42.J.4	
r 42.985.....	ad No 328, 2010
r 42.990.....	ad No 328, 2010
r 42.995.....	ad No 328, 2010
r 42.1000.....	ad No 328, 2010
r 42.1005.....	ad No 328, 2010
r 42.1010.....	ad No 328, 2010
Division 42.J.5	
r 42.1015.....	ad No 328, 2010
r 42.1020.....	ad No 328, 2010
r 42.1025.....	ad No 328, 2010
Subpart 42.K	
r 42.1030.....	ad No 328, 2010
r 42.1035.....	ad No 328, 2010
Subpart 42.L	
Division 42.L.1	
r 42.1040.....	ad No 328, 2010
Division 42.L.2	

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Endnote 4—Amendment history

Provision affected	How affected
r 42.1045	ad No 328, 2010
r 42.1050	ad No 328, 2010
Division 42.L.3	
r 42.1055	ad No 328, 2010
r 42.1060	ad No 328, 2010
Subpart 42.M	
r 42.1065	ad No 328, 2010
r 42.0170	ad No 328, 2010
r 42.1075	ad No 328, 2010
Subpart 42.N	
r 42.1080	ad No 328, 2010
r 42.1085	ad No 328, 2010
r 42.1090	ad No 328, 2010
r 42.1095	ad No 328, 2010
Subpart 42.O	
r 42.1100	ad No 328, 2010
r 42.1105	ad No 328, 2010
Part 43	ad No 204, 2000
	rep No 328, 2010
Part 45	
Part 45	ad No 204, 2000
	am No 345, 2004; No 80, 2013
	rs <u>No 245, 2015</u>
Subpart 45.A	
Subpart 45.A (prev Subpart A)	renum No 350, 2002
	rs <u>No 245, 2015</u>
r 45.000	ad No 204, 2000
	am No 242, 2001; No 350, 2002
	rep No 345, 2004
r 45.005	ad No 204, 2000
	am No 77, 2011

Endnote 4—Amendment history

Provision affected	How affected
	rs <u>No 245, 2015</u>
Division 45.B.1	
Division 45.B.1 (prev..... Division 1)	renum No 350, 2002 rep <u>No 245, 2015</u>
r 45.010.....	ad No 204, 2000 am No 77, 2011 rs <u>No 245, 2015</u>
r 45.015.....	ad No 204, 2000 rs <u>No 245, 2015</u>
r 45.020.....	ad No 204, 2000 am No 350, 2002; No 134, 2004 rs <u>No 245, 2015</u>
r 45.025.....	ad No 204, 2000 am No 134, 2004 rs <u>No 245, 2015</u>
r 45.030.....	ad No 204, 2000 rs <u>No 245, 2015</u>
r 45.035.....	ad No 204, 2000 am No 268, 2002; No 77, 2011 rep <u>No 245, 2015</u>
r 45.040.....	ad No 204, 2000 rep <u>No 245, 2015</u>
r 45.045.....	ad No 204, 2000 rep <u>No 245, 2015</u>
Subpart 45.B	
Subpart 45.B (prev Subpart B).....	renum No 350, 2002 rs <u>No 245, 2015</u>
r 45.050.....	ad No 204, 2000 rs <u>No 245, 2015</u>
r 45.055.....	ad No 204, 2000 rs <u>No 245, 2015</u>

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Endnote 4—Amendment history

Provision affected	How affected
r 45.060.....	ad No 204, 2000 am No 242, 2001 rs <u>No 245, 2015</u>
r 45.065.....	ad No 204, 2000 am No 242, 2001 rs <u>No 245, 2015</u>
r 45.070.....	ad No 204, 2000 rs <u>No 245, 2015</u>
r 45.075.....	ad No 204, 2000 rep <u>No 245, 2015</u>
r 45.080.....	ad No 204, 2000 rep <u>No 245, 2015</u>
r 45.085.....	ad No 204, 2000 am No 268, 2002 rep <u>No 245, 2015</u>
Subpart 45.C	
Subpart 45.C (prev Subpart C).....	renum No 350, 2002 rs <u>No 245, 2015</u>
r 45.090.....	ad No 204, 2000 am No 268, 2002; No 77, 2011 rs <u>No 245, 2015</u>
Division 45.B.2	
Division 45.B.2 (prev..... Division 2)	renum No 350, 2002 rep <u>No 245, 2015</u>
r 45.095.....	ad No 204, 2000 rs <u>No 245, 2015</u>
r 45.100.....	ad No 204, 2000 am No 350, 2002 rs <u>No 245, 2015</u>
r 45.105.....	ad No 204, 2000 am No 268, 2002

Endnote 4—Amendment history

Provision affected	How affected
	rep <u>No 245, 2015</u>
r 45.110.....	ad No 204, 2000
	rep <u>No 245, 2015</u>
Division 45.B.3	
Division 45.B.3 (prev.....	renum No 350, 2002
Division 3)	rep <u>No 245, 2015</u>
r 45.115.....	ad No 204, 2000
	am No 268, 2002; No 77, 2011
	rep <u>No 245, 2015</u>
Subpart 45.D	
Subpart 45.D (prev Subpart D)	renum No 350, 2002
	rs <u>No 245, 2015</u>
r 45.120.....	ad No 204, 2000
	am No 350, 2002
	rs <u>No 245, 2015</u>
r 45.125.....	ad No 204, 2000
	am No 268, 2002
	rs <u>No 245, 2015</u>
r 45.130.....	ad No 204, 2000
	rs <u>No 245, 2015</u>
r 45.135.....	ad No 204, 2000
	rs <u>No 245, 2015</u>
r 45.140.....	ad No 204, 2000
	am No 134, 2004
	rs <u>No 245, 2015</u>
r 45.145.....	ad No 204, 2000
	rs No 268, 2002
	rep <u>No 245, 2015</u>
r 45.150.....	ad No 204, 2000
	am No 242, 2001
	rep <u>No 245, 2015</u>

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Endnote 4—Amendment history

Provision affected	How affected
r 45.155.....	ad No 204, 2000 am No 268, 2002; No 350, 2002 rep <u>No 245, 2015</u>
r 45.160.....	ad No 204, 2000 am No 268, 2002 rep <u>No 245, 2015</u>
Subpart 45.E	
Subpart 45.E (prev Subpart E)	renum No 350, 2002 rep <u>No 245, 2015</u>
r 45.165.....	ad No 204, 2000 rep <u>No 245, 2015</u>
r 45.170.....	ad No 204, 2000 am No 268, 2002; No 77, 2011 rep <u>No 245, 2015</u>
Part 47	
Part 47.....	ad No 204, 2000 rs No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 80, 2013; No 275, 2013
Subpart 47.A	
r 47.000.....	ad No 204, 2000 (Sch 2 item 7 disallowed)
r 47.005.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.010.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 204, 2014
r 47.015.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 77, 2011
r 47.020.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
Subpart 47.B	
r 47.025.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.030.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.035.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 rs No 345, 2004

Endnote 4—Amendment history

Provision affected	How affected
r 47.040.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 345, 2004; No 275, 2013
r 47.045.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.050.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.055.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
Subpart 47.C	
r 47.060.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 275, 2013; No 204, 2014
r 47.065.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 345, 2004; No 274, 2013; No 204, 2014
r 47.070.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.075.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.080.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 204, 2014
r 47.085.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 275, 2013; No 204, 2014
r 47.090.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.095.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 275, 2013 rs No 204, 2014
Subpart 47.D	
r 47.100.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 345, 2004; No 275, 2013; No 204, 2014
Subpart 47.E	
r 47.105.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.110.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 232, 2009; No 275, 2013; No 204, 2014
Subpart 47.F	
r 47.115.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.120.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 345, 2004

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Endnote 4—Amendment history

Provision affected	How affected
	rep No 77, 2011
r 47.125.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 rep No 77, 2011
r 47.130.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 232, 2009; No 77, 2011 rs No 275, 2013 am No 204, 2014
r 47.131.....	ad No 275, 2013 am No 204, 2014
r 47.131A.....	ad No 204, 2014
r 47.131B.....	ad No 204, 2014
r 47.132.....	ad No 275, 2013 rs No 204, 2014
r 47.135.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 345, 2004 rep No 77, 2011
Subpart 47.G	
r 47.140.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.145.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.150.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.155.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.160.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 345, 2004
r 47.165.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004 am No 345, 2004; No 204, 2014
Subpart 47.H	
r 47.170.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.175.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.180.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.185.....	ad No 204, 2000 (Sch 2 item 7 disallowed); No 134, 2004
r 47.190.....	ad No 134, 2004

Endnote 4—Amendment history

Provision affected	How affected
r 47.195.....	ad No 134, 2004
r 47.200.....	ad No 134, 2004
	rep No 77, 2011
r 47.205.....	ad No 134, 2004
r 47.210.....	ad No 134, 2004
r 47.215.....	ad No 134, 2004
r 47.220.....	ad No 134, 2004
r 47.225.....	ad No 134, 2004
	am No 77, 2011
Part 60	
Part 60.....	ad No 240, 2003
	am No 345, 2004; No 80, 2013; No 274, 2013
Subpart 60.A	
r 60.000.....	ad No 240, 2003
	rep No 345, 2004
r 60.005.....	ad No 240, 2003
r 60.010.....	ad No 240, 2003
Subpart 60.B	
r 60.015.....	ad No 240, 2003
r 60.020.....	ad No 240, 2003
	am No 245, 2015
r 60.025.....	ad No 240, 2003
	am No 77, 2011
r 60.030.....	ad No 240, 2003
	am No 77, 2011
r 60.035.....	ad No 240, 2003
r 60.040.....	ad No 240, 2003
r 60.045.....	ad No 240, 2003
r 60.050.....	ad No 240, 2003
r 60.055.....	ad No 240, 2003
	am No 77, 2011; No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
r 60.060.....	ad No 240, 2003 am No 5, 2013
r 60.065.....	ad No 240, 2003
r 60.070.....	ad No 240, 2003
r 60.075.....	ad No 240, 2003
r 60.080.....	ad No 240, 2003
r 60.085.....	ad No 240, 2003
r 60.090.....	ad No 240, 2003
r 60.095.....	ad No 240, 2003
Subpart 60.C	
Subpart 60.C	ad No 240, 2003
Part 61	
Part 61.....	ad No 204, 2000 rs No 5, 2013 am No 274, 2013; No 125, 2014
Subpart 61.A	
Division 61.A.1	
r 61.005.....	ad No 5, 2013 am No 274, 2013
r 61.007.....	ad No 274, 2013
r 61.010.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.015.....	ad No 5, 2013
r 61.020.....	ad No 5, 2013
r 61.025.....	ad No 5, 2013
r 61.030.....	ad No 5, 2013 rep No 274, 2013
r 61.035.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.040.....	ad No 5, 2013
r 61.045.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 61.047.....	ad No 5, 2013
r 61.050.....	ad No 5, 2013
r 61.055.....	ad No 5, 2013
r 61.060.....	ad No 5, 2013
r 61.061.....	ad No 274, 2013
r 61.062.....	ad No 274, 2013
r 61.063.....	ad No 274, 2013
r 61.065.....	ad No 5, 2013
Division 61.A.2	
r 61.070.....	ad No 5, 2013
r 61.075.....	ad No 5, 2013
r 61.080.....	ad No 5, 2013
r 61.085.....	ad No 5, 2013
r 61.090.....	ad No 5, 2013
r 61.095.....	ad No 5, 2013
	am No 274, 2013
r 61.100.....	ad No 5, 2013
r 61.105.....	ad No 5, 2013
	am No 274, 2013
r 61.110.....	ad No 5, 2013
	am No 274, 2013
Division 61.A.3	
Subdivision 61.A.3.1	
Subdivision 61.A.3.1	ad No 274, 2013
r 61.112.....	ad No 274, 2013
r 61.113.....	ad No 274, 2013
r 61.114.....	ad No 274, 2013
r 61.115.....	ad No 5, 2013
	rs No 274, 2013
	am No 125, 2014
r 61.116.....	ad No 274, 2013

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Endnote 4—Amendment history

Provision affected	How affected
r 61.117.....	ad No 274, 2013
r 61.118.....	ad No 274, 2013
Subdivision 61.A.3.2	
Subdivision 61.A.3.2 heading	ad No 274, 2013
r 61.119.....	ad No 274, 2013
r 61.120.....	ad No 5, 2013
	am No 274, 2013
r 61.125.....	ad No 5, 2013
r 61.126.....	ad No 125, 2014
r 61.130.....	ad No 5, 2013
r 61.135.....	ad No 5, 2013
r 61.140.....	ad No 5, 2013
r 61.145.....	ad No 5, 2013
	rs No 125, 2014
Subpart 61.B	
Division 61.B.1	
r 61.150.....	ad No 5, 2013
r 61.155.....	ad No 5, 2013
	am No 274, 2013
r 61.160.....	ad No 5, 2013
	am No 274, 2013
r 61.165.....	ad No 5, 2013
	am No 274, 2013
r 61.170.....	ad No 5, 2013
	am No 274, 2013
r 61.175.....	ad No 5, 2013
r 61.180.....	ad No 5, 2013
r 61.185.....	ad No 5, 2013
r 61.190.....	ad No 5, 2013
Division 61.B.2	
r 61.195.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 61.200.....	ad No 5, 2013
r 61.205.....	ad No 5, 2013
	am No 125, 2014
r 61.210.....	ad No 5, 2013
	am No 274, 2013
Division 61.B.3	
r 61.215.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.220.....	ad No 5, 2013
r 61.225.....	ad No 5, 2013
r 61.230.....	ad No 5, 2013
Division 61.B.4	
r 61.235.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.240.....	ad No 5, 2013
r 61.245.....	ad No 5, 2013
	am No 274, 2013
r 61.250.....	ad No 5, 2013
Division 61.B.5	
r 61.255.....	ad No 5, 2013
r 61.260.....	ad No 5, 2013
r 61.265.....	ad No 5, 2013
	am No 274, 2013
r 61.270.....	ad No 5, 2013
Division 61.B.6	
r 61.275.....	ad No 5, 2013
	am No 125, 2014
r 61.280.....	ad No 5, 2013
Division 61.B.7	
r 61.285.....	ad No 5, 2013
	am No 274, 2013

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 61.C	
r 61.290.....	ad No 5, 2013 am No 125, 2014
r 61.295.....	ad No 5, 2013
r 61.300.....	ad No 5, 2013 rs No 274, 2013
r 61.305.....	ad No 5, 2013
r 61.310.....	ad No 5, 2013
r 61.315.....	ad No 5, 2013
r 61.320.....	ad No 5, 2013
r 61.325.....	ad No 5, 2013
Subpart 61.D	
r 61.330.....	ad No 5, 2013 rep No 125, 2014
r 61.335.....	ad No 5, 2013
r 61.336.....	ad No 274, 2013
r 61.340.....	ad No 5, 2013 am No 274, 2013
r 61.345.....	ad No 5, 2013 am No 274, 2013
r 61.350.....	ad No 5, 2013
r 61.355.....	ad No 5, 2013
r 61.360.....	ad No 5, 2013
r 61.365.....	ad No 5, 2013
r 61.370.....	ad No 5, 2013 rep No 274, 2013
Subpart 61.E	
Division 61.E.1	
r 61.375.....	ad No 5, 2013 am No 274, 2013
r 61.380.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
	am No 125, 2014
r 61.385.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.390.....	ad No 5, 2013
r 61.395.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.400.....	ad No 5, 2013
	am No 274, 2013
r 61.405.....	ad No 5, 2013
	am No 274, 2013
r 61.410.....	ad No 5, 2013
	am No 274, 2013
r 61.415.....	ad No 5, 2013
r 61.420.....	ad No 5, 2013
	am No 274, 2013
r 61.422.....	ad No 125, 2014
r 61.425.....	ad No 5, 2013
r 61.427.....	ad No 5, 2013
Division 61.E.2	
r 61.430.....	ad No 5, 2013
	am No 274, 2013
r 61.435.....	ad No 5, 2013
	am No 274, 2013
Subpart 61.F.....	rep No 274, 2013
r 61.440.....	ad No 5, 2013
	rep No 274, 2013
r 61.445.....	ad No 5, 2013
	rep No 274, 2013
r 61.450.....	ad No 5, 2013
	rep No 274, 2013
r 61.455.....	ad No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
	rep No 274, 2013
Subpart 61.G	
Division 61.G.1	
r 61.460.....	ad No 5, 2013
r 61.465.....	ad No 5, 2013
r 61.470.....	ad No 5, 2013
	am No 274, 2013
r 61.475.....	ad No 5, 2013
	am No 125, 2014
r 61.480.....	ad No 5, 2013
Division 61.G.2	
r 61.485.....	ad No 5, 2013
r 61.490.....	ad No 5, 2013
r 61.495.....	ad No 5, 2013
	am No 274, 2013
r 61.500.....	ad No 5, 2013
	am No 274, 2013
Subpart 61.H	
Division 61.H.1	
r 61.505.....	ad No 5, 2013
r 61.510.....	ad No 5, 2013
	rs No 274, 2013
	am No 125, 2014
r 61.515.....	ad No 5, 2013
Division 61.H.2	
r 61.520.....	ad No 5, 2013
r 61.525.....	ad No 5, 2013
r 61.530.....	ad No 5, 2013
r 61.535.....	ad No 5, 2013
Division 61.H.3	
r 61.540.....	ad No 5, 2013

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Provision affected	How affected
r 61.545.....	ad No 5, 2013
r 61.550.....	ad No 5, 2013
r 61.555.....	ad No 5, 2013
r 61.560.....	ad No 5, 2013
r 61.565.....	ad No 5, 2013
Subpart 61.I	
Division 61.I.1	
r 61.570.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.575.....	ad No 5, 2013
	am No 125, 2014
r 61.580.....	ad No 5, 2013
Division 61.I.2	
r 61.585.....	ad No 5, 2013
r 61.590.....	ad No 5, 2013
r 61.595.....	ad No 5, 2013
r 61.600.....	ad No 5, 2013
Division 61.I.3	
r 61.605.....	ad No 5, 2013
r 61.610.....	ad No 5, 2013
r 61.615.....	ad No 5, 2013
r 61.620.....	ad No 5, 2013
r 61.625.....	ad No 5, 2013
r 61.630.....	ad No 5, 2013
Subpart 61.J	
r 61.635.....	ad No 5, 2013
	rs No 274, 2013
	am No 125, 2014
r 61.640.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.645.....	ad No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
	am No 274, 2013; No 125, 2014
r 61.650.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.655.....	ad No 5, 2013
r 61.660.....	ad No 5, 2013
Subpart 61.K	
r 61.665.....	ad No 5, 2013
r 61.670.....	ad No 5, 2013
r 61.675.....	ad No 5, 2013
r 61.680.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.685.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.690.....	ad No 5, 2013
	rep No 274, 2013
r 61.695.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.700.....	ad No 5, 2013
r 61.705.....	ad No 5, 2013
r 61.710.....	ad No 5, 2013
r 61.715.....	ad No 5, 2013
Subpart 61.L	
Division 61.L.1	
r 61.720.....	ad No 5, 2013
	am No 125, 2014
Division 61.L.2	
r 61.725.....	ad No 5, 2013
r 61.730.....	ad No 5, 2013
	am No 274, 2013
Division 61.L.3	
r 61.735.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 61.740.....	ad No 5, 2013 rep No 125, 2014
r 61.745.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.747.....	ad No 274, 2013
r 61.750.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
Division 61.L.4	
r 61.755.....	ad No 5, 2013 am No 274, 2013
r 61.760.....	ad No 5, 2013 rs No 125, 2014
r 61.765.....	ad No 5, 2013
Division 61.L.5	
r 61.770.....	ad No 5, 2013 am No 274, 2013
r 61.775.....	ad No 5, 2013 am No 274, 2013
r 61.780.....	ad No 5, 2013 am No 274, 2013
r 61.785.....	ad No 5, 2013 am No 125, 2014
r 61.790.....	ad No 5, 2013
r 61.795.....	ad No 5, 2013 rs No 274, 2013 am No 125, 2014
r 61.800.....	ad No 5, 2013 rs No 274, 2013 am No 125, 2014
r 61.805.....	ad No 5, 2013 am No 274, 2013; No 125, 2014

