

EXPLANATORY STATEMENT

CIVIL AVIATION REGULATIONS 1988

CIVIL AVIATION ORDERS

REVOCATION AND REPLACEMENT OF SECTION 40.1.0

AIRCRAFT ENDORSEMENTS — AEROPLANES

Subregulation 5.22 (1) of the *Civil Aviation Regulations 1988* (CAR 1988) provides that the Civil Aviation Safety Authority (CASA) may give directions in Civil Aviation Orders (the Orders) prescribing the aircraft endorsements that must be held by a licence holder before the holder is permitted to carry out the duties authorised by the licence in a particular type or class of aircraft.

Subregulation 5.22 (2) of CAR 1988 provides that CASA may give directions in the Orders classifying types of aircraft into classes.

Subregulation 5.23 (1) of CAR 1988 provides that CASA may give directions in the Orders setting out requirements for the issue of aircraft endorsements.

Section 40.1.0 of the Orders prescribed aircraft endorsements for aeroplanes, classified types of aeroplanes into classes and set out the requirements for the issue of aircraft endorsements for aeroplanes.

This Order revokes and remakes section 40.1.0. This has been done as part of a scheme to review the Civil Aviation Orders, and, in particular, to ensure that they are in a position to meet the technical requirements of the *Legislative Instruments Act 2003* when it comes into effect on 1 January 2005. The remake does not involve any changes in existing law or policy in the Order. The Order is being remade solely for the purpose of ensuring compliance and consistency with the *Legislative Instruments Act 2003* when it commences on 1 January 2005. However, the opportunity has been taken to update outdated references to legislation in the Order and to introduce gender-neutral wording into the Order.

The Office of Regulation Review has stated that a Regulation Impact Statement is not necessary because the remake is of a minor or machinery of government nature.

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

The Order came into effect on gazettal.