



Civil Aviation Safety Amendment Regulations 2006 (No. 1)¹

Select Legislative Instrument 2006 No. 124

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Civil Aviation Act 1988*.

Dated 1 June 2006

P. M. JEFFERY
Governor-General

By His Excellency's Command

WARREN TRUSS
Minister for Transport and Regional Services

1 Name of Regulations

These Regulations are the *Civil Aviation Safety Amendment Regulations 2006 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Civil Aviation Safety Regulations 1998*

Schedule 1 amends the *Civil Aviation Safety Regulations 1998*.

Schedule 1 Amendments

(regulation 3)

[1] Subregulation 171.010 (1), definitions of *aerodrome operator agreement*, *AIS agreement*, *ATS provider agreement*, *support service*, *support-service agreement*

omit

[2] Subregulations 171.035 (1)

substitute

(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; or

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- (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.

[3] After subregulation 171.035 (2)

insert

- (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.

[4] Subregulation 171.035 (3)

substitute

- (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 171.210, make the change.

[5] Regulation 171.045

omit

[6] Paragraph 171.055 (b)

substitute

- (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.

[7] Regulation 171.060*omit***[8] After regulation 171.085***insert***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.

[9] Regulation 171.125*substitute***171.125 Safety management system**

An operations manual must include information about the safety management system set out in regulation 171.086.

[10] Regulation 171.130*omit***[11] Regulation 171.135***omit*

[12] After subregulation 171.250 (2)

insert

- (3) CASA must issue a replacement certificate if CASA approves, under subregulation 171.035 (3), a draft amendment of the operations manual that requires the provider's certificate to be amended to conform with the approved change.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.