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Provision affected	How affected
r 61.810.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.815.....	ad No 5, 2013 am No 274, 2013
r 61.820.....	ad No 5, 2013
r 61.822.....	ad No 5, 2013
Division 61.L.6	
r 61.825.....	ad No 5, 2013
r 61.830.....	ad No 5, 2013
r 61.835.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.840.....	ad No 5, 2013 am No 274, 2013; No 125, 2014 (Sch 1 item 77 md)
r 61.845.....	ad No 5, 2013 am No 125, 2014
r 61.850.....	ad No 5, 2013
Subpart 61.M	
Division 61.M.1	
r 61.855.....	ad No 5, 2013
r 61.860.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.865.....	ad No 5, 2013 am No 274, 2013
r 61.870.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.875.....	ad No 5, 2013
r 61.880.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.885.....	ad No 5, 2013 am No 274, 2013
r 61.887.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
Division 61.M.2	
r 61.890.....	ad No 5, 2013 am No 274, 2013
r 61.895.....	ad No 5, 2013
r 61.900.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.905.....	ad No 5, 2013
Subpart 61.N	
Division 61.N.1	
r 61.910.....	ad No 5, 2013 rs No 125, 2014
r 61.915.....	ad No 5, 2013
r 61.920.....	ad No 5, 2013 am No 274, 2013
r 61.925.....	ad No 5, 2013 am No 274, 2013
r 61.930.....	ad No 5, 2013 am No 125, 2014
Division 61.N.2	
r 61.935.....	ad No 5, 2013 am No 274, 2013
r 61.940.....	ad No 5, 2013 am No 125, 2014
r 61.942.....	ad No 125, 2014
r 61.945.....	ad No 5, 2013 am No 274, 2013
r 61.950.....	ad No 5, 2013
Subpart 61.O	
Division 61.O.1	
r 61.955.....	ad No 5, 2013
r 61.960.....	ad No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
r 61.965.....	ad No 5, 2013 am No 274, 2013
r 61.970.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.975.....	ad No 5, 2013
Division 61.O.2	
r 61.980.....	ad No 5, 2013 am No 274, 2013
r 61.985.....	ad No 5, 2013
r 61.990.....	ad No 5, 2013
Subpart 61.P	
Division 61.P.1	
r 61.995.....	ad No 5, 2013
r 61.1000.....	ad No 5, 2013
r 61.1005.....	ad No 5, 2013
r 61.1010.....	ad No 5, 2013 am No 125, 2014
r 61.1015.....	ad No 5, 2013 am No 125, 2014
r 61.1020.....	ad No 5, 2013
Division 61.P.2	
r 61.1025.....	ad No 5, 2013 am No 125, 2014
r 61.1030.....	ad No 5, 2013
r 61.1035.....	ad No 5, 2013
Subpart 61.Q	
Division 61.Q.1	
r 61.1040.....	ad No 5, 2013
r 61.1045.....	ad No 5, 2013
r 61.1050.....	ad No 5, 2013
r 61.1055.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
	am No 274, 2013
r 61.1060.....	ad No 5, 2013
	am No 125, 2014
r 61.1070.....	ad No 5, 2013
Division 61.Q.2	
r 61.1075.....	ad No 5, 2013
r 61.1080.....	ad No 5, 2013
r 61.1085.....	ad No 5, 2013
Subpart 61.R	
Division 61.R.1	
r 61.1090.....	ad No 5, 2013
r 61.1100.....	ad No 5, 2013
r 61.1105.....	ad No 5, 2013
r 61.1110.....	ad No 5, 2013
	am No 274, 2013
r 61.1115.....	ad No 5, 2013
Division 61.R.2	
r 61.1120.....	ad No 5, 2013
r 61.1125.....	ad No 5, 2013
r 61.1130.....	ad No 5, 2013
r 61.1135.....	ad No 5, 2013
	rs No 274, 2013
	am No 125, 2014
r 61.1140.....	ad No 5, 2013
Subpart 61.S	
r 61.1145.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.1150.....	ad No 5, 2013
r 61.1155.....	ad No 5, 2013
r 61.1160.....	ad No 5, 2013
Subpart 61.T	

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Endnote 4—Amendment history

Provision affected	How affected
Division 61.T.1	
r 61.1165.....	ad No 5, 2013 am No 274, 2013
r 61.1170.....	ad No 5, 2013 am No 274, 2013
r 61.1172.....	ad No 274, 2013
r 61.1175.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.1180.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.1185.....	ad No 5, 2013 am No 274, 2013
Division 61.T.2	
r 61.1190.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.1195.....	ad No 5, 2013
r 61.1197.....	ad No 274, 2013
r 61.1200.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.1205.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 61.1210.....	ad No 5, 2013
Division 61.T.3	
r 61.1215.....	ad No 5, 2013
r 61.1220.....	ad No 5, 2013
r 61.1225.....	ad No 5, 2013 rs No 274, 2013
r 61.1227.....	ad No 274, 2013
r 61.1230.....	ad No 5, 2013
Division 61.T.4	
r 61.1235.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
	am No 274, 2013; No 125, 2014
r 61.1240.....	ad No 5, 2013
	am No 125, 2014
r 61.1245.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.1246.....	ad No 125, 2014
r 61.1247.....	ad No 125, 2014
r 61.1250.....	ad No 5, 2013
r 61.1252.....	ad No 274, 2013
	rep No 125, 2014
Subpart 61.U	
Division 61.U.1	
r 61.1255.....	ad No 5, 2013
	am No 125, 2014
r 61.1260.....	ad No 5, 2013
	rep No 274, 2013
r 61.1265.....	ad No 5, 2013
r 61.1270.....	ad No 5, 2013
	am No 274, 2013
r 61.1275.....	ad No 5, 2013
	am No 274, 2013
r 61.1280.....	ad No 5, 2013
r 61.1285.....	ad No 5, 2013
	am No 274, 2013
r 61.1290.....	ad No 5, 2013
Division 61.U.2	
r 61.1295.....	ad No 5, 2013
r 61.1300.....	ad No 5, 2013
	am No 125, 2014
r 61.1305.....	ad No 5, 2013
	am No 274, 2013

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Endnote 4—Amendment history

Provision affected	How affected
Division 61.U.3	
r 61.1310.....	ad No 5, 2013 am No 274, 2013
r 61.1315.....	ad No 5, 2013
r 61.1318.....	ad No 274, 2013
r 61.1320.....	ad No 5, 2013
Subpart 61.V	
r 61.1325.....	ad No 5, 2013 am No 125, 2014
r 61.1330.....	ad No 5, 2013
r 61.1335.....	ad No 5, 2013 am No 125, 2014
r 61.1340.....	ad No 5, 2013
r 61.1345.....	ad No 5, 2013
r 61.1350.....	ad No 5, 2013 am No 274, 2013
r 61.1352.....	ad No 125, 2014
r 61.1355.....	ad No 5, 2013
r 61.1360.....	ad No 5, 2013 am No 125, 2014
Subpart 61.W	
r 61.1365.....	ad No 5, 2013
r 61.1370.....	ad No 5, 2013 am No 274, 2013
r 61.1375.....	ad No 5, 2013 rs No 274, 2013 am No 125, 2014
r 61.1380.....	ad No 5, 2013 am No 125, 2014
r 61.1385.....	ad No 5, 2013 am No 274, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 61.1390.....	ad No 5, 2013
Subpart 61.X	
Division 61.X.1	
r 61.1395.....	ad No 5, 2013
	am No 274, 2013
r 61.1400.....	ad No 5, 2013
r 61.1402.....	ad No 274, 2013
r 61.1405.....	ad No 5, 2013
r 61.1410.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 61.1415.....	ad No 5, 2013
Division 61.X.2	
r 61.1420.....	ad No 5, 2013
r 61.1425.....	ad No 5, 2013
r 61.1427.....	ad No 274, 2013
Division 61.X.3	
r 61.1430.....	ad No 5, 2013
r 61.1435.....	ad No 5, 2013
r 61.1440.....	ad No 5, 2013
Subpart 61.Y	
Division 61.Y.1	
r 61.1445.....	ad No 5, 2013
	am No 125, 2014
r 61.1450.....	ad No 5, 2013
	rep No 274, 2013
r 61.1455.....	ad No 5, 2013
r 61.1460.....	ad No 5, 2013
	am No 274, 2013
r 61.1465.....	ad No 5, 2013
	am No 274, 2013
r 61.1470.....	ad No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
	am No 274, 2013
r 61.1475.....	ad No 5, 2013
Division 61.Y.2	
r 61.1480.....	ad No 5, 2013
	am No 274, 2013
r 61.1485.....	ad No 5, 2013
r 61.1490.....	ad No 5, 2013
	am No 274, 2013
Division 61.Y.3	
r 61.1495.....	ad No 5, 2013
r 61.1500.....	ad No 5, 2013
r 61.1505.....	ad No 5, 2013
Subpart 61.Z	
r 61.1510.....	ad No 5, 2013
r 61.1515.....	ad No 5, 2013
r 61.1520.....	ad No 5, 2013
r 61.1525.....	ad No 5, 2013
r 61.1530.....	ad No 5, 2013
r 61.1535.....	ad No 5, 2013
	am No 274, 2013
r 61.1540.....	ad No 5, 2013
Part 63.....	ad No 204, 2000
	rep No 5, 2013
Part 64	
Part 64.....	ad No 204, 2000
	rs No 5, 2013
	am No 274, 2013
Subpart 64.A	
r 64.005.....	ad No 5, 2013
r 64.010.....	ad No 5, 2013
	am No 274, 2013

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Provision affected	How affected
r 64.012.....	ad No 5, 2013
Subpart 64.B	
r 64.015.....	ad No 5, 2013
r 64.020.....	ad No 5, 2013
r 64.025.....	ad No 5, 2013
r 64.030.....	ad No 5, 2013
r 64.035.....	ad No 5, 2013
	am No 125, 2014
r 64.040.....	ad No 5, 2013
Subpart 64.C	
r 64.045.....	ad No 5, 2013
r 64.050.....	ad No 5, 2013
r 64.055.....	ad No 5, 2013
r 64.060.....	ad No 5, 2013
Part 65	
Part 65.....	ad No 204, 2000
	rs No 167, 2002
	am No 345, 2004; No 80, 2013
Subpart 65.A	
Subpart A heading	rep No 345, 2004
Subpart 65.A heading.....	ad No 345, 2004
r 65.000.....	ad No 167, 2002
	am No 75, 2003
	rep No 345, 2004
r 65.005.....	ad No 167, 2002
	rs No 75, 2003
r 65.010.....	ad No 167, 2002
	am No 75, 2003
r 65.015.....	ad No 167, 2002
r 65.020.....	ad No 167, 2002
r 65.025.....	ad No 167, 2002

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Endnote 4—Amendment history

Provision affected	How affected
r 65.030.....	ad No 167, 2002
r 65.033.....	ad No 75, 2003 am No 345, 2004; No 323, 2005; No 80, 2013; F2016L00170
r 65.033A.....	ad No 75, 2003 rep No 345, 2004
r 65.033B.....	ad No 75, 2003 rep No 345, 2004
r 65.033C.....	ad No 75, 2003 rep No 345, 2004
r 65.033D.....	ad No 75, 2003 rep No 345, 2004
r 65.033E.....	ad No 75, 2003 rep No 345, 2004
r 65.033F.....	ad No 75, 2003 rep No 345, 2004
r 65.033G.....	ad No 75, 2003 rep No 345, 2004
r 65.033H.....	ad No 75, 2003 rep No 345, 2004
Subpart 65.B	
Subpart B heading.....	rep No 345, 2004
Subpart 65.B heading.....	ad No 345, 2004
r 65.035.....	ad No 167, 2002 am No 80, 2013
r 65.040.....	ad No 167, 2002
r 65.045.....	ad No 167, 2002 am No 75, 2003
r 65.050.....	ad No 167, 2002 am No 80, 2013
r 65.055.....	ad No 167, 2002
r 65.060.....	ad No 167, 2002

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Provision affected	How affected
r 65.065.....	ad No 167, 2002 rs No 75, 2003 am No 5, 2013
Subpart 65.C	
Subpart C heading.....	rep No 345, 2004
Subpart 65.C heading.....	ad No 345, 2004 rs No 77, 2011
Division 65.C.1	
Division 1 heading.....	rep No 345, 2004
Division 65.C.1 heading	ad No 345, 2004
r 65.070.....	ad No 167, 2002 am No 75, 2003
r 65.075.....	ad No 167, 2002
r 65.080.....	ad No 167, 2002 am No 75, 2003; No 77, 2011
r 65.085.....	ad No 167, 2002 am No 75, 2003; No 77, 2011
r 65.090.....	ad No 167, 2002
r 65.095.....	ad No 167, 2002 am No 75, 2003
r 65.100.....	ad No 167, 2002
r 65.105.....	ad No 167, 2002
r 65.110.....	ad No 167, 2002 rep No 77, 2011
r 65.115.....	ad No 167, 2002 am No 80, 2013
r 65.120.....	ad No 167, 2002
Division 65.C.2	
Division 2 heading.....	rep No 345, 2004
Division 65.C.2 heading	ad No 345, 2004 rs No 77, 2011

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Endnote 4—Amendment history

Provision affected	How affected
r 65.125.....	ad No 167, 2002 am No 75, 2003
r 65.130.....	ad No 167, 2002 am No 75, 2003; No 77, 2011
r 65.135.....	ad No 167, 2002 am No 75, 2003
r 65.140.....	ad No 167, 2002 am No 75, 2003; No 77, 2011
r 65.145.....	ad No 167, 2002
r 65.150.....	ad No 167, 2002
r 65.155.....	ad No 167, 2002
r 65.160.....	ad No 167, 2002 rep No 77, 2011
r 65.165.....	ad No 167, 2002 am No 80, 2013
r 65.170.....	ad No 167, 2002
Subpart 65.E	
Subpart E heading.....	rep No 345, 2004
Subpart 65.E heading.....	ad No 345, 2004
Division 65.E.1	
Division 1 heading.....	rep No 345, 2004
Division 65.E.1 heading.....	ad No 345, 2004 rs No 77, 2011
r 65.175.....	ad No 167, 2002 am No 77, 2011
r 65.180.....	ad No 167, 2002 am No 77, 2011
r 65.185.....	ad No 167, 2002 rep No 77, 2011
r 65.190.....	ad No 167, 2002 am No 75, 2003

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Provision affected	How affected
	rep No 77, 2011
r 65.195.....	ad No 167, 2002
	rep No 77, 2011
r 65.200.....	ad No 167, 2002
	rep No 77, 2011
r 65.205.....	ad No 167, 2002
	rep No 77, 2011
r 65.210.....	ad No 167, 2002
	rep No 75, 2003
r 65.215.....	ad No 167, 2002
	am No 75, 2003
	rep No 77, 2011
r 65.220.....	ad No 167, 2002
	rep No 77, 2011
r 65.225.....	ad No 167, 2002
	am No 75, 2003
	rs No 77, 2011
r 65.230.....	ad No 167, 2002
	am No 75, 2003; No 77, 2011
r 65.235.....	ad No 167, 2002
	rep No 77, 2011
r 65.240.....	ad No 167, 2002
	rep No 77, 2011
r 65.245.....	ad No 167, 2002
	rep No 77, 2011
Division 65.E.2	
Division 2 heading.....	rep No 345, 2004
Division 65.E.2 heading.....	ad No 345, 2004
r 65.250.....	ad No 167, 2002
Division 65.E.3	
Division 3 heading.....	rep No 345, 2004

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Endnote 4—Amendment history

Provision affected	How affected
Division 65.E.3 heading.....	ad No 345, 2004
r 65.255.....	ad No 167, 2002
r 65.260.....	ad No 167, 2002
	am No 75, 2003
r 65.265.....	ad No 167, 2002
	am No 75, 2003
r 65.270.....	ad No 167, 2002
	am No 75, 2003
r 65.275.....	ad No 167, 2002
	am No 75, 2003
r 65.280.....	ad No 167, 2002
r 65.285.....	ad No 80, 2013
Part 66	
Part 66.....	ad No 204, 2000
	rs No 328, 2010
	am No 80, 2013; No 275, 2013
Subpart 66.A	
r 66.005.....	ad No 328, 2010
	am No 80, 2013
r 66.010.....	ad No 328, 2010
	am No 80, 2013; No 274, 2013; No 275, 2013; <u>No 246, 2015</u>
r 66.015.....	ad No 328, 2010
	am No 80, 2013; <u>No 246, 2015</u>
Subpart 66.B	
r 66.018.....	ad <u>No 246, 2015</u>
r 66.020.....	ad No 328, 2010
	am No 80, 2013
r 66.025.....	ad No 328, 2010
r 66.026.....	ad No 80, 2013
	am <u>No 246, 2015</u>
r 66.030.....	ad No 328, 2010

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Provision affected	How affected
r 66.035.....	ad No 328, 2010
r 66.040.....	ad No 328, 2010
r 66.045.....	ad No 328, 2010
r 66.050.....	ad No 328, 2010
r 66.055.....	ad No 328, 2010
r 66.060.....	ad No 328, 2010
r 66.065.....	ad No 328, 2010
r 66.070.....	ad No 328, 2010
r 66.071.....	ad No 80, 2013
r 66.072.....	ad No 80, 2013
Subpart 66.C	
r 66.075.....	ad No 328, 2010 am No 80, 2013; No 275, 2013; <u>No 246, 2015</u>
r 66.080.....	ad No 328, 2010 am No 80, 2013; No 275, 2013; <u>No 246, 2015</u>
r 66.085.....	ad No 328, 2010 am No 275, 2013; <u>No 246, 2015</u>
r 66.090.....	ad No 328, 2010 am No 275, 2013; <u>No 246, 2015</u>
r 66.095.....	ad No 328, 2010 rs No 80, 2013 am <u>No 246, 2015</u>
r 66.100.....	ad No 328, 2010 rs No 80, 2013
r 66.105.....	ad No 328, 2010
r 66.110.....	ad No 328, 2010 rs No 80, 2013
Subpart 66.D	
r 66.115.....	ad No 328, 2010
r 66.115A.....	ad <u>No 246, 2015</u>
r 66.120.....	ad No 328, 2010

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Endnote 4—Amendment history

Provision affected	How affected
	am No 80, 2013
r 66.125.....	ad No 328, 2010
	rs No 275, 2013
r 66.130.....	ad No 328, 2010
	am No 80, 2013; <u>No 246, 2015</u>
r 66.135.....	ad No 328, 2010
	rs No 80, 2013
	am No 275, 2013; <u>No 246, 2015</u>
r 66.136.....	ad No 80, 2013
	rep <u>No 246, 2015</u>
r 66.137.....	ad No 80, 2013
	rs <u>No 246, 2015</u>
r 66.138.....	ad No 80, 2013
	am <u>No 246, 2015</u>
r 66.139.....	ad No 80, 2013
	rep <u>No 246, 2015</u>
r 66.139A.....	ad No 80, 2013
	rs <u>No 246, 2015</u>
r 66.140.....	ad No 328, 2010
	am No 80, 2013
Subpart 66.E	
Subpart 66.E	rep <u>No 246, 2015</u>
Division 66.E.1	
r 66.145.....	ad No 328, 2010
	am No 80, 2013
	rep <u>No 246, 2015</u>
r 66.150.....	ad No 328, 2010
	rep <u>No 246, 2015</u>
Division 66.E.2	
r 66.155.....	ad No 328, 2010
	am No 80, 2013

Endnote 4—Amendment history

Provision affected	How affected
	rep <u>No 246, 2015</u>
r 66.160.....	ad No 328, 2010
	rep <u>No 246, 2015</u>
Division 66.E.3	
r 66.165.....	ad No 328, 2010
	rs No 80, 2013
	rep <u>No 246, 2015</u>
r 66.166.....	ad No 80, 2013
	rep <u>No 246, 2015</u>
r 66.167.....	ad No 80, 2013
	rep <u>No 246, 2015</u>
r 66.168.....	ad No 80, 2013
	rep <u>No 246, 2015</u>
r 66.168A.....	ad No 80, 2013
	rep <u>No 246, 2015</u>
r 66.169.....	ad No 80, 2013
	rep <u>No 246, 2015</u>
Division 66.E.4	
r 66.170.....	ad No 328, 2010
	rep <u>No 246, 2015</u>
Subpart 66.F	
r 66.175.....	ad No 328, 2010
r 66.180.....	ad No 328, 2010
r 66.185.....	ad No 328, 2010
Part 67	
Part 67.....	ad No 204, 2000
	rs No 232, 2003
	am No 80, 2013; No 274, 2013
Subpart 67.A	
r 67.005.....	ad No 232, 2003
	am No 274, 2013

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Endnote 4—Amendment history

Provision affected	How affected
r 67.010.....	ad No 232, 2003 am No 207, 2005; No 120, 2011
r 67.015.....	ad No 232, 2003
r 67.020.....	ad No 232, 2003
Subpart 67.B	
r 67.025.....	ad No 232, 2003 am No 207, 2005; No 77, 2011; No 120, 2011
r 67.030.....	ad No 232, 2003 am No 77, 2011
r 67.035.....	ad No 232, 2003 am No 77, 2011
r 67.040.....	ad No 232, 2003 am No 77, 2011
r 67.045.....	ad No 232, 2003 am No 77, 2011
r 67.050.....	ad No 232, 2003 rep No 77, 2011
r 67.055.....	ad No 232, 2003
r 67.060.....	ad No 232, 2003 am No 77, 2011
r 67.065.....	ad No 232, 2003 am No 207, 2005; No 77, 2011; No 120, 2011
r 67.070.....	ad No 232, 2003 rep No 77, 2011
r 67.075.....	ad No 232, 2003 am No 207, 2005; No 120, 2011
r 67.080.....	ad No 232, 2003 am No 77, 2011
r 67.085.....	ad No 232, 2003 rep No 77, 2011
r 67.090.....	ad No 232, 2003

Endnote 4—Amendment history

Provision affected	How affected
r 67.095.....	ad No 232, 2003 am No 77, 2011
r 67.100.....	ad No 232, 2003
r 67.105.....	ad No 232, 2003
r 67.110.....	ad No 232, 2003
r 67.115.....	ad No 232, 2003 rep No 77, 2011
r 67.120.....	ad No 232, 2003 am No 345, 2004
r 67.125.....	ad No 232, 2003
r 67.130.....	ad No 232, 2003 am No 77, 2011
r 67.135.....	ad No 232, 2003 rep No 77, 2011
r 67.140.....	ad No 232, 2003
r 67.141.....	ad No 232, 2003 rep No 345, 2004
Subpart 67.C	
r 67.145.....	ad No 232, 2003
r 67.150.....	ad No 232, 2003 am No 345, 2004; No 5, 2013
r 67.155.....	ad No 232, 2003 am No 345, 2004; No 5, 2013
r 67.160.....	ad No 232, 2003 am No 345, 2004; No 5, 2013
r 67.165.....	ad No 232, 2003
r 67.170.....	ad No 232, 2003
r 67.175.....	ad No 232, 2003 am No 77, 2011
r 67.180.....	ad No 232, 2003 am No 345, 2004; No 77, 2011; No 274, 2013

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Endnote 4—Amendment history

Provision affected	How affected
r 67.185.....	ad No 232, 2003 am No 77, 2011
r 67.190.....	ad No 232, 2003
r 67.195.....	ad No 232, 2003 am No 77, 2011
r 67.200.....	ad No 232, 2003 am No 77, 2011
r 67.205.....	ad No 232, 2003
r 67.210.....	ad No 232, 2003
r 67.215.....	ad No 232, 2003
r 67.220.....	ad No 232, 2003
r 67.225.....	ad No 232, 2003
r 67.230.....	ad No 232, 2003
r 67.235.....	ad No 232, 2003
r 67.240.....	ad No 232, 2003
r 67.245.....	ad No 232, 2003
r 67.250.....	ad No 232, 2003
r 67.255.....	ad No 232, 2003
r 67.260.....	ad No 232, 2003
Subpart 67.D	
Subpart 67.D.....	ad No 274, 2013
r 67.262.....	ad No 274, 2013
r 67.263.....	ad No 274, 2013
Subpart 67.E	
Subpart 67.D heading.....	rep No 274, 2013
Subpart 67.E heading.....	ad No 274, 2013
r 67.265.....	ad No 232, 2003 am No 5, 2013; No 274, 2013
r 67.270.....	ad No 232, 2003 am No 5, 2013; No 274, 2013
r 67.271.....	ad No 274, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 67.275.....	ad No 232, 2003
Part 71	
Part 71.....	ad No 204, 2000
Part 90	
Part 90.....	ad No 204, 2000
	rs No 277, 2010
	am No 80, 2013; No 275, 2013
Subpart 90.A	
r 90.005.....	ad No 277, 2010
r 90.008.....	ad No 277, 2010
	am No 274, 2013
r 90.010.....	ad No 277, 2010
r 90.015.....	ad No 277, 2010
r 90.020.....	ad No 277, 2010
	am No 277, 2010
Subpart 90.B	
r 90.100.....	ad No 277, 2010
r 90.105.....	ad No 277, 2010
r 90.110.....	ad No 277, 2010
r 90.115.....	ad No 277, 2010
r 90.120.....	ad No 277, 2010
r 90.125.....	ad No 277, 2010
r 90.130.....	ad No 277, 2010
r 90.135.....	ad No 277, 2010
r 90.140.....	ad No 277, 2010
r 90.145.....	ad No 277, 2010
Subpart 90.C	
Division 90.C.1	
r 90.200.....	ad No 277, 2010
Division 90.C.2	
r 90.205.....	ad No 277, 2010

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Endnote 4—Amendment history

Provision affected	How affected
r 90.210.....	ad No 277, 2010
r 90.215.....	ad No 277, 2010
r 90.220.....	ad No 277, 2010
r 90.225.....	ad No 277, 2010
r 90.230.....	ad No 277, 2010
	am No 277, 2010
r 90.235.....	ad No 277, 2010
r 90.240.....	ad No 277, 2010
r 90.245.....	ad No 277, 2010
Division 90.C.3	
r 90.250.....	ad No 277, 2010
r 90.255.....	ad No 277, 2010
	am No 245, 2015
r 90.260.....	ad No 277, 2010
r 90.265.....	ad No 277, 2010
r 90.270.....	ad No 277, 2010
	am No 277, 2010
r 90.275.....	ad No 277, 2010
Division 90.C.4	
r 90.280.....	ad No 277, 2010
r 90.285.....	ad No 277, 2010
	am No 277, 2010
r 90.290.....	ad No 277, 2010
Subpart 90.D	
r 90.400.....	ad No 277, 2010
r 90.405.....	ad No 277, 2010
r 90.410.....	ad No 277, 2010
	am No 277, 2010
r 90.415.....	ad No 277, 2010
Subpart 90.E	
r 90.600.....	ad No 277, 2010

Endnote 4—Amendment history

Provision affected	How affected
r 90.605.....	ad No 277, 2010
Part 91	
Part 91.....	ad No 204, 2000
	rs No 323, 2005
	am No 80, 2013
Subpart 91.A	
r 91.005.....	ad No 323, 2005
Subpart 91.D	
r 91.830.....	ad No 323, 2005
r 91.850.....	ad No 323, 2005
r 91.865.....	ad No 323, 2005
r 91.870.....	ad No 323, 2005
r 91.875.....	ad No 323, 2005
r 91.880.....	ad No 323, 2005
r 91.885.....	ad No 323, 2005
r 91.890.....	ad No 323, 2005
Subpart 91.U	
Division 91.U.1	
r 91.5000.....	ad No 323, 2005
r 91.5005.....	ad No 323, 2005
r 91.5010.....	ad No 323, 2005
	am F2016L00170
r 91.5015.....	ad No 323, 2005
r 91.5020.....	ad No 323, 2005
r 91.5025.....	ad No 323, 2005
r 91.5030.....	ad No 323, 2005
Division 91.U.4	
r 91.5150.....	ad No 323, 2005
r 91.5155.....	ad No 323, 2005
r 91.5160.....	ad No 323, 2005
r 91.5165.....	ad No 323, 2005

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Endnote 4—Amendment history

Provision affected	How affected
r 91.5170.....	ad No 323, 2005
Part 92	
Part 92.....	ad No 365, 2003 am No 80, 2013; No 275, 2013
Subpart 92.A	
r 92.005.....	ad No 365, 2003
r 92.010.....	ad No 365, 2003
r 92.015.....	ad No 365, 2003
Subpart 92.B	
r 92.020.....	ad No 365, 2003
r 92.025.....	ad No 365, 2003
r 92.030.....	ad No 365, 2003
r 92.035.....	ad No 365, 2003
r 92.040.....	ad No 365, 2003
r 92.045.....	ad No 365, 2003
r 92.050.....	ad No 365, 2003
r 92.055.....	ad No 365, 2003
r 92.060.....	ad No 365, 2003 rep No 77, 2011
r 92.065.....	ad No 365, 2003
r 92.070.....	ad No 365, 2003 am No 77, 2011; No 80, 2013
r 92.075.....	ad No 365, 2003
r 92.080.....	ad No 365, 2003 rep No 77, 2011
Subpart 92.C	
r 92.085.....	ad No 365, 2003 am No 365, 2003
r 92.090.....	ad No 365, 2003
r 92.095.....	ad No 365, 2003 am No 77, 2011; No 80, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 92.100.....	ad No 365, 2003 am No 77, 2011; No 80, 2013
r 92.105.....	ad No 365, 2003 am No 77, 2011; No 164, 2011; No 80, 2013
r 92.110.....	ad No 365, 2003
r 92.115.....	ad No 365, 2003 am No 365, 2003; No 77, 2011; No 80, 2013
r 92.120.....	ad No 365, 2003 am No 77, 2011; No 80, 2013
r 92.125.....	ad No 365, 2003 am No 77, 2011; No 80, 2013
r 92.130.....	ad No 365, 2003 am No 77, 2011; No 80, 2013
r 92.135.....	ad No 365, 2003
r 92.140.....	ad No 365, 2003 am No 77, 2011; No 80, 2013
r 92.145.....	ad No 365, 2003 am No 365, 2003; No 77, 2011; No 80, 2013
r 92.150.....	ad No 365, 2003 am No 365, 2003; No 345, 2004 exp 31 Dec 2006 (r 92.150(8)) rep No 275, 2013
r 92.155.....	ad No 365, 2003 am No 365, 2003 rep No 77, 2011
Subpart 92.D	
r 92.160.....	ad No 365, 2003 am No 90, 2015
r 92.165.....	ad No 365, 2003
r 92.170.....	ad No 365, 2003 am No 345, 2004

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Endnote 4—Amendment history

Provision affected	How affected
r 92.175.....	ad No 365, 2003
r 92.180.....	ad No 365, 2003
r 92.185.....	ad No 365, 2003
r 92.190.....	ad No 365, 2003
r 92.195.....	ad No 365, 2003
	am No 222, 2004
	rs No 274, 2008
Subpart 92.E	
Subpart 92.E	ad No 365, 2003
r 92.200.....	ad No 365, 2003
r 92.205.....	ad No 365, 2003
Part 99	
Part 99.....	ad No 192, 2008
	am No 80, 2013
r 99.005.....	ad No 192, 2008
Subpart 99.A	
r 99.010.....	ad No 192, 2008
	am No 275, 2008; No 274, 2013
r 99.015.....	ad No 192, 2008
	am No 164, 2011
r 99.020.....	ad No 192, 2008
Subpart 99.B	
Division 99.B.1	
r 99.025.....	ad No 192, 2008
Division 99.B.2	
r 99.030.....	ad No 192, 2008
	am No 164, 2011; No 274, 2013
r 99.035.....	ad No 192, 2008
r 99.040.....	ad No 192, 2008
Division 99.B.3	
Subdivision 99.B.3.1	

Endnote 4—Amendment history

Provision affected	How affected
r 99.045.....	ad No 192, 2008
Subdivision 99.B.3.2	
r 99.050.....	ad No 192, 2008
r 99.055.....	ad No 192, 2008
r 99.060.....	ad No 192, 2008
Subdivision 99.B.3.3	
r 99.065.....	ad No 192, 2008
r 99.070.....	ad No 192, 2008
r 99.075.....	ad No 192, 2008
Subdivision 99.B.3.4	
r 99.080.....	ad No 192, 2008
Division 99.B.4	
r 99.085.....	ad No 192, 2008
r 99.090.....	ad No 192, 2008
r 99.095.....	ad No 192, 2008
Division 99.B.5	
r 99.100.....	ad No 192, 2008
r 99.105.....	ad No 192, 2008
Subpart 99.C	
Division 99.C.1	
r 99.110.....	ad No 192, 2008
Subdivision 99.C.1.1	
r 99.115.....	ad No 192, 2008
r 99.120.....	ad No 192, 2008
Subdivision 99.C.1.2	
r 99.125.....	ad No 192, 2008
Subdivision 99.C.1.3	
r 99.130.....	ad No 192, 2008
Division 99.C.2	
Subdivision 99.C.2.1	
r 99.135.....	ad No 192, 2008

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Endnote 4—Amendment history

Provision affected	How affected
r 99.140.....	ad No 192, 2008
r 99.145.....	ad No 192, 2008
r 99.150.....	ad No 192, 2008
Subdivision 99.C.2.2	
r 99.155.....	ad No 192, 2008
r 99.160.....	ad No 192, 2008
r 99.165.....	ad No 192, 2008
	rs No 80, 2013
r 99.170.....	ad No 192, 2008
	am No 80, 2013
r 99.175.....	ad No 192, 2008
	am No 80, 2013
r 99.180.....	ad No 192, 2008
r 99.185.....	ad No 192, 2008
Subdivision 99.C.2.3	
r 99.190.....	ad No 192, 2008
r 99.195.....	ad No 192, 2008
Subdivision 99.C.2.4	
r 99.200.....	ad No 192, 2008
r 99.205.....	ad No 192, 2008
r 99.210.....	ad No 192, 2008
r 99.215.....	ad No 192, 2008
	am No 80, 2013
r 99.220.....	ad No 192, 2008
r 99.225.....	ad No 192, 2008
r 99.230.....	ad No 192, 2008
Subdivision 99.C.2.5	
r 99.235.....	ad No 192, 2008
Division 99.C.3	
r 99.240.....	ad No 192, 2008
r 99.245.....	ad No 192, 2008

Endnote 4—Amendment history

Provision affected	How affected
r 99.250.....	ad No 192, 2008
r 99.255.....	ad No 192, 2008
	am No 80, 2013
r 99.260.....	ad No 192, 2008
	am No 80, 2013
r 99.265.....	ad No 192, 2008
	rs No 80, 2013
r 99.270.....	ad No 192, 2008
	rep No 80, 2013
Subpart 99.D	
Division 99.D.1	
r 99.275.....	ad No 192, 2008
Division 99.D.2	
r 99.280.....	ad No 192, 2008
r 99.285.....	ad No 192, 2008
r 99.290.....	ad No 192, 2008
r 99.295.....	ad No 192, 2008
r 99.300.....	ad No 192, 2008
r 99.305.....	ad No 192, 2008
r 99.310.....	ad No 192, 2008
Division 99.D.3	
r 99.315.....	ad No 192, 2008
Subpart 99.E	
Division 99.E.1	
r 99.320.....	ad No 192, 2008
Division 99.E.2	
Subdivision 99.E.2.1	
r 99.325.....	ad No 192, 2008
r 99.330.....	ad No 192, 2008
r 99.335.....	ad No 192, 2008
r 99.340.....	ad No 192, 2008

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Endnote 4—Amendment history

Provision affected	How affected
r 99.345.....	ad No 192, 2008
r 99.350.....	ad No 192, 2008
Subdivision 99.E.2.2	
r 99.355.....	ad No 192, 2008
r 99.360.....	ad No 192, 2008
r 99.365.....	ad No 192, 2008
r 99.370.....	ad No 192, 2008
r 99.375.....	ad No 192, 2008
Subdivision 99.E.2.3	
r 99.380.....	ad No 192, 2008
r 99.385.....	ad No 192, 2008
	am No 80, 2013
Division 99.E.3	
r 99.390.....	ad No 192, 2008
Subpart 99.F	
Division 99.F.1	
r 99.395.....	ad No 192, 2008
Division 99.F.2	
r 99.400.....	ad No 192, 2008
	am No 120, 2010
r 99.405.....	ad No 192, 2008
	am No 120, 2010
Subpart 99.G	
Division 99.G.1	
r 99.410.....	ad No 192, 2008
r 99.415.....	ad No 192, 2008
	am No 120, 2010
r 99.420.....	ad No 192, 2008
r 99.425.....	ad No 192, 2008
r 99.430.....	ad No 192, 2008
r 99.435.....	ad No 192, 2008

Endnote 4—Amendment history

Provision affected	How affected
Subpart 99.H	
Division 99.H.1	
r 99.440.....	ad No 192, 2008
Division 99.H.2	
r 99.445.....	ad No 192, 2008
	am No 77, 2011
r 99.450.....	ad No 192, 2008
	am No 275, 2008
Division 99.H.3	
r 99.455.....	ad No 192, 2008
r 99.460.....	ad No 192, 2008
Division 99.H.4	
r 99.465.....	ad No 192, 2008
Division 99.H.5	
r 99.470.....	ad No 192, 2008
r 99.475.....	ad No 192, 2008
r 99.480.....	ad No 192, 2008
r 99.485.....	ad No 192, 2008
r 99.490.....	ad No 192, 2008
Division 99.H.6	
r 99.495.....	ad No 192, 2008
Part 101	
Part 101.....	ad No 204, 2000
	rs No 349, 2001
	am No 345, 2004; No 80, 2013; No 274, 2013
Subpart 101.A	
Subpart A heading	rep No 345, 2004
Subpart 101.A heading.....	ad No 345, 2004
r 101.000.....	ad No 349, 2001
	rep No 345, 2004
r 101.005.....	ad No 349, 2001

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Endnote 4—Amendment history

Provision affected	How affected
	am No 274, 2013
r 101.010.....	ad No 349, 2001
r 101.015.....	ad No 349, 2001
	am No 345, 2004
r 101.020.....	ad No 349, 2001
	rs No 266, 2002
r 101.025.....	ad No 349, 2001
r 101.030.....	ad No 349, 2001
r 101.035.....	ad No 349, 2001
r 101.040.....	ad No 349, 2001
	am No 349, 2002
	rep No 77, 2011
r 101.045.....	ad No 349, 2001
	rep No 77, 2011
Subpart 101.B	
Subpart B heading.....	rep No 345, 2004
Subpart 101.B heading.....	ad No 345, 2004
r 101.050.....	ad No 349, 2001
r 101.055.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
Subpart 101.C	
Subpart C heading.....	rep No 345, 2004
Subpart 101.C heading.....	ad No 345, 2004
r 101.060.....	ad No 349, 2001
r 101.065.....	ad No 349, 2001
	am No 349, 2002; No 172, 2007
r 101.070.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.075.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.080.....	ad No 349, 2001

Endnote 4—Amendment history

Provision affected	How affected
	am No 349, 2002
r 101.085.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.090.....	ad No 349, 2001
	am No 349, 2002
r 101.095.....	ad No 349, 2001
	am No 349, 2002
Subpart 101.D	
Subpart D heading	rep No 345, 2004
Subpart 101.D heading.....	ad No 345, 2004
r 101.100.....	ad No 349, 2001
r 101.105.....	ad No 349, 2001
	am No 274, 2013
r 101.110.....	ad No 349, 2001
	am No 349, 2002
r 101.115.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.120.....	ad No 349, 2001
	am No 349, 2002
r 101.125.....	ad No 349, 2001
	am No 349, 2002
r 101.130.....	ad No 349, 2001
	am No 349, 2002
r 101.135.....	ad No 349, 2001
	am No 349, 2002
Subpart 101.E	
Subpart E heading.....	rep No 345, 2004
Subpart 101.E heading.....	ad No 345, 2004
r 101.140.....	ad No 349, 2001
r 101.145.....	ad No 349, 2001
r 101.150.....	ad No 349, 2001

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Endnote 4—Amendment history

Provision affected	How affected
r 101.155	ad No 349, 2001 am No 349, 2002; No 77, 2011; No 265, 2011
r 101.160	ad No 349, 2001 am No 349, 2002
r 101.165	ad No 349, 2001 am No 349, 2002
r 101.170	ad No 349, 2001 am No 349, 2002; No 274, 2013
r 101.175	ad No 349, 2001 am No 349, 2002
r 101.180	ad No 349, 2001 am No 349, 2002
r 101.185	ad No 349, 2001 am No 349, 2002
r 101.190	ad No 349, 2001 am No 349, 2002
r 101.195	ad No 349, 2001 am No 349, 2002
r 101.200	ad No 349, 2001 am No 349, 2002
r 101.205	ad No 349, 2001 am No 349, 2002
r 101.210	ad No 349, 2001 am No 349, 2002
r 101.215	ad No 349, 2001 am No 349, 2002
r 101.220	ad No 349, 2001 am No 349, 2002
r 101.225	ad No 349, 2001 am No 349, 2002
r 101.230	ad No 349, 2001

Endnote 4—Amendment history

Provision affected	How affected
	am No 349, 2002
Subpart 101.F	
Subpart F heading	rep No 345, 2004
Subpart 101.F heading	ad No 345, 2004
Division 101.F.1	
Division 1 heading	rep No 345, 2004
Division 101.F.1 heading	ad No 345, 2004
r 101.235	ad No 349, 2001
r 101.240	ad No 349, 2001
Division 101.F.2	
Division 2 heading	rep No 345, 2004
Division 101.F.2 heading	ad No 345, 2004
r 101.245	ad No 349, 2001
	am No 349, 2002
r 101.250	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.255	ad No 349, 2001
	am No 349, 2002; No 350, 2002
r 101.260	ad No 349, 2001
r 101.265	ad No 349, 2001
r 101.270	ad No 349, 2001
	am No 349, 2002
r 101.275	ad No 349, 2001
	am No 349, 2002; No 77, 2011
r 101.280	ad No 349, 2001
	am No 349, 2002
r 101.285	ad No 349, 2001
	am No 349, 2002; No 5, 2013
Division 101.F.3	
Division 3 heading	rep No 345, 2004
Division 101.F.3 heading	ad No 345, 2004

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Endnote 4—Amendment history

Provision affected	How affected
	rs No 77, 2011
r 101.290.....	ad No 349, 2001
	am No 77, 2011; No 274, 2013
r 101.295.....	ad No 349, 2001
	am No 77, 2011; No 5, 2013; No 274, 2013
r 101.300.....	ad No 349, 2001
	am No 77, 2011; No 5, 2013
r 101.305.....	ad No 349, 2001
	am No 350, 2002
	rep No 77, 2011
r 101.310.....	ad No 349, 2001
	rep No 77, 2011
r 101.315.....	ad No 349, 2001
	am No 350, 2002
r 101.320.....	ad No 349, 2001
	am No 350, 2002
r 101.325.....	ad No 349, 2001
	rep No 77, 2011
Division 101.F.4	
Division 4 heading.....	rep No 345, 2004
Division 101.F.4 heading.....	ad No 345, 2004
	rs No 77, 2011
r 101.330.....	ad No 349, 2001
	am No 77, 2011
r 101.335.....	ad No 349, 2001
	am No 77, 2011; No 5, 2013
r 101.340.....	ad No 349, 2001
	am No 77, 2011
r 101.345.....	ad No 349, 2001
	am No 350, 2002
	rep No 77, 2011

Endnote 4—Amendment history

Provision affected	How affected
r 101.350	ad No 349, 2001 rep No 77, 2011
r 101.355	ad No 349, 2001 rep No 80, 2013
r 101.360	ad No 349, 2001 am No 350, 2002
r 101.365	ad No 349, 2001 am No 350, 2002
r 101.370	ad No 349, 2001 rep No 77, 2011
Subpart 101.G	
Subpart G heading	rep No 345, 2004
Subpart 101.G heading.....	ad No 345, 2004
r 101.375	ad No 349, 2001
r 101.380	ad No 349, 2001
r 101.385	ad No 349, 2001 am No 349, 2002
r 101.390	ad No 349, 2001 am No 349, 2002
r 101.395	ad No 349, 2001 am No 349, 2002
r 101.400	ad No 349, 2001 am No 349, 2002; No 274, 2013
r 101.405	ad No 349, 2001 am No 349, 2002
r 101.410	ad No 349, 2001 am No 349, 2002
Subpart 101.H	
Subpart H heading	rep No 345, 2004
Subpart 101.H heading.....	ad No 345, 2004
r 101.415	ad No 349, 2001

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Endnote 4—Amendment history

Provision affected	How affected
	am No 274, 2013
r 101.420.....	ad No 349, 2001
r 101.425.....	ad No 349, 2001
r 101.430.....	ad No 349, 2001
	am No 349, 2002; No 172, 2007
r 101.435.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.440.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.445.....	ad No 349, 2001
	am No 349, 2002
r 101.450.....	ad No 349, 2001
	am No 349, 2002
r 101.455.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.460.....	ad No 349, 2001
	am No 349, 2002
r 101.465.....	ad No 349, 2001
	am No 349, 2002
r 101.470.....	ad No 349, 2001
	am No 349, 2002
Subpart 101.I	
Subpart I heading.....	rep No 345, 2004
Subpart 101.I heading.....	ad No 345, 2004
r 101.475.....	ad No 349, 2001
r 101.480.....	ad No 349, 2001
r 101.485.....	ad No 349, 2001
r 101.490.....	ad No 349, 2001
	am No 349, 2002; No 274, 2013
r 101.495.....	ad No 349, 2001
	am No 349, 2002

Endnote 4—Amendment history

Provision affected	How affected
r 101.500.....	ad No 349, 2001 am No 349, 2002; No 274, 2013
Part 103	
Part 103.....	ad No 204, 2000
Part 105	
Part 105.....	ad No 204, 2000
Part 115	
Part 115.....	ad No 204, 2000
Part 117	
Part 117.....	ad No 222, 2013
r 117.005.....	ad No 222, 2013
r 117.010.....	ad No 222, 2013
r 117.015.....	ad No 222, 2013
Part 119	
Part 119.....	ad No 204, 2000
Part 121	
Part 121.....	ad No 204, 2000
Part 129	
Part 129.....	ad No 204, 2000 rs <u>No 247, 2015</u>
Subpart 129.A	
r 129.005.....	ad <u>No 247, 2015</u>
r 129.020.....	ad <u>No 247, 2015</u>
r 129.025.....	ad <u>No 247, 2015</u>
r 129.030.....	ad <u>No 247, 2015</u>
r 129.035.....	ad <u>No 247, 2015</u>
r 129.040.....	ad <u>No 247, 2015</u>
Subpart 129.B	
r 129.045.....	ad <u>No 247, 2015</u>
r 129.050.....	ad <u>No 247, 2015</u>
r 129.055.....	ad <u>No 247, 2015</u>

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Endnote 4—Amendment history

Provision affected	How affected
r 129.060	ad No 247, 2015
r 129.065	ad No 247, 2015
Subpart 129.C	
r 129.070	ad No 247, 2015
r 129.075	ad No 247, 2015
r 129.080	ad No 247, 2015
r 129.085	ad No 247, 2015
r 129.090	ad No 247, 2015
r 129.095	ad No 247, 2015
r 129.100	ad No 247, 2015
r 129.105	ad No 247, 2015
r 129.110	ad No 247, 2015
r 129.115	ad No 247, 2015
r 129.120	ad No 247, 2015
r 129.125	ad No 247, 2015
Subpart 129.M	
r 129.200	ad No 247, 2015
r 129.205	ad No 247, 2015
Subpart 129.N	
r 129.250	ad No 247, 2015
r 129.255	ad No 247, 2015
Part 133	
Part 133	ad No 204, 2000
Part 137	
Part 137	ad No 204, 2000
	rs No 41, 2007
	am No 80, 2013; No 274, 2013
Subpart 137.A	
r 137.005	ad No 41, 2007
r 137.010	ad No 41, 2007
Subpart 137.B	

Endnote 4—Amendment history

Provision affected	How affected
r 137.015.....	ad No 41, 2007
r 137.020.....	ad No 41, 2007
r 137.025.....	ad No 41, 2007
r 137.030.....	ad No 41, 2007
Subpart 137.C	
r 137.035.....	ad No 41, 2007
r 137.040.....	ad No 41, 2007
r 137.045.....	ad No 41, 2007
	am No 77, 2011
r 137.050.....	ad No 41, 2007
	am No 77, 2011
r 137.055.....	ad No 41, 2007
r 137.060.....	ad No 41, 2007
r 137.065.....	ad No 41, 2007
r 137.070.....	ad No 41, 2007
r 137.075.....	ad No 41, 2007
r 137.080.....	ad No 41, 2007
r 137.085.....	ad No 41, 2007
r 137.090.....	ad No 41, 2007
Subpart 137.D	
r 137.095.....	ad No 41, 2007
r 137.100.....	ad No 41, 2007
r 137.105.....	ad No 41, 2007
r 137.110.....	ad No 41, 2007
r 137.115.....	ad No 41, 2007
r 137.120.....	ad No 41, 2007
r 137.125.....	ad No 41, 2007
r 137.130.....	ad No 41, 2007
r 137.135.....	ad No 41, 2007
r 137.140.....	ad No 41, 2007
r 137.145.....	ad No 41, 2007

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Endnote 4—Amendment history

Provision affected	How affected
r 137.150.....	ad No 41, 2007
r 137.155.....	ad No 41, 2007
r 137.160.....	ad No 41, 2007
r 137.165.....	ad No 41, 2007
r 137.170.....	ad No 41, 2007
r 137.175.....	ad No 41, 2007
Subpart 137.E	
Subpart 137.E	ad No 41, 2007
Subpart 137.H	
r 137.180.....	ad No 41, 2007
r 137.185.....	ad No 41, 2007
Subpart 137.J	
r 137.190.....	ad No 41, 2007 am No 274, 2013
r 137.195.....	ad No 41, 2007
Subpart 137.K	
r 137.200.....	ad No 41, 2007 am No 188, 2013
r 137.210.....	ad No 41, 2007
r 137.215.....	ad No 41, 2007
r 137.220.....	ad No 41, 2007
r 137.225.....	ad No 41, 2007
Subpart 137.M	
r 137.230.....	ad No 41, 2007
Subpart 137.N	
r 137.235.....	ad No 41, 2007 rs No 5, 2013
r 137.240.....	ad No 41, 2007 am No 5, 2013
Subpart 137.P	
r 137.245.....	ad No 41, 2007

Endnote 4—Amendment history

Provision affected	How affected
r 137.250.....	ad No 41, 2007
r 137.255.....	ad No 41, 2007
r 137.260.....	ad No 41, 2007
Subpart 137.Q	
r 137.265.....	ad No 41, 2007
r 137.270.....	ad No 41, 2007
r 137.275.....	ad No 41, 2007
r 137.280.....	ad No 41, 2007
r 137.285.....	ad No 41, 2007
r 137.290.....	ad No 41, 2007
r 137.295.....	ad No 41, 2007
r 137.300.....	ad No 41, 2007
Part 138	
Part 138.....	ad No 204, 2000
Part 139	
Part 139 heading	rs No 58, 2003
Part 139.....	ad No 204, 2000
	rs No 167, 2002
	am No 345, 2004; No 80, 2013; No 274, 2013; No 275, 2013
Subpart 139.A	
Subpart 139.A.....	rs No 58, 2003
r 139.000.....	ad No 167, 2002
	rs No 58, 2003
	am No 75, 2003
	rep No 345, 2004
r 139.005.....	ad No 58, 2003
r 139.010.....	ad No 58, 2003
	am No 77, 2011
r 139.015.....	ad No 58, 2003
r 139.020.....	ad No 58, 2003
	rep No 77, 2011

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Endnote 4—Amendment history

Provision affected	How affected
r 139.025	ad No 58, 2003
r 139.030	ad No 58, 2003
	rs No 265, 2011
r 139.035	ad No 58, 2003
r 139.036	ad No 58, 2003
	rep No 345, 2004
Subpart 139.B	
Subpart 139.B	ad No 58, 2003
Division 139.B.1	
r 139.040	ad No 58, 2003
	am No 265, 2011
r 139.045	ad No 58, 2003
	am No 77, 2011
r 139.050	ad No 58, 2003
	am No 77, 2011
r 139.055	ad No 58, 2003
	rep No 77, 2011
r 139.060	ad No 58, 2003
	rep No 77, 2011
r 139.065	ad No 58, 2003
	rep No 77, 2011
r 139.070	ad No 58, 2003
r 139.075	ad No 58, 2003
	rep No 77, 2011
r 139.080	ad No 58, 2003
	rep No 80, 2013
r 139.085	ad No 58, 2003
	am No 77, 2011
Division 139.B.2	
r 139.090	ad No 58, 2003
r 139.095	ad No 58, 2003

Endnote 4—Amendment history

Provision affected	How affected
	am No 77, 2011
r 139.100.....	ad No 58, 2003
r 139.105.....	ad No 58, 2003
r 139.110.....	ad No 58, 2003
r 139.115.....	ad No 58, 2004
Division 139.B.3	
r 139.120.....	ad No 58, 2003
r 139.125.....	ad No 58, 2003
r 139.130.....	ad No 58, 2003
r 139.135.....	ad No 58, 2003
r 139.140.....	ad No 58, 2003
r 139.145.....	ad No 58, 2003
r 139.150.....	ad No 58, 2003
r 139.155.....	ad No 58, 2003
r 139.160.....	ad No 58, 2003
r 139.165.....	ad No 58, 2003
r 139.170.....	ad No 58, 2003
r 139.175.....	ad No 58, 2003
r 139.180.....	ad No 58, 2003
r 139.185.....	ad No 58, 2003
	am No 77, 2011
r 139.190.....	ad No 58, 2003
	am No 345, 2004
r 139.195.....	ad No 58, 2003
r 139.200.....	ad No 58, 2003
r 139.205.....	ad No 58, 2003
r 139.210.....	ad No 58, 2003
r 139.215.....	ad No 58, 2003
r 139.220.....	ad No 58, 2003
r 139.225.....	ad No 58, 2003
r 139.230.....	ad No 58, 2003

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Endnote 4—Amendment history

Provision affected	How affected
r 139.235	ad No 58, 2003
r 139.240	ad No 58, 2003
r 139.245	ad No 58, 2003
r 139.250	ad No 58, 2003
Division 139.B.4	
Division 139.B.4	ad No 265, 2011
r 139.251	ad No 265, 2011
r 139.252	ad No 265, 2011
r 139.254	ad No 265, 2011
Subpart 139.C	
Subpart 139.C	ad No 58, 2003
r 139.255	ad No 58, 2003
r 139.260	ad No 58, 2003
	am No 345, 2004; No 265, 2011
r 139.265	ad No 58, 2003
r 139.270	ad No 58, 2003
r 139.275	ad No 58, 2003
r 139.280	ad No 58, 2003
r 139.285	ad No 58, 2003
r 139.290	ad No 58, 2003
r 139.295	ad No 58, 2003
r 139.300	ad No 58, 2003
r 139.305	ad No 58, 2003
r 139.310	ad No 58, 2003
r 139.315	ad No 58, 2003
	am No 345, 2004
r 139.320	ad No 58, 2003
	am No 77, 2011
r 139.325	ad No 58, 2003
r 139.330	ad No 58, 2003
Subpart 139.D	

Endnote 4—Amendment history

Provision affected	How affected
Subpart 139.D	ad No 58, 2003
r 139.335	ad No 58, 2003
r 139.340	ad No 58, 2003
r 139.345	ad No 58, 2003
	am No 345, 2004
Subpart 139.E	
Subpart 139.E	ad No 58, 2003
r 139.350	ad No 58, 2003
r 139.355	ad No 58, 2003
r 139.360	ad No 58, 2003
r 139.365	ad No 58, 2003
	am No 274, 2013
r 139.370	ad No 58, 2003
	am No 274, 2013
Subpart 139.F	
Subpart 139.F	ad No 58, 2003
Division 139.F.1	
r 139.375	ad No 58, 2003
Division 139.F.2	
r 139.380	ad No 58, 2003
r 139.385	ad No 58, 2003
Division 139.F.3	
r 139.390	ad No 58, 2003
r 139.395	ad No 58, 2003
r 139.400	ad No 58, 2003
r 139.405	ad No 58, 2003
r 139.410	ad No 58, 2003
r 139.415	ad No 58, 2003
r 139.420	ad No 58, 2003
	am No 77, 2011
r 139.425	ad No 58, 2003

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Endnote 4—Amendment history

Provision affected	How affected
r 139.430	ad No 58, 2003 am No 77, 2011
r 139.435	ad No 58, 2003
Subpart 139.H	
Subpart H heading	rep No 75, 2003
Subpart H	ad No 167, 2002
Subpart 139.H heading	ad No 75, 2003 rs No 77, 2011
Division 139.H.1	
Division 1 heading	rep No 75, 2003
Division 139.H.1 heading	ad No 75, 2003
r 139.700	ad No 167, 2002 am No 75, 2003; No 77, 2011
r 139.705	ad No 167, 2002 am No 75, 2003
r 139.710	ad No 167, 2002
r 139.711	ad No 75, 2003 am No 77, 2011
r 139.712	ad No 75, 2003 am No 345, 2004; No 323, 2005; No 80, 2013; F2016L00170
r 139.712A	ad No 75, 2003 rep No 345, 2004
r 139.712B	ad No 75, 2003 rep No 345, 2004
r 139.712C	ad No 75, 2003 rep No 345, 2004
r 139.712D	ad No 75, 2003 rep No 345, 2004
r 139.712E	ad No 75, 2003 rep No 345, 2004
r 139.712F	ad No 75, 2003

Endnote 4—Amendment history

Provision affected	How affected
	rep No 345, 2004
r 139.712G	ad No 75, 2003
	rep No 345, 2004
r 139.712H	ad No 75, 2003
	rep No 345, 2004
r 139.715	ad No 167, 2002
Division 2	rep No 75, 2003
r 139.720	ad No 167, 2002
	rep No 75, 2003
r 139.725	ad No 167, 2002
	rep No 75, 2003
r 139.730	ad No 167, 2002
	rep No 75, 2003
r 139.735	ad No 167, 2002
	rep No 75, 2003
r 139.740	ad No 167, 2002
	rep No 75, 2003
r 139.745	ad No 167, 2002
	rep No 75, 2003
Division 139.H.3	
Division 3 heading	rep No 75, 2003
Division 139.H.3 heading	ad No 75, 2003
r 139.750	ad No 167, 2002
r 139.755	ad No 167, 2002
	rs No 75, 2003
	am F2016L00170
r 139.760	ad No 167, 2002
r 139.765	ad No 167, 2002
r 139.770	ad No 167, 2002
	am No 75, 2003
r 139.771	ad No 75, 2003

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Endnote 4—Amendment history

Provision affected	How affected
r 139.772.....	ad No 75, 2003
r 139.773.....	ad No 75, 2003
r 139.775.....	ad No 167, 2002
	am No 75, 2003
r 139.780.....	ad No 167, 2002
r 139.785.....	ad No 167, 2002
r 139.795.....	ad No 167, 2002
r 139.800.....	ad No 167, 2002
r 139.805.....	ad No 167, 2002
r 139.810.....	ad No 167, 2002
r 139.815.....	ad No 167, 2002
r 139.820.....	ad No 167, 2002
	am No 5, 2013
r 139.825.....	ad No 167, 2002
r 139.830.....	ad No 167, 2002
r 139.835.....	ad No 167, 2002
r 139.840.....	ad No 167, 2002
r 139.845.....	ad No 167, 2002
r 139.850.....	ad No 167, 2002
r 139.855.....	ad No 167, 2002
r 139.860.....	ad No 167, 2002
r 139.865.....	ad No 167, 2002
r 139.870.....	ad No 167, 2002
r 139.875.....	ad No 167, 2002
r 139.880.....	ad No 167, 2002
r 139.885.....	ad No 167, 2002
r 139.890.....	ad No 167, 2002
r 139.895.....	ad No 167, 2002
r 139.900.....	ad No 167, 2002
r 139.905.....	ad No 167, 2002
r 139.910.....	ad No 167, 2002

Endnote 4—Amendment history

Provision affected	How affected
	am No 75, 2003; No 77, 2011
Division 139.H.4	
Division 4 heading	rep No 75, 2003
Division 139.H.4 heading	ad No 75, 2003
r 139.915	ad No 167, 2002
	am No 75, 2003; No 345, 2004
Division 139.H.5	
Division 5 heading	rep No 75, 2003
Division 139.H.5 heading	ad No 75, 2003
r 139.920	ad No 167, 2002
r 139.925	ad No 167, 2002
	am No 75, 2003; No 185, 2006; No 77, 2011
r 139.930	ad No 167, 2002
	rep No 77, 2011
r 139.935	ad No 167, 2002
	rep No 77, 2011
r 139.940	ad No 167, 2002
	rep No 77, 2011
r 139.945	ad No 167, 2002
	rep No 77, 2011
r 139.950	ad No 167, 2002
	rep No 77, 2011
r 139.955	ad No 167, 2002
	rep No 77, 2011
r 139.960	ad No 167, 2002
	rep No 77, 2011
r 139.965	ad No 167, 2002
	am No 75, 2003; No 77, 2011
r 139.970	ad No 167, 2002
	am No 77, 2011
r 139.975	ad No 167, 2002

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Endnote 4—Amendment history

Provision affected	How affected
	rep No 77, 2011
r 139.980.....	ad No 167, 2002
	rep No 77, 2011
r 139.985.....	ad No 167, 2002
	rep No 77, 2011
r 139.990.....	ad No 167, 2002
	rep No 77, 2011
r 139.995.....	ad No 167, 2002
	am No 77, 2011
r 139.1000.....	ad No 167, 2002
	rep No 77, 2011
r 139.1005.....	ad No 167, 2002
	am No 345, 2004
r 139.1010.....	ad No 167, 2002
	am No 345, 2004
r 139.1015.....	ad No 167, 2002
r 139.1020.....	ad No 167, 2002
r 139.1022.....	ad No 75, 2003
r 139.1025.....	ad No 167, 2002
	rep No 77, 2011
Part 141	
Part 141.....	ad No 204, 2000
	rs No 5, 2013
	am No 274, 2013; No 125, 2014
Subpart 141.A	
r 141.005.....	ad No 5, 2013
r 141.010.....	ad No 5, 2013
r 141.015.....	ad No 5, 2013
	am No 274, 2013
r 141.020.....	ad No 5, 2013
	am No 125, 2014

Endnote 4—Amendment history

Provision affected	How affected
r 141.025	ad No 5, 2013 am No 125, 2014
r 141.030	ad No 5, 2013 am No 125, 2014
r 141.035	ad No 5, 2013 am No 274, 2013
r 141.040	ad No 5, 2013
r 141.045	ad No 5, 2013 am No 125, 2014
r 141.050	ad No 5, 2013
Subpart 141.B	
r 141.055	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 141.060	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 141.065	ad No 5, 2013 am No 125, 2014
r 141.070	ad No 5, 2013 am No 125, 2014
r 141.075	ad No 5, 2013
Subpart 141.C	
r 141.080	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 141.085	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 141.090	ad No 5, 2013 am No 125, 2014
r 141.095	ad No 5, 2013 am No 125, 2014
r 141.100	ad No 5, 2013 am No 125, 2014

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 141.D	
r 141.105.....	ad No 5, 2013 am No 125, 2014
r 141.110.....	ad No 5, 2013
r 141.115.....	ad No 5, 2013
r 141.120.....	ad No 5, 2013 am No 125, 2014
r 141.125.....	ad No 5, 2013 am No 274, 2013
r 141.130.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 141.135.....	ad No 5, 2013 rep No 125, 2014
r 141.140.....	ad No 5, 2013 rep No 125, 2014
r 141.145.....	ad No 5, 2013 rep No 125, 2014
r 141.150.....	ad No 5, 2013 rep No 125, 2014
r 141.155.....	ad No 5, 2013 am No 274, 2013; No 125, 2014
r 141.160.....	ad No 5, 2013 am No 125, 2014
Subpart 141.E	
r 141.165.....	ad No 5, 2013
r 141.170.....	ad No 5, 2013 am No 125, 2014
r 141.175.....	ad No 5, 2013
r 141.180.....	ad No 5, 2013
r 141.185.....	ad No 5, 2013
r 141.190.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 141.195	ad No 5, 2013
r 141.200	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 141.205	ad No 5, 2013
r 141.210	ad No 5, 2013
	am No 125, 2014
Subpart 141.F	rep No 125, 2014
r 141.215	ad No 5, 2013
	rep No 125, 2014
r 141.220	ad No 5, 2013
	am No 274, 2013
	rep No 125, 2014
Subpart 141.G	
Subpart 141.G	rs No 125, 2014
r 141.225	ad No 5, 2013
	rs No 125, 2014
r 141.230	ad No 5, 2013
	rep No 125, 2014
Subpart 141.H	
Subpart 141.H	ad No 5, 2013
Subpart 141.I	
Subpart 141.I heading	am No 125, 2014
r 141.260	ad No 5, 2013
	am No 274, 2013; No 125, 2014
r 141.265	ad No 5, 2013
	am No 125, 2014
r 141.270	ad No 5, 2013
	am No 274, 2013; No 125, 2014
Subpart 141.J	
r 141.275	ad No 5, 2013
r 141.280	ad No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 141.K	
Subpart 141.K heading.....	rs No 274, 2013
r 141.285.....	ad No 5, 2013
r 141.290.....	ad No 5, 2013
r 141.295.....	ad No 5, 2013
r 141.300.....	ad No 5, 2013
r 141.305.....	ad No 5, 2013
	rs No 274, 2013
	am No 125, 2014
r 141.306.....	ad No 274, 2013
r 141.310.....	ad No 5, 2013
	am No 125, 2014
r 141.315.....	ad No 274, 2013
Part 142	
Part 142.....	ad No 204, 2000
	rs No 5, 2013
	am No 274, 2013
Subpart 142.A	
r 142.005.....	ad No 5, 2013
r 142.010.....	ad No 5, 2013
r 142.015.....	ad No 5, 2013
	am No 274, 2013
r 142.020.....	ad No 5, 2013
r 142.025.....	ad No 5, 2013
r 142.030.....	ad No 5, 2013
r 142.035.....	ad No 5, 2013
r 142.040.....	ad No 5, 2013
	am No 274, 2013
r 142.045.....	ad No 5, 2013
r 142.050.....	ad No 5, 2013
r 142.055.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 142.060	ad No 5, 2013
Subpart 142.B	
Division 142.B.1	
r 142.065	ad No 5, 2013
r 142.070	ad No 5, 2013
	am No 274, 2013
r 142.075	ad No 5, 2013
r 142.080	ad No 5, 2013
	am No 274, 2013
r 142.085	ad No 5, 2013
	am No 274, 2013
r 142.090	ad No 5, 2013
	rep No 274, 2013
r 142.095	ad No 5, 2013
r 142.100	ad No 5, 2013
Division 142.B.2	
r 142.105	ad No 5, 2013
	am No 274, 2013
r 142.110	ad No 5, 2013
r 142.115	ad No 5, 2013
r 142.120	ad No 5, 2013
r 142.125	ad No 5, 2013
r 142.130	ad No 5, 2013
Subpart 142.C	
r 142.135	ad No 5, 2013
	am No 274, 2013
r 142.140	ad No 5, 2013
	am No 274, 2013
r 142.145	ad No 5, 2013
r 142.150	ad No 5, 2013
r 142.155	ad No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 142.D	
r 142.160.....	ad No 5, 2013
r 142.165.....	ad No 5, 2013
r 142.170.....	ad No 5, 2013
r 142.175.....	ad No 5, 2013
r 142.180.....	ad No 5, 2013
r 142.185.....	ad No 5, 2013
r 142.190.....	ad No 5, 2013
	am No 274, 2013
r 142.195.....	ad No 5, 2013
r 142.200.....	ad No 5, 2013
r 142.205.....	ad No 5, 2013
r 142.210.....	ad No 5, 2013
r 142.215.....	ad No 5, 2013
	am No 274, 2013
Subpart 142.E	
r 142.220.....	ad No 5, 2013
r 142.225.....	ad No 5, 2013
r 142.230.....	ad No 5, 2013
r 142.235.....	ad No 5, 2013
r 142.240.....	ad No 5, 2013
r 142.245.....	ad No 5, 2013
Subpart 142.F	
r 142.250.....	ad No 5, 2013
r 142.255.....	ad No 5, 2013
Subpart 142.G	
r 142.260.....	ad No 5, 2013
r 142.265.....	ad No 5, 2013
	am No 274, 2013; No 125, 2014
Subpart 142.H	
r 142.270.....	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
r 142.275	ad No 5, 2013
Subpart 142.I	
Subpart 142.I	ad No 5, 2013
Subpart 142.J	
r 142.310	ad No 5, 2013
r 142.315	ad No 5, 2013
	am No 125, 2014
r 142.320	ad No 5, 2013
	am No 125, 2014
r 142.325	ad No 5, 2013
r 142.330	ad No 5, 2013
r 142.335	ad No 5, 2013
	am No 274, 2013
Subpart 142.K	
r 142.340	ad No 5, 2013
	am No 274, 2013
r 142.345	ad No 5, 2013
r 142.350	ad No 5, 2013
	am No 274, 2013
Subpart 142.L	
r 142.355	ad No 5, 2013
r 142.360	ad No 5, 2013
Subpart 142.M	
r 142.365	ad No 5, 2013
r 142.370	ad No 5, 2013
r 142.375	ad No 5, 2013
r 142.380	ad No 5, 2013
r 142.385	ad No 5, 2013
	rs No 274, 2013
r 142.386	ad No 274, 2013
r 142.390	ad No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
r 142.395	ad No 274, 2013
Part 143	
Part 143	ad No 204, 2000
	rs No 167, 2002
	am No 345, 2004; No 80, 2013; No 274, 2013
Subpart 143.A	
Subpart A heading	rep No 345, 2004
Subpart 143.A heading	ad No 345, 2004
r 143.000	ad No 167, 2002
	am No 75, 2003
	rep No 345, 2004
r 143.005	ad No 167, 2002
	rs No 75, 2003
r 143.010	ad No 167, 2002
	am No 75, 2003; No 5, 2013
r 143.015	ad No 167, 2002
r 143.016	ad No 75, 2003
r 143.017	ad No 75, 2003
	am No 345, 2004; No 323, 2005; No 80, 2013; F2016L00170
r 143.017A	ad No 75, 2003
	rep No 345, 2004
r 143.017B	ad No 75, 2003
	rep No 345, 2004
r 143.017C	ad No 75, 2003
	rep No 345, 2004
r 143.017D	ad No 75, 2003
	rep No 345, 2004
r 143.017E	ad No 75, 2003
	rep No 345, 2004
r 143.017F	ad No 75, 2003
	rep No 345, 2004

Endnote 4—Amendment history

Provision affected	How affected
r 143.017G	ad No 75, 2003 rep No 345, 2004
r 143.017H	ad No 75, 2003 rep No 345, 2004
Subpart 143.B	
Subpart B heading.....	rep No 345, 2004
Subpart 143.B heading.....	ad No 345, 2004
r 143.020	ad No 167, 2002 am No 75, 2003; No 5, 2013
r 143.025	ad No 167, 2002 am No 75, 2003; No 5, 2013
r 143.027	ad No 75, 2003 am No 77, 2011
r 143.030	ad No 167, 2002 rep No 77, 2011
r 143.035	ad No 167, 2002 rep No 80, 2013
r 143.040	ad No 167, 2002 rep No 77, 2011
r 143.045	ad No 167, 2002 rep No 77, 2011
r 143.050	ad No 167, 2002 am No 77, 2011
Subpart 143.C	
Subpart C heading.....	rep No 345, 2004
Subpart 143.C heading.....	ad No 345, 2004
Division 143.C.1	
Division 1 heading.....	rep No 345, 2004
Division 143.C.1 heading.....	ad No 345, 2004
r 143.055	ad No 167, 2002
r 143.060	ad No 167, 2002

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Endnote 4—Amendment history

Provision affected	How affected
Division 143.C.2	
Division 2 heading.....	rep No 345, 2004
Division 143.C.2 heading.....	ad No 345, 2004
r 143.065.....	ad No 167, 2002
	am No 75, 2003
r 143.070.....	ad No 167, 2002
	am No 75, 2003
Division 143.C.3	
Division 3 heading.....	rep No 345, 2004
Division 143.C.3 heading.....	ad No 345, 2004
r 143.075.....	ad No 167, 2002
r 143.080.....	ad No 167, 2002
r 143.085.....	ad No 167, 2002
r 143.090.....	ad No 167, 2002
Subpart 143.D	
Subpart D heading.....	rep No 345, 2004
Subpart 143.D heading.....	ad No 345, 2004
r 143.095.....	ad No 167, 2002
r 143.100.....	ad No 167, 2002
r 143.105.....	ad No 167, 2002
	am No 75, 2003; No 5, 2013
Subpart 143.E	
Subpart E heading.....	rep No 345, 2004
Subpart 143.E heading.....	ad No 345, 2004
r 143.110.....	ad No 167, 2002
	am No 75, 2003; No 5, 2013
Subpart 143.F	
Subpart F heading.....	rep No 345, 2004
Subpart 143.F heading.....	ad No 345, 2004
	rs No 77, 2011
Division 143.F.1	

Endnote 4—Amendment history

Provision affected	How affected
Division 1 heading	rep No 345, 2004
Division 143.F.1 heading	ad No 345, 2004
r 143.115	ad No 167, 2002
Division 143.F.2	
Division 2 heading	rep No 345, 2004
Division 143.F.2 heading	ad No 345, 2004
r 143.118	ad No 77, 2011
r 143.120	ad No 167, 2002
r 143.125	ad No 167, 2002
	rep No 77, 2011
r 143.130	ad No 167, 2002
	am No 75, 2003
	rs No 77, 2011
r 143.135	ad No 167, 2002
	rep No 77, 2011
r 143.140	ad No 167, 2002
	rep No 77, 2011
r 143.145	ad No 167, 2002
	rs No 77, 2011
r 143.150	ad No 167, 2002
	rep No 77, 2011
r 143.155	ad No 167, 2002
	rep No 77, 2011
r 143.160	ad No 167, 2002
	rep No 77, 2011
r 143.165	ad No 167, 2002
	rep No 77, 2011
r 143.170	ad No 167, 2002
	rep No 77, 2011
r 143.175	ad No 167, 2002
	rs No 77, 2011

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Endnote 4—Amendment history

Provision affected	How affected
r 143.180.....	ad No 167, 2002 am No 77, 2011
r 143.185.....	ad No 167, 2002
r 143.190.....	ad No 167, 2002
r 143.192.....	ad No 75, 2003 reloc and renum No 77, 2011
r 143.195.....	ad No 167, 2002 rep No 77, 2011
Division 3 heading.....	rep No 345, 2004
Division 143.F.3 heading.....	ad No 345, 2004 rep No 77, 2011
Division 143.F.3	rep No 77, 2011
r 143.200.....	ad No 167, 2002 rep No 77, 2011
r 143.205.....	ad No 167, 2002 am No 345, 2004 rep No 77, 2011
r 143.210.....	ad No 167, 2002 rep No 77, 2011
Division 143.F.4	
Division 4 heading.....	rep No 345, 2004
Division 143.F.4 heading.....	ad No 345, 2004
r 143.215.....	ad No 167, 2002
r 143.220.....	ad No 167, 2002
r 143.225.....	ad No 167, 2002 am No 345, 2004
r 143.230.....	ad No 167, 2002
r 143.235.....	ad No 167, 2002 am No 77, 2011
r 143.240.....	ad No 167, 2002 rep No 77, 2011

Endnote 4—Amendment history

Provision affected	How affected
r 143.245 (prev r 143.192)	reloc and renum No 77, 2011
Part 144	
Part 144.....	ad No 204, 2000
Part 145	
Part 145.....	ad No 204, 2000
	rs No 328, 2010
	am No 80, 2013
Subpart 145.A	
r 145.005.....	ad No 328, 2010
	am No 275, 2013
r 145.010.....	ad No 328, 2010
r 145.015.....	ad No 328, 2010
r 145.020.....	ad No 328, 2010
Subpart 145.B	
r 145.025.....	ad No 328, 2010
r 145.030.....	ad No 328, 2010
r 145.035.....	ad No 328, 2010
r 145.040.....	ad No 328, 2010
r 145.045.....	ad No 328, 2010
Subpart 145.C	
r 145.050.....	ad No 328, 2010
r 145.055.....	ad No 328, 2010
r 145.060.....	ad No 328, 2010
r 145.065.....	ad No 328, 2010
Subpart 145.D	
r 145.070.....	ad No 328, 2010
r 145.075.....	ad No 328, 2010
r 145.080.....	ad No 328, 2010
r 145.085.....	ad No 328, 2010
Part 146.....	ad No 204, 2010
	rep No 328, 2010

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Endnote 4—Amendment history

Provision affected	How affected
Part 147	
Part 147.....	ad No 204, 2000 rs No 328, 2010 am No 80, 2013
Subpart 147.A	
r 147.005.....	ad No 328, 2010
r 147.010.....	ad No 328, 2010 am No 5, 2013; No 80, 2013
r 147.015.....	ad No 328, 2010
r 147.020.....	ad No 328, 2010
Subpart 147.B	
r 147.025.....	ad No 328, 2010
r 147.030.....	ad No 328, 2010
r 147.035.....	ad No 328, 2010
r 147.040.....	ad No 328, 2010
r 147.045.....	ad No 328, 2010
Subpart 147.C	
r 147.050.....	ad No 328, 2010
r 147.055.....	ad No 328, 2010
r 147.060.....	ad No 328, 2010
r 147.065.....	ad No 328, 2010
Subpart 147.D	
r 147.070.....	ad No 328, 2010
r 147.075.....	ad No 328, 2010
r 147.080.....	ad No 328, 2010
r 147.085.....	ad No 328, 2010
Part 148.....	ad No 204, 2000 rep No 240, 2003
Part 149	
Part 149.....	ad No 204, 2000
Part 171	

Endnote 4—Amendment history

Provision affected	How affected
Part 171.....	ad No 204, 2000 rs No 167, 2002 am No 345, 2004; No 80, 2013
Subpart 171.A	
Subpart A heading	rep No 345, 2004
Subpart 171.A heading.....	ad No 345, 2004
r 171.000.....	ad No 167, 2002 am No 75, 2003 rep No 345, 2004
r 171.005.....	ad No 167, 2002 rs No 75, 2003
r 171.010.....	ad No 167, 2002 am No 75, 2003; No 124, 2006; No 265, 2011
r 171.012.....	ad No 75, 2003
r 171.015.....	ad No 167, 2002
r 171.017.....	ad No 75, 2003 am No 345, 2004; No 323, 2005; No 80, 2013; F2016L00170
r 171.017A.....	ad No 75, 2003 rep No 345, 2004
r 171.017B.....	ad No 75, 2003 rep No 345, 2004
r 171.017C.....	ad No 75, 2003 rep No 345, 2004
r 171.017D.....	ad No 75, 2003 rep No 345, 2004
r 171.017E.....	ad No 75, 2003 rep No 345, 2004
r 171.017F.....	ad No 75, 2003 rep No 345, 2004
r 171.017G.....	ad No 75, 2003 rep No 345, 2004

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Endnote 4—Amendment history

Provision affected	How affected
r 171.017H.....	ad No 75, 2003 rep No 345, 2004
Subpart 171.B	
Subpart B heading.....	rep No 345, 2004
Subpart 171.B heading.....	ad No 345, 2004 rs No 77, 2011
r 171.020.....	ad No 167, 2002 am No 75, 2003; No 77, 2011
r 171.022 (prev r 171.165)	reloc and renum No 77, 2011
r 171.025.....	ad No 167, 2002 am No 77, 2011
r 171.026.....	ad No 77, 2011
r 171.027.....	ad No 77, 2011
r 171.028.....	ad No 77, 2011
r 121.029.....	ad No 77, 2011
Subpart 171.C	
Subpart C heading.....	rep No 345, 2004
Subpart 171.C heading.....	ad No 345, 2004
r 171.030.....	ad No 167, 2002
r 171.035.....	ad No 167, 2002 am No 124, 2006; No 77, 2011
r 171.040.....	ad No 167, 2002
r 171.045.....	ad No 167, 2002 rs No 75, 2003 rep No 124, 2006
r 171.050.....	ad No 167, 2002
r 171.055.....	ad No 167, 2002 am No 124, 2006
r 171.060.....	ad No 167, 2002 rep No 124, 2006
r 171.065.....	ad No 167, 2002

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Provision affected	How affected
r 171.070.....	ad No 167, 2002
r 171.075.....	ad No 167, 2002
r 171.080.....	ad No 167, 2002
r 171.085.....	ad No 167, 2002
r 171.086.....	ad No 124, 2006
Subpart 171.D	
Subpart D heading	rep No 345, 2004
Subpart 171.D heading.....	ad No 345, 2004
r 171.090.....	ad No 167, 2002
r 171.095.....	ad No 167, 2002
r 171.100.....	ad No 167, 2002
r 171.105.....	ad No 167, 2002
	am No 75, 2003
r 171.110.....	ad No 167, 2002
r 171.115.....	ad No 167, 2002
r 171.120.....	ad No 167, 2002
r 171.125.....	ad No 167, 2002
	rs No 124, 2006
r 171.130.....	ad No 167, 2002
	rep No 124, 2006
r 171.135.....	ad No 167, 2002
	rep No 124, 2006
r 171.140.....	ad No 167, 2002
r 171.145.....	ad No 167, 2002
r 171.150.....	ad No 167, 2002
r 171.155.....	ad No 167, 2002
r 171.160.....	ad No 167, 2002
Subpart 171.E	
Subpart E heading.....	rep No 345, 2004
Subpart 171.E heading.....	ad No 345, 2004
	rs No 77, 2011

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Endnote 4—Amendment history

Provision affected	How affected
r 171.165.....	ad No 167, 2002 reloc and renum No 77, 2011
r 171.170.....	ad No 167, 2002 rep No 77, 2011
r 171.175.....	ad No 167, 2002 rep No 77, 2011
r 171.180.....	ad No 167, 2002 rep No 77, 2011
r 171.185.....	ad No 167, 2002 rep No 77, 2011
r 171.190.....	ad No 167, 2002 rep No 77, 2011
r 171.195.....	ad No 167, 2002 rep No 77, 2011
r 171.200.....	ad No 167, 2002 rep No 77, 2011
r 171.205.....	ad No 167, 2002 am No 75, 2003 rep No 77, 2011
r 171.210.....	ad No 167, 2002 rep No 77, 2011
r 171.215.....	ad No 167, 2002 rep No 77, 2011
r 171.220.....	ad No 167, 2002 am No 345, 2004
r 171.225.....	ad No 167, 2002
r 171.230.....	ad No 167, 2002 am No 345, 2004
r 171.235.....	ad No 167, 2002
r 171.237.....	ad No 75, 2003
r 171.240.....	ad No 167, 2002

Endnote 4—Amendment history

Provision affected	How affected
	rep No 77, 2011
r 171.245	ad No 167, 2002
r 171.250	ad No 167, 2002
	am No 124, 2006
	rep No 77, 2011
r 171.255	ad No 167, 2002
	rep No 77, 2011
Part 172	
Part 172	ad No 204, 2000
	rs No 167, 2002
	am No 345, 2004; No 80, 2013
Subpart 172.A	
Subpart A heading	rep No 345, 2004
Subpart 172.A heading	ad No 345, 2004
r 172.000	ad No 167, 2002
	am No 75, 2003
	rep No 345, 2004
r 172.005	ad No 167, 2002
	rs No 75, 2003
r 172.010	ad No 167, 2002
	am No 75, 2003; No 172, 2007
r 172.015	ad No 167, 2002
r 172.020	ad No 167, 2002
r 172.022	ad No 75, 2003
	am No 345, 2004; No 323, 2005; No 80, 2013; F2016L00170
r 172.022A	ad No 75, 2003
	rep No 345, 2004
r 172.022B	ad No 75, 2003
	rep No 345, 2004
r 172.022C	ad No 75, 2003
	rep No 345, 2004

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Endnote 4—Amendment history

Provision affected	How affected
r 172.022D	ad No 75, 2003 rep No 345, 2004
r 172.022E	ad No 75, 2003 rep No 345, 2004
r 172.022F	ad No 75, 2003 rep No 345, 2004
r 172.022G	ad No 75, 2003 rep No 345, 2004
r 172.022H	ad No 75, 2003 rep No 345, 2004
Subpart 172.B	
Subpart B heading.....	rep No 345, 2004
Subpart 172.B heading.....	ad No 345, 2004
r 172.024	ad No 75, 2003
r 172.025	ad No 167, 2002 am No 345, 2004 rep No 77, 2011
r 172.030	ad No 167, 2002 am No 345, 2004
r 172.035	ad No 167, 2002 rep No 77, 2011
r 172.040	ad No 167, 2002 rep No 80, 2013
r 172.045	ad No 167, 2002 am No 345, 2004 rep No 77, 2011
r 172.050	ad No 167, 2002 am No 345, 2004; No 77, 2011
r 172.055	ad No 167, 2002 am No 345, 2004
Subpart 172.C	

Endnote 4—Amendment history

Provision affected	How affected
Subpart C heading.....	rep No 345, 2004
Subpart 172.C heading.....	ad No 345, 2004
Division 172.C.1	
Division 1 heading.....	rep No 345, 2004
Division 172.C.1 heading.....	ad No 345, 2004
r 172.060.....	ad No 167, 2002
Division 172.C.2	
Division 2 heading.....	rep No 345, 2004
Division 172.C.2 heading.....	ad No 345, 2004
r 172.065.....	ad No 167, 2002
r 172.070.....	ad No 167, 2002
r 172.075.....	ad No 167, 2002
r 172.080.....	ad No 167, 2002
r 172.085.....	ad No 167, 2002
r 172.090.....	ad No 167, 2002
Division 172.C.3	
Division 3 heading.....	rep No 345, 2004
Division 172.C.3 heading.....	ad No 345, 2004
r 172.095.....	ad No 167, 2002
Division 172.C.4	
Division 4 heading.....	rep No 345, 2004
Division 4	ad No 167, 2002
Division 172.C.4 heading.....	ad No 345, 2004
r 172.100.....	ad No 167, 2002
r 172.105.....	ad No 167, 2002
r 172.110.....	ad No 167, 2002
r 172.115.....	ad No 167, 2002
r 172.120.....	ad No 167, 2002
Division 172.C.5	
Division 5 heading.....	rep No 345, 2004
Division 172.C.5 heading.....	ad No 345, 2004

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Endnote 4—Amendment history

Provision affected	How affected
r 172.125	ad No 167, 2002
r 172.130	ad No 167, 2002
r 172.135	ad No 167, 2002
Division 172.C.6	
Division 6 heading	rep No 345, 2004
Division 172.C.6 heading	ad No 345, 2004
r 172.140	ad No 167, 2002
r 172.145	ad No 167, 2002
r 172.150	ad No 167, 2002
r 172.155	ad No 167, 2002
Division 172.C.7	
Division 7 heading	rep No 345, 2004
Division 172.C.7 heading	ad No 345, 2004
r 172.160	ad No 167, 2002
r 172.165	ad No 167, 2002
r 172.170	ad No 167, 2002
r 172.175	ad No 167, 2002
Division 172.C.8	
Division 8 heading	rep No 345, 2004
Division 172.C.8 heading	ad No 345, 2004
r 172.180	ad No 167, 2002
	am No 265, 2011
Subpart 172.D	
Subpart D heading	rep No 345, 2004
Subpart 172.D heading	ad No 345, 2004
r 172.185	ad No 167, 2002
r 172.190	ad No 167, 2002
Subpart 172.E	
Subpart E heading	rep No 345, 2004
Subpart 172.E heading	ad No 345, 2004
r 172.195	ad No 167, 2002

Endnote 4—Amendment history

Provision affected	How affected
Subpart 172.F	
Subpart F heading	rep No 345, 2004
Subpart 172.F heading	ad No 345, 2004
	rs No 77, 2011
Division 172.F.1	
Division 1 heading	rep No 345, 2004
Division 172.F.1 heading	ad No 345, 2004
r 172.200	ad No 167, 2002
Division 172.F.2	
Division 2 heading	rep No 345, 2004
Division 172.F.2 heading	ad No 345, 2004
r 172.202	ad No 77, 2011
r 172.205	ad No 167, 2002
r 172.210	ad No 167, 2002
	rep No 77, 2011
r 172.215	ad No 167, 2002
	rs No 77, 2011
r 172.220	ad No 167, 2002
	rep No 77, 2011
r 172.225	ad No 167, 2002
	rep No 77, 2011
r 172.230	ad No 167, 2002
	rs No 77, 2011
r 172.235	ad No 167, 2002
	rep No 77, 2011
r 172.240	ad No 167, 2002
	rep No 77, 2011
r 172.245	ad No 167, 2002
	rep No 77, 2011
r 172.250	ad No 167, 2002
	rep No 77, 2011

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Endnote 4—Amendment history

Provision affected	How affected
r 172.255	ad No 167, 2002 rep No 77, 2011
r 172.260	ad No 167, 2002 rs No 77, 2011
r 172.265	ad No 167, 2002 am No 77, 2011
r 172.270	ad No 167, 2002 rs No 77, 2011
r 172.275	ad No 167, 2002 rep No 77, 2011
r 172.280	ad No 167, 2002 rep No 77, 2011
Division 3 heading	rep No 345, 2004
Division 172.F.3 heading	ad No 345, 2004
Division 172.F.3	rep No 77, 2011
r 172.285	ad No 167, 2002 rep No 77, 2011
r 172.290	ad No 167, 2002 am No 345, 2004 rep No 77, 2011
r 172.295	ad No 167, 2002 am No 75, 2003 rep No 77, 2011
Division 172.F.4	
Division 4 heading	rep No 345, 2004
Division 172.F.4 heading	ad No 345, 2004
r 172.300	ad No 167, 2002
Division 172.F.5	
Division 5 heading	rep No 345, 2004
Division 172.F.5 heading	ad No 345, 2004
r 172.305	ad No 167, 2002

Endnote 4—Amendment history

Provision affected	How affected
r 172.310.....	ad No 167, 2002 am No 345, 2004
r 172.315.....	ad No 167, 2002 am No 345, 2004
r 172.320.....	ad No 167, 2002
r 172.325.....	ad No 167, 2002
r 172.327.....	ad No 75, 2003
r 172.330.....	ad No 167, 2002 rep No 77, 2011
Part 173	
Part 173.....	ad No 204, 2000 rs No 189, 2003 am No 345, 2004; No 80, 2013
Subpart 173.A	
r 173.000.....	ad No 189, 2003 rep No 345, 2004
r 173.005.....	ad No 189, 2003
r 173.010.....	ad No 189, 2003 am No 265, 2011
r 173.015.....	ad No 189, 2003
r 173.020.....	ad No 189, 2003
r 173.025.....	ad No 189, 2003
r 173.030.....	ad No 189, 2003 am No 80, 2013
r 173.035.....	ad No 189, 2003 rs No 265, 2011
r 173.040.....	ad No 189, 2003
Subpart 173.B	
Division 173.B.1	
Division 173.B.1 heading.....	rs No 77, 2011
r 173.045.....	ad No 189, 2003

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Endnote 4—Amendment history

Provision affected	How affected
	am No 77, 2011
r 173.050.....	ad No 189, 2003
r 173.055.....	ad No 189, 2003
	am No 77, 2011
r 173.060.....	ad No 189, 2003
	rep No 77, 2011
r 173.065.....	ad No 189, 2003
	rs No 77, 2011
r 173.070.....	ad No 189, 2003
	rs No 77, 2011
Division 173.B.2	
r 173.075.....	ad No 189, 2003
r 173.080.....	ad No 189, 2003
r 173.085.....	ad No 189, 2003
r 173.090.....	ad No 189, 2003
r 173.095.....	ad No 189, 2003
r 173.100.....	ad No 189, 2003
r 173.105.....	ad No 189, 2003
r 173.110.....	ad No 189, 2003
r 173.115.....	ad No 189, 2003
r 173.120.....	ad No 189, 2003
r 173.125.....	ad No 189, 2003
r 173.130.....	ad No 189, 2003
r 173.135.....	ad No 189, 2003
r 173.140.....	ad No 189, 2003
r 173.145.....	ad No 189, 2003
r 173.150.....	ad No 189, 2003
r 173.155.....	ad No 189, 2003
r 173.160.....	ad No 189, 2003
Division 173.B.3	
r 173.165.....	ad No 189, 2003

Endnote 4—Amendment history

Provision affected	How affected
r 173.170.....	ad No 189, 2003
r 173.175.....	ad No 189, 2003
r 173.180.....	ad No 189, 2003
r 173.185.....	ad No 189, 2003
r 173.190.....	ad No 189, 2003
Division 173.B.4	
r 173.195.....	ad No 189, 2003
	am No 265, 2011
r 173.200.....	ad No 189, 2003
r 173.205.....	ad No 189, 2003
r 173.210.....	ad No 189, 2003
r 173.215.....	ad No 189, 2003
Subpart 173.C	
Division 173.C.1	
Division 173.C.1 heading.....	rs No 77, 2011
r 173.220.....	ad No 189, 2003
	am No 77, 2011
r 173.225.....	ad No 189, 2003
r 173.230.....	ad No 189, 2003
	rep No 77, 2011
r 173.235.....	ad No 189, 2003
	rep No 77, 2011
r 173.240.....	ad No 189, 2003
	rs No 77, 2011
r 173.245.....	ad No 189, 2003
	rs No 77, 2011
Division 173.C.2	
r 173.250.....	ad No 189, 2003
r 173.255.....	ad No 189, 2003
r 173.260.....	ad No 189, 2003
r 173.265.....	ad No 189, 2003

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Endnote 4—Amendment history

Provision affected	How affected
r 173.270.....	ad No 189, 2003
r 173.275.....	ad No 189, 2003
r 173.280.....	ad No 189, 2003
r 173.285.....	ad No 189, 2003
r 173.290.....	ad No 189, 2003
	am No 265, 2011
Division 173.C.3	
r 173.295.....	ad No 189, 2003
r 173.300.....	ad No 189, 2003
r 173.305.....	ad No 189, 2003
Subpart 173.D	
r 173.310.....	ad No 189, 2003
r 173.315.....	ad No 189, 2003
Subpart 173.E	
Subpart 173.E heading.....	rs No 77, 2011
Division 173.E.1	
Division 173.E.1 heading.....	rs No 77, 2011
r 173.320.....	ad No 189, 2003
	rep No 77, 2011
r 173.325.....	ad No 189, 2003
	rep No 77, 2011
r 173.330.....	ad No 189, 2003
	rs No 77, 2011
r 173.335.....	ad No 189, 2003
	rs No 77, 2011
r 173.340.....	ad No 189, 2003
	rep No 77, 2011
r 173.345.....	ad No 189, 2003
	am No 77, 2011
r 173.350.....	ad No 189, 2003
	am No 77, 2011

Endnote 4—Amendment history

Provision affected	How affected
r 173.355	ad No 189, 2003 rep No 77, 2011
r 173.360	ad No 189, 2003 rep No 77, 2011
Division 173.E.2	rep No 77, 2011
r 173.365	ad No 189, 2003 rep No 77, 2011
r 173.370	ad No 189, 2003 rep No 77, 2011
Division 173.E.3	
r 173.375	ad No 189, 2003
Division 173.E.4	
r 173.380	ad No 189, 2003
r 173.385	ad No 189, 2003 rep No 77, 2011
Division 173.E.5	
r 173.390	ad No 189, 2003
r 173.395	ad No 189, 2003
r 173.400	ad No 189, 2003 am No 265, 2011
Part 175	
Part 175	ad No 135, 2014
Subpart 175.A	
r 175.005	ad No 135, 2014
r 175.010	ad No 135, 2014
r 175.015	ad No 135, 2014
r 175.020	ad No 135, 2014
r 175.025	ad No 135, 2014
Subpart 175.B	
Division 175.B.1	
r 175.030	ad No 135, 2014

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Endnote 4—Amendment history

Provision affected	How affected
r 175.035	ad No 135, 2014
Division 175.B.2	
r 175.040	ad No 135, 2014
r 175.045	ad No 135, 2014
r 175.050	ad No 135, 2014
r 175.055	ad No 135, 2014
r 175.060	ad No 135, 2014
r 175.065	ad No 135, 2014
r 175.067	ad No 135, 2014
Division 175.B.3	
r 175.070	ad No 135, 2014
r 175.075	ad No 135, 2014
r 175.080	ad No 135, 2014
r 175.085	ad No 135, 2014
Division 175.B.4	
r 175.090	ad No 135, 2014
r 175.095	ad No 135, 2014
r 175.100	ad No 135, 2014
r 175.105	ad No 135, 2014
r 175.110	ad No 135, 2014
r 175.115	ad No 135, 2014
r 175.120	ad No 135, 2014
r 175.125	ad No 135, 2014
r 175.130	ad No 135, 2014
r 175.135	ad No 135, 2014
r 175.140	ad No 135, 2014
r 175.145	ad No 135, 2014
Division 175.B.5	
r 175.150	ad No 135, 2014
r 175.155	ad No 135, 2014
r 175.160	ad No 135, 2014

Endnote 4—Amendment history

Provision affected	How affected
r 175.165.....	ad No 135, 2014
r 175.170.....	ad No 135, 2014
r 175.175.....	ad No 135, 2014
r 175.180.....	ad No 135, 2014
r 175.185.....	ad No 135, 2014
r 175.190.....	ad No 135, 2014
r 175.195.....	ad No 135, 2014
Division 175.B.6	
r 175.200.....	ad No 135, 2014
r 175.205.....	ad No 135, 2014
r 175.210.....	ad No 135, 2014
r 175.215.....	ad No 135, 2014
r 175.220.....	ad No 135, 2014
r 175.225.....	ad No 135, 2014
r 175.230.....	ad No 135, 2014
r 175.235.....	ad No 135, 2014
r 175.240.....	ad No 135, 2014
r 175.245.....	ad No 135, 2014
r 175.250.....	ad No 135, 2014
r 175.255.....	ad No 135, 2014
r 175.260.....	ad No 135, 2014
Subpart 175.C	
Division 175.C.1	
r 175.265.....	ad No 135, 2014
r 175.270.....	ad No 135, 2014
r 175.275.....	ad No 135, 2014
Division 175.C.2	
r 175.280.....	ad No 135, 2014
r 175.285.....	ad No 135, 2014
r 175.290.....	ad No 135, 2014
r 175.295.....	ad No 135, 2014

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Endnote 4—Amendment history

Provision affected	How affected
r 175.300.....	ad No 135, 2014
r 175.305.....	ad No 135, 2014
Division 175.C.3	
r 175.310.....	ad No 135, 2014
r 175.315.....	ad No 135, 2014
r 175.320.....	ad No 135, 2014
r 175.325.....	ad No 135, 2014
r 175.330.....	ad No 135, 2014
Division 175.C.4	
r 175.335.....	ad No 135, 2014
r 175.340.....	ad No 135, 2014
r 175.345.....	ad No 135, 2014
Division 175.C.5	
r 175.350.....	ad No 135, 2014
r 175.355.....	ad No 135, 2014
r 175.360.....	ad No 135, 2014
r 175.365.....	ad No 135, 2014
r 175.370.....	ad No 135, 2014
r 175.375.....	ad No 135, 2014
Division 175.C.6	
r 175.380.....	ad No 135, 2014
r 175.385.....	ad No 135, 2014
r 175.390.....	ad No 135, 2014
r 175.395.....	ad No 135, 2014
r 175.400.....	ad No 135, 2014
r 175.405.....	ad No 135, 2014
r 175.410.....	ad No 135, 2014
r 175.415.....	ad No 135, 2014
r 175.420.....	ad No 135, 2014
r 175.425.....	ad No 135, 2014
r 175.430.....	ad No 135, 2014

Endnote 4—Amendment history

Provision affected	How affected
r 175.435	ad No 135, 2014
r 175.440	ad No 135, 2014
Subpart 175.D	
Division 175.D.1	
r 175.445	ad No 135, 2014
r 175.450	ad No 135, 2014
r 175.455	ad No 135, 2014
r 175.460	ad No 135, 2014
r 175.465	ad No 135, 2014
r 175.470	ad No 135, 2014
Division 175.D.2	
r 175.475	ad No 135, 2014
Subpart 175.E	
r 175.480	ad No 135, 2014
r 175.485	ad No 135, 2014
r 175.490	ad No 135, 2014
r 175.495	ad No 135, 2014
r 175.500	ad No 135, 2014
Part 183	ad No 204, 2000
	rep No 77, 2011
Part 200	
Part 200 heading	rs No 345, 2004
	am No 345, 2004; No 80, 2013; No 274, 2013
Subpart A	ad No 204, 2000
Subpart 200.A (prev.	renum No 350, 2002
Subpart A)	rep No 345, 2004
r 200.0	ad No 204, 2000
r 200.000 (prev r 200.0)	renum No 350, 2002
	rep No 345, 2004
Subpart 200.B	
Division 1 heading	rep No 204, 2000

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Endnote 4—Amendment history

Provision affected	How affected
Subpart B heading.....	ad No 204, 2000
Subpart 200.B (prev Subpart B)	renum No 350, 2002
r 200.1.....	am No 227, 2000; No 350, 2002
r 200.001 (prev r 200.1)	renum No 350, 2002
r 200.2.....	am No 227, 2000; No 350, 2002
r 200.002 (prev r 200.2)	renum No 350, 2002
	am No 216, 2004
r 200.3.....	am No 227, 2000; No 350, 2002
r 200.003 (prev r 200.3)	renum No 350, 2002
	rs No 226, 2007
r 200.4.....	am No 227, 2000; No 350, 2002
r 200.004 (prev r 200.4)	renum No 350, 2002
	rs No 321, 2005
r 200.5.....	am No 227, 2000
	rs No 349, 2001
r 200.005 (prev r 200.5)	renum No 350, 2002
	am No 350, 2002
r 200.6.....	am No 227, 2000
	rep No 349, 2001
r 200.7.....	rep No 7, 2000
r 200.8.....	am No 227, 2000; No 350, 2002
r 200.008 (prev r 200.8)	renum No 350, 2002
r 200.9.....	am No 227, 2000
	rep No 349, 2001
r 200.10.....	rs No 7, 2000
	am No 350, 2002
r 200.010 (prev r 200.10)	renum No 350, 2002
r 200.11.....	rep No 7, 2000
r 200.12.....	rep No 7, 2000
r 200.13.....	am No 166, 1999; No 227, 2000; No 350, 2002

Endnote 4—Amendment history

Provision affected	How affected
r 200.013 (prev r 200.13)	renum No 350, 2002 am No 216, 2004 rs No 321, 2005
r 200.14	am No 227, 2000; No 350, 2002
r 200.014 (prev r 200.14)	renum No 350, 2002 rs No 321, 2005
Subpart 200.C	
Division 2 heading	rep No 204, 2000
Subpart C heading	ad No 204, 2000
Subpart 200.C (prev	renum No 350, 2002
Subpart C)	
r 200.20	am No 227, 2000; No 350, 2002
r 200.020 (prev r 200.20)	renum No 350, 2002
r 200.025	ad No 5, 2013 am No 274, 2013
r 200.030	ad No 274, 2013
Part 201	
Part 201	am No 345, 2004; No 80, 2013; No 274, 2013
r 201.0	ad No 204, 2000
r 201.000 (prev r 201.0)	renum No 350, 2002 rep No 345, 2004
r 201.1	am No 227, 2000; No 350, 2002
r 201.001 (prev r 201.1)	renum No 350, 2002
r 201.2	am No 227, 2000; No 350, 2002
r 201.002 (prev r 201.2)	renum No 350, 2002 rep No 345, 2004
r 201.003 (prev r 201.3)	renum No 350, 2002
r 201.4	am No 166, 1999; No 262, 1999; No 204, 2000; No 227, 2000; No 350, 2002
r 201.004 (prev r 201.4)	renum No 350, 2002

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Endnote 4—Amendment history

Provision affected	How affected
	am No 345, 2004; No 41, 2007; No 64, 2009; No 277, 2010; No 328, 2010; No 77, 2011; No 265, 2011
	rs No 80, 2013
	am No 274, 2013; No 275, 2013; No 204, 2014; <u>No 245, 2015</u> ; No 246, 2015
r 201.005.....	ad No 345, 2004
	rep No 80, 2013
r 201.010.....	ad No 345, 2004
	rep No 80, 2013
r 201.015.....	ad No 345, 2004
	rep No 77, 2011
r 201.016.....	ad No 258, 2005
	am No 192, 2008
r 201.020.....	ad No 345, 2004
	rs No 77, 2011
r 201.025.....	ad No 274, 2013
Part 202	
Part 202.....	ad No 262, 1999
	am No 345, 2004; No 80, 2013; No 188, 2013; No 274, 2013; No 275, 2013; No 40, 2014; No 125, 2014; No 135, 2014
Subpart 202.AA heading.....	ad No 321, 2002
	rep No 345, 2004
Subpart 202.AA.....	rep No 345, 2004
r 202.0.....	ad No 204, 2000
	rep No 321, 2002
r 202.000.....	ad No 321, 2002
	am No 58, 2003; No 75, 2003; No 240, 2003
	rep No 345, 2004
Subpart 202.AB	
Subpart 202.AB.....	ad No 321, 2002
	rs No 77, 2011

Endnote 4—Amendment history

Provision affected	How affected
Subpart 202.AD	
Subpart 202.AD	ad No 321, 2002
	rs No 345, 2004
r 202.010	ad No 345, 2004
	am No 77, 2011
r 202.011	ad No 345, 2004
	am No 77, 2011; No 80, 2013
r 202.011A	ad No 77, 2011
r 202.011B	ad No 77, 2011
r 202.011C	ad No 77, 2011
r 202.011D	ad No 77, 2011
r 202.011E	ad No 77, 2011
	am No 80, 2013
r 202.011F	ad No 77, 2011
	am No 80, 2013
r 202.011G	ad No 77, 2011
r 202.012	ad No 345, 2004
r 202.013	ad No 77, 2011
Subpart 202.AF	
Subpart 202.AF	ad No 321, 2002
Subpart 202.AJ	
Subpart 202.AJ heading	ad No 321, 2002
Division 202.AJ.1	
Division 202.AJ.1 heading	ad No 76, 2011
Subdivision 202.AJ.1.A	
Subdivision 202.AJ.1.A	ad No 188, 2013
heading	
r 202.049A	ad No 76, 2011
Subdivision 202.AJ.1.B	
Subdivision 202.AJ.1.B	ad No 188, 2013
heading	

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Endnote 4—Amendment history

Provision affected	How affected
r 202.1	ad No 262, 1999
r 202.050 (prev r 202.1)	renum No 321, 2002
	am No 350, 2002 (md not incorp)
r 202.2	ad No 262, 1999
r 202.051 (prev r 202.2)	renum No 321, 2002
	am No 350, 2002 (md not incorp)
r 202.3	ad No 262, 1999
r 202.052 (prev r 202.3)	renum No 321, 2002
	am No 350, 2002 (md not incorp)
Subdivision 202.AJ.1.C	
Subdivision 202.AJ.1.C	ad No 188, 2013
r 202.052A	ad No 188, 2013
	rep 1 Mar 2017 (r 202.052A(5))
Division 202.AJ.2	
Division 202.AJ.2	ad No 76, 2011
Subdivision 202.AJ.2.A	
Subdivision 202.AJ.2.A	ad No 40, 2014
heading	
r 202.053	ad No 76, 2011
r 202.054	ad No 76, 2011
r 202.055	ad No 76, 2011
r 202.056	ad No 76, 2011
r 202.057	ad No 76, 2011
	rep No 40, 2014
r 202.058	ad No 76, 2011
Subdivision 202.AJ.2.B	
Subdivision 202.AJ.2.B	ad No 40, 2014
r 202.058A	ad No 40, 2014
Division 202.AJ.3	
Division 202.AJ.3	ad No 76, 2011
Subdivision 202.AJ.3.A	

Endnote 4—Amendment history

Provision affected	How affected
Subdivision 202.AJ.3.A	ad No 40, 2014
heading	
r 202.059	ad No 76, 2011
Subpart 202.AK	
Subpart 202.AK	ad No 321, 2002
	rs No 147, 2009
r 202.060	ad No 147, 2009
Subpart 202.AL	
Subpart 202.AL	ad No 321, 2002
	rs No 147, 2009
r 202.070	ad No 147, 2009
Subpart 202.AM	ad No 321, 2002
	rep No 345, 2004
Subpart 202.AN	
Subpart 202.AN	ad No 321, 2002
	rs No 147, 2009
r 202.090	ad No 147, 2009
Subpart 202.AO	
Subpart 202.AO	ad No 321, 2002
Subpart 202.AP	
Subpart 202.AP	ad No 321, 2002
Subpart 202.AR	
Subpart 202.AR	ad No 321, 2002
Subpart 202.AT	
Subpart 202.AT	ad No 321, 2002
Subpart 202.AU	
Subpart 202.AU	ad No 321, 2002
	rs No 147, 2009
r 202.140	ad No 147, 2009
Subpart 202.AV	
Subpart 202.AV	ad No 321, 2002

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 202.AX	
Subpart 202.AX	ad No 321, 2002
Subpart 202.AZ	
Subpart 202.AZ heading	ad No 321, 2002
	rs No 345, 2004
Subpart 202.AZ.....	rs No 345, 2004
r 202.4.....	ad No 262, 1999
r 202.170 (prev r 202.4)	renum No 321, 2002
	am No 350, 2002 (md not incorp)
	rs No 345, 2004
r 202.5.....	ad No 262, 1999
r 202.171 (prev r 202.5)	renum No 321, 2002
	am No 350, 2002 (md not incorp)
	rs No 345, 2004
r 202.6.....	ad No 262, 1999
r 202.172 (prev r 202.6)	renum No 321, 2002
	am No 350, 2002 (md not incorp)
	rs No 345, 2004
Subpart 202.BA	
Subpart 202.BA	ad No 328, 2010
r 202.180.....	ad No 328, 2010
	rs No 275, 2013
r 202.181.....	ad No 328, 2010
	rs No 275, 2013
r 202.182.....	ad No 328, 2010
	rep No 275, 2013
r 202.183.....	ad No 328, 2010
r 202.184.....	ad No 328, 2010
	am No 107, 2012
	rep No 275, 2013
r 202.185.....	ad No 328, 2010

Endnote 4—Amendment history

Provision affected	How affected
r 202.186.....	ad No 328, 2010
r 202.187.....	ad No 328, 2010 am No 275, 2013
r 202.188.....	ad No 328, 2010 rs No 80, 2013
r 202.189.....	ad No 328, 2010 rep No 275, 2013
r 202.190.....	ad No 328, 2010 rep No 275, 2013
r 202.191.....	ad No 328, 2010 am No 80, 2013
r 202.192.....	ad No 328, 2010 rep No 275, 2013
r 202.193.....	ad No 328, 2010 am No 80, 2013
r 202.194.....	ad No 328, 2010
Subpart 202.BB.....	ad No 321, 2002 rep No 328, 2010
Subpart 202.BD	
Subpart 202.BD.....	ad No 321, 2002 rs No 345, 2004
Division 202.BD.1	
Division 202.BD.1 heading.....	ad <u>No 245, 2015</u>
r 202.200.....	ad No 345, 2004
Division 202.BD.2	
Division 202.BD.2.....	ad <u>No 245, 2015</u>
r 202.205.....	ad <u>No 245, 2015</u>
r 202.210.....	ad <u>No 245, 2015</u>
r 202.215.....	ad <u>No 245, 2015</u>
r 202.220.....	ad <u>No 245, 2015</u>
Subpart 202.BF	

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 202.BF	ad No 321, 2002 rs No 134, 2004
Division 202.BF.1	
Division 202.BF.1 heading	ad No 204, 2014
r 202.220	ad No 134, 2004 am No 204, 2014
r 202.221	ad No 134, 2004
r 202.222	ad No 134, 2004
r 202.223	ad No 134, 2004 am No 345, 2004; No 242, 2005
r 202.224	ad No 134, 2004
r 202.225	ad No 134, 2004 am No 242, 2005
Division 202.BF.2	
Division 202.BF.2	ad No 204, 2014
r 202.226	ad No 134, 2004 rep No 242, 2005 ad No 204, 2014
r 202.227	ad No 204, 2014
r 202.228	ad No 204, 2014
Subpart 202.CA	
Subpart 202.CA	ad No 321, 2002 rs No 240, 2003
r 202.240	ad No 240, 2003 am No 345, 2004
r 202.241	ad No 240, 2003 am No 345, 2004
Subpart 202.CB	
Subpart 202.CB	ad No 321, 2002 rs No 5, 2013
Division 202.CB.1	

Endnote 4—Amendment history

Provision affected	How affected
Division 202.CB.1 heading	rs No 274, 2013; No 125, 2014 rep 31 Aug 2025 (r 202.281)
Division 202.CB.1	rep 31 Aug 2025 (r 202.281)
Subdivision 202.CB.1.1	
Subdivision 202.CB.1.1 heading	ad No 274, 2013 rep 31 Aug 2025 (r 202.281)
r 202.260	ad No 5, 2013 rs No 274, 2013 rep 31 Aug 2025 (r 202.281)
r 202.261	ad No 5, 2013 am No 274, 2013; No 125, 2014 rep 31 Aug 2025 (r 202.281)
r 202.262	ad No 274, 2013 rep 31 Aug 2025 (r 202.281)
Subdivision 202.CB.1.2	
Division 202.CB.2 heading	rep No 274, 2013
Subdivision 202.CB.1.2 heading	ad No 274, 2013 rep 31 Aug 2018 (r 202.271)
Subdivision 202.CB.1.2	rep 31 Aug 2018 (r 202.271)
r 202.263	ad No 5, 2013 am No 274, 2013 rep 31 Aug 2018 (r 202.271)
r 202.264	ad No 5, 2013 rep 31 Aug 2018 (r 202.271)
r 202.265	ad No 5, 2013 rep 31 Aug 2018 (r 202.271)
r 202.266	ad No 5, 2013 rep 31 Aug 2018 (r 202.271)
r 202.267	ad No 5, 2013 am No 274, 2013 rep 31 Aug 2018 (r 202.271)

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Endnote 4—Amendment history

Provision affected	How affected
r 202.268	ad No 5, 2013 rs No 274, 2013 am No 125, 2014 rep 31 Aug 2018 (r 202.271)
r 202.268A	ad No 274, 2013 rep 31 Aug 2018 (r 202.271)
r 202.269	ad No 5, 2013 rep 31 Aug 2018 (r 202.271)
r 202.270	ad No 5, 2013 am No 274, 2013; No 125, 2014 rep 31 Aug 2018 (r 202.271)
r 202.271	ad No 5, 2013 rs No 274, 2013 rep 31 Aug 2018 (r 202.271)
Subdivision 202.CB.1.3	
Division 202.CB.3 heading	rep No 274, 2013
Subdivision 202.CB.1.3	ad No 274, 2013
heading	rep 31 Aug 2018 (r 202.273)
Subdivision 202.CB.1.3	rep 31 Aug 2018 (r 202.273)
r 202.272	ad No 5, 2013 am No 274, 2013; No 125, 2014 rep 31 Aug 2018 (r 202.273)
r 202.273	ad No 5, 2013 rs No 274, 2013 rep 31 Aug 2018 (r 202.273)
Subdivision 202.CB.1.4	
Division 202.CB.4 heading	rep No 274, 2013
Subdivision 202.CB.1.4	ad No 274, 2013
heading	rep 31 Aug 2025 (r 202.281)
r 202.274	ad No 5, 2013 am No 274, 2013

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Provision affected	How affected
	rep <u>31 Aug 2018 (r 202.274(3))</u>
r 202.275	ad No 5, 2013
	am No 274, 2013
	rep <u>31 Aug 2018 (r 202.275(4))</u>
r 202.276	ad No 5, 2013
	am No 274, 2013
	rep <u>31 Aug 2018 (r 202.276(5))</u>
r 202.277	ad No 5, 2013
	rep <u>31 Aug 2025 (r 202.281)</u>
r 202.277A	ad No 274, 2013
	rep <u>31 Aug 2017 (r 202.277A(3))</u>
r 202.277B	ad No 274, 2013
	rep <u>31 Aug 2017 (r 202.277B(3))</u>
r 202.277C	ad No 274, 2013
	rep <u>31 Aug 2025 (r 202.281)</u>
r 202.277D	ad No 274, 2013
	rep No 125, 2014
r 202.278	ad No 5, 2013
	rs No 274, 2013
	rep <u>31 Aug 2018 (r 202.278(2))</u>
r 202.279	ad No 274, 2013
	rep <u>31 Aug 2018 (r 202.279(3))</u>
r 202.280	ad No 274, 2013
	rep 31 May 2015 (r 202.280(4))
r 202.281	ad No 274, 2013
	rep <u>31 Aug 2025 (r 202.281)</u>
Subpart 202.CD	ad No 321, 2002
	rep No 5, 2013
Subpart 202.CE	
Subpart 202.CE	ad No 321, 2002
	rs No 5, 2013

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Endnote 4—Amendment history

Provision affected	How affected
Division 202.CE.1	
Division 202.CE.1 heading	rs No 274, 2013; No 125, 2014 rep 31 Aug 2018 (r 202.312)
Division 202.CE.1	rep 31 Aug 2018 (r 202.312)
Subdivision 202.CE.1.1	
Subdivision 202.CE.1.1	ad No 274, 2013
heading	rep 31 Aug 2018 (r 202.312)
r 202.300	ad No 5, 2013 am No 274, 2013; No 125, 2014 rep 31 Aug 2018 (r 202.312)
r 202.301	ad No 5, 2013 am No 274, 2013 rep 31 Aug 2018 (r 202.312)
r 202.302	ad No 5, 2013 am No 274, 2013 rep 31 Aug 2018 (r 202.312)
r 202.303	ad No 5, 2013 rep 31 Aug 2018 (r 202.312)
r 202.304	ad No 5, 2013 am No 274, 2013 rep 31 Aug 2018 (r 202.312)
r 202.305	ad No 5, 2013 rep 31 Aug 2018 (r 202.312)
Subdivision 202.CE.1.2	
Division 202.CE.2 heading	rep No 274, 2013
Subdivision 202.CE.1.2	ad No 274, 2013
heading	rep 31 Aug 2018 (r 202.312)
r 202.307	ad No 5, 2013 am No 274, 2013; No 125, 2014 rep 31 Aug 2018 (r 202.312)
r 202.308	ad No 5, 2013

Endnote 4—Amendment history

Provision affected	How affected
	am No 125, 2014
	rep <u>31 Aug 2018 (r 202.312)</u>
r 202.309	ad No 5, 2013
	am No 125, 2014
	rep <u>31 Aug 2018 (r 202.312)</u>
r 202.310	ad No 5, 2013
	rep <u>31 Aug 2018 (r 202.312)</u>
r 202.311	ad No 5, 2013
	am No 274, 2013; No 125, 2014
	rep <u>31 Aug 2018 (r 202.312)</u>
Subdivision 202.CE.1.3	
Subdivision 202.CE.1.3	ad No 274, 2013
	rep <u>31 Aug 2018 (r 202.312)</u>
r 202.312	ad No 5, 2013
	rs No 274, 2013
	rep <u>31 Aug 2018 (r 202.312)</u>
Subpart 202.CF	
Subpart 202.CF	ad No 321, 2002
	rs No 75, 2003
r 202.320	ad No 75, 2003
	am No 345, 2004
r 202.321	ad No 345, 2004
Subpart 202.CG	
Subpart 202.CG	ad No 321, 2002
	rs No 328, 2010
r 202.340	ad No 328, 2010
	rs No 246, 2015
r 202.341	ad No 328, 2010
	rs No 246, 2015
r 202.342	ad No 328, 2010
	rs No 246, 2015

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Endnote 4—Amendment history

Provision affected	How affected
r 202.343	ad No 328, 2010 rs No 246, 2015
r 202.344	ad No 328, 2010 am No 107, 2012; No 80, 2013; No 275, 2013 exp 26 June 2015 (r 202.344(5)) rep 26 June 2015 (r 202.344(6))
r 202.345	ad No 328, 2010 rep No 246, 2015 ad <u>No 246, 2015</u> rep <u>3 July 2020 (r 202.345(3))</u>
r 202.345A	ad No 80, 2013 am No 275, 2013 exp 26 June 2015 (r 202.345A(5)) rep 26 June 2015 (r 202.345A(6))
r 202.345B	ad No 80, 2013 am No 275, 2013 exp 26 June 2015 (r 202.345B(5)) rep 26 June 2015 (r 202.345B(6))
r 202.345C	ad No 80, 2013 am No 275, 2013 exp 26 June 2015 (r 202.345C(5)) rep 26 June 2015 (r 202.345C(6))
r 202.346	ad No 328, 2010 rs No 80, 2013 rep No 246, 2015
r 202.347	ad No 328, 2010 rep No 246, 2015
r 202.348	ad No 80, 2013 rep No 246, 2015
r 202.350	ad <u>No 246, 2015</u> rep <u>1 Jan 2017 (r 202.350(3))</u>

Endnote 4—Amendment history

Provision affected	How affected
Subpart 202.CH	
Subpart 202.CH	ad No 321, 2002
	rs No 232, 2003
r 202.360	ad No 232, 2003
	am No 345, 2004
r 202.361	ad No 232, 2003
	am No 345, 2004
r 202.362	ad No 232, 2003
	am No 345, 2004
r 202.363	ad No 232, 2003
	rs No 345, 2004
Subpart 202.DA	
Subpart 202.DA	ad No 321, 2002
Subpart 202.EA	
Subpart 202.EA	ad No 321, 2002
Subpart 202.EB	
Subpart 202.EB	ad No 321, 2002
Subpart 202.EC	
Subpart 202.EC	ad No 321, 2002
	rs No 365, 2003
r 202.440	ad No 365, 2003
	am No 365, 2003; No 345, 2004; No 275, 2013
Subpart 202.FA	
Subpart 202.FA	ad No 321, 2002
	rs No 345, 2004
r 202.460	ad No 345, 2004
Subpart 202.FC	
Subpart 202.FC	ad No 321, 2002
Subpart 202.FE	
Subpart 202.FE	ad No 321, 2002
Subpart 202.FJ	

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 202.FJ	ad No 321, 2002
Subpart 202.FL	
Subpart 202.FL	ad No 321, 2002
Subpart 202.FN	
Subpart 202.FN	ad No 321, 2002
Subpart 202.FO	
Subpart 202.FO	ad No 321, 2002
Subpart 202.FR	
Subpart 202.FR	ad No 321, 2002
	rs <u>No 247, 2015</u>
Division 202.FR.1	
Division 202.FR.1	rep <u>20 Apr 2018 (r 202.603)</u>
r 202.600	ad <u>No 247, 2015</u>
	rep <u>20 Apr 2018 (r 202.603)</u>
r 202.601	ad <u>No 247, 2015</u>
	rep <u>20 Apr 2018 (r 202.603)</u>
r 202.602	ad <u>No 247, 2015</u>
	rep <u>20 Apr 2018 (r 202.603)</u>
r 202.603	ad <u>No 247, 2015</u>
	rep <u>20 Apr 2018 (r 202.603)</u>
Subpart 202.FT	
Subpart 202.FT	ad No 321, 2002
Subpart 202.FV	
Subpart 202.FV	ad No 321, 2002
Subpart 202.FW	
Subpart 202.FW	ad No 321, 2002
Subpart 202.FX	
Subpart 202.FX	ad No 321, 2002
Subpart 202.FY	
Subpart 202.FY	ad No 321, 2002
	rs No 58, 2003

Endnote 4—Amendment history

Provision affected	How affected
r 202.700	ad No 58, 2003 am No 345, 2004
r 202.701	ad No 58, 2003 rs No 345, 2004
r 202.702	ad No 58, 2003 am No 345, 2004
r 202.703	ad No 58, 2003 am No 345, 2004
r 202.704	ad No 58, 2003 am No 345, 2004
r 202.705	ad No 58, 2003 rs No 345, 2004
Subpart 202.FYH	
Subpart 202.FYH	ad No 75, 2003
r 202.710	ad No 75, 2003 am No 345, 2004
Subpart 202.GA	
Subpart 202.GA heading	rs No 274, 2013
Subpart 202.GA	ad No 321, 2002 rs No 5, 2013
Division 202.GA.1	
Division 202.GA.1 heading	ad No 274, 2013 rs No 125, 2014 rep 31 Aug 2017 (r 202.729)
Division 202.GA.1	rep 31 Aug 2017 (r 202.729)
r 202.720	ad No 5, 2013 rs No 274, 2013 rep 31 Aug 2017 (r 202.729)
r 202.721	ad No 5, 2013 am No 274, 2013 rep 31 Aug 2017 (r 202.729)

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Endnote 4—Amendment history

Provision affected	How affected
r 202.722	ad No 5, 2013 am No 274, 2013 rep <u>31 Aug 2017 (r 202.729)</u>
r 202.723	ad No 5, 2013 am No 274, 2013 rep <u>31 Aug 2017 (r 202.729)</u>
r 202.724	ad No 5, 2013 am No 125, 2014 rep <u>31 Aug 2017 (r 202.729)</u>
r 202.725	ad No 5, 2013 rep No 125, 2014
r 202.726	ad No 5, 2013 am No 125, 2014 rep <u>31 Aug 2017 (r 202.729)</u>
r 202.727	ad No 5, 2013 am No 125, 2014 rep <u>31 Aug 2017 (r 202.729)</u>
r 202.727A	ad No 125, 2014 rep <u>31 Aug 2017 (r 202.729)</u>
r 202.728	ad No 5, 2013 am No 274, 2013 rep <u>31 Aug 2017 (r 202.729)</u>
r 202.729	ad No 5, 2013 rs No 274, 2013 rep <u>31 Aug 2017 (r 202.729)</u>
Subpart 202.GB	
Subpart 202.GB heading	rs No 274, 2013
Subpart 202.GB	ad No 321, 2002 rs No 5, 2013
Division 202.GB.1	
Division 202.GB.1 heading	ad No 274, 2013

Endnote 4—Amendment history

Provision affected	How affected
	rs No 125, 2014
	rep 31 Aug 2017 (r 202.752)
Division 202.GB.1	rep 31 Aug 2017 (r 202.752)
r 202.740	ad No 5, 2013
	rs No 274, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.741	ad No 5, 2013
	rs No 274, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.742	ad No 5, 2013
	rs No 274, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.743	ad No 5, 2013
	rs No 274, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.744	ad No 5, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.745	ad No 5, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.746	ad No 5, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.747	ad No 5, 2013
	am No 274, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.748	ad No 5, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.749	ad No 5, 2013
	am No 274, 2013
	rep 31 Aug 2017 (r 202.752)
r 202.750	ad No 5, 2013
	am No 274, 2013

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Endnote 4—Amendment history

Provision affected	How affected
	rep <u>31 Aug 2017 (r 202.752)</u>
r 202.751	ad No 5, 2013
	am No 274, 2013
	rep <u>31 Aug 2017 (r 202.752)</u>
r 202.752	ad No 5, 2013
	rs No 274, 2013
	rep <u>31 Aug 2017 (r 202.752)</u>
Subpart 202.GC	
Subpart 202.GC heading	rs No 345, 2004
Subpart 202.GC	ad No 321, 2002
	rs No 75, 2003
r 202.760	ad No 75, 2003
	am No 345, 2004
Subpart 202.GD	
Subpart 202.GD	ad No 321, 2002
Subpart 202.GE	
Subpart 202.GE	ad No 321, 2002
	rs No 328, 2010
Division 202.GE.1	
Division 202.GE.1 heading	ad No 275, 2013
r 202.800	ad No 328, 2010
Division 202.GE.2	
Division 202.GE.2	ad No 275, 2013
Subdivision 202.GE.2.1	
r 202.801	ad No 275, 2013
r 202.802	ad No 275, 2013
r 202.803	ad No 275, 2013
r 202.804	ad No 275, 2013
Subdivision 202.GE.2.2	
r 202.805	ad No 275, 2013
r 202.806	ad No 275, 2013

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Provision affected	How affected
r 202.807	ad No 275, 2013
r 202.808	ad No 275, 2013
r 202.809	ad No 275, 2013
Subdivision 202.GE.2.3	
r 202.810	ad No 275, 2013
Subpart 202.GF	ad No 321, 2002
	rep No 328, 2010
Subpart 202.GG	
Subpart 202.GG	ad No 321, 2002
	rs No 328, 2010
r 202.840	ad No 328, 2010
r 202.841	ad No 328, 2010
r 202.842	ad No 328, 2010
Subpart 202.GI	
Subpart 202.GI	ad No 321, 2002
Subpart 202.HA	
Subpart 202.HA	ad No 321, 2002
	rs No 75, 2003
r 202.880	ad No 75, 2003
	am No 345, 2004
Subpart 202.HB	
Subpart 202.HB heading	rs No 345, 2004
Subpart 202.HB	ad No 321, 2002
	rs No 75, 2003
r 202.900	ad No 75, 2003
	am No 345, 2004
Subpart 202.HC	
Subpart 202.HC	ad No 321, 2002
Subpart 202.HD	
Subpart 202.HD	ad No 321, 2002
Subpart 202.HE	

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Endnote 4—Amendment history

Provision affected	How affected
Subpart 202.HE.....	ad No 135, 2014
Division 202.HE.1	rep 4 Mar 2016 (r 202.964(1))
r 202.960	ad No 135, 2014
	exp (r 202.960(3))
	rep 4 Mar 2016 (r 202.964(1))
r 202.961	ad No 135, 2014
	rep 4 Mar 2016 (r 202.964(1))
r 202.962	ad No 135, 2014
	rep 4 Mar 2016 (r 202.964(1))
r 202.963	ad No 135, 2014
	exp (r 202.963(3))
	rep 4 Mar 2016 (r 202.964(1))
r 202.964	ad No 135, 2014
	rep 4 Mar 2016 (r 202.964(1))
Subpart 202.HJ	ad No 321, 2002
	rep No 77, 2011
Subpart 202.HL	
Subpart 202.HL.....	ad No 321, 2002
Subpart 202.HM	
Subpart 202.HM	ad No 321, 2002
Dictionary	
Dictionary	am No 166, 1999; No 262, 1999
Part 1	
Part 1 heading	ad No 204, 2000

Endnote 4—Amendment history

Provision affected	How affected
Part 1	am No 204, 2000; No 227, 2000; No 34, 2001; No 242, 2001; No 349, 2001; No 167, 2002; No 268, 2002; No 321, 2002; No 350, 2002; No 58, 2003; No 189, 2003; No 232, 2003; No 240, 2003; No 365, 2003; No 134, 2004; No 222, 2004; No 230, 2004; No 345, 2004; No 321, 2005; No 323, 2005; No 172, 2007; No 192, 2008; No 274, 2008; No 64, 2009; No 147, 2009; No 277, 2010; No 328, 2010; No 76, 2011; No 77, 2011; No 265, 2011; No 107, 2012; No 5, 2013; No 80, 2013; No 188, 2013; No 274, 2013; No 125, 2014; No 135, 2014; No 166, 2014; <u>No 245, 2015</u> ; <u>No 247, 2015</u>
Part 2	
Part 2	ad No 204, 2000
	rs No 345, 2004
c 1	ad No 204, 2000
	rs No 345, 2004; No 328, 2010
c 3	ad <u>No 247, 2015</u>
c 5	ad No 204, 2000
	rs No 345, 2004
c 10	ad No 349, 2001
	rs No 345, 2004
	rep No 277, 2010
c 12	ad No 230, 2004
	rep No 345, 2004
c 15	ad No 75, 2003
	rs No 345, 2004
c 18	ad No 328, 2010
	am No 275, 2013
c 20	ad No 345, 2004
	rep No 77, 2011
c 25	ad No 345, 2004
c 30	ad No 345, 2004
	rep No 274, 2013
c 35	ad No 345, 2004

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Endnote 4—Amendment history

Provision affected	How affected
c 36	ad No 5, 2013
c 37	ad No 76, 2011
	am No 274, 2013; No 166, 2014
c 40	ad No 345, 2004
c 45	ad No 345, 2004
	rs No 147, 2009
c 50	ad No 345, 2004
c 55	ad No 345, 2004
c 60	ad No 345, 2004
c 65	ad No 345, 2004
Part 3	
Part 3	ad No 328, 2010
c 1	ad No 328, 2010
	am No 80, 2013; No 275, 2013; <u>No 246, 2015</u>
c 5	ad No 328, 2010
c 10	ad No 328, 2010
	am No 76, 2011; <u>No 245, 2015</u>
c 15	ad No 328, 2010
c 20	ad No 328, 2010
	am No 275, 2013
c 21	ad No 275, 2013
c 25	ad No 328, 2010
c 30	ad No 328, 2010