

Explanatory Statement

Civil Aviation Safety Regulations 1998

Manual of Standards Part 145 Instrument 2011

Purpose

The Manual of Standards (MOS) Part 145 sets out the requirements to be met by an organisation approved under Part 145 of the Civil Aviation Safety Regulations 1998 (**CASR 1998**) to perform maintenance of aircraft and aeronautical products and to provide training and assessment of employees of the organisation.

Background

As a matter of safety policy, CASA has adopted the regulatory approach to maintenance promulgated by the European Aviation Safety Agency (**EASA**). The specifications set out in MOS Part 145 have been developed to be closely aligned with EASA Part 145.

Legislation —the Act

Under subsection 98 (1) of the *Civil Aviation Act 1988* (the **Act**), the Governor-General may make regulations for the purposes of the Act and in the interests of the safety of air navigation.

Legislation — CASR Part 145

These regulations are contained in the *Civil Aviation Safety Regulations 1998* (**CASR 1998**). In particular, Part 145 of CASR 1998 (**CASR Part 145**), Continuing airworthiness – Part 145 approved maintenance organisations, deals with requirements for approval as a Part 145 organisation and requirements that apply to a Part 145 approved organisation.

Under subsection 98 (5A) of the Act, the regulations may empower CASA to issue instruments in relation to the maintenance or airworthiness of aircraft.

To this end, under regulation 145.015 of CASR 1998, CASA is empowered to issue a MOS for CASR Part 145, setting out matters affecting the airworthiness or maintenance of aircraft. Under subregulation 145.015 (2) of CASR 1998, the MOS may, in particular, 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;
 - (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; and
- (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.

All the above matters have been specified in the MOS. To obtain approval to be a maintenance organisation, an organisation must write, submit and keep updated an 'Exposition'. To support their exposition they must have a documented set of procedures to show how they meet the requirements of Part-145. These requirements include provisions for facilities, management and technical staff requirements, production planning, maintenance procedures, maintenance recording processes and procedures, and safety and quality policies and procedures.

Consultation

Consultation under section 17 of LIA has been undertaken. CASA entered into consultation with representatives of major industry maintenance, repair and overhaul organisations and small general aviation shops before the making of the CASR Parts. CASA used various consultation methods, including use of existing Standards Consultative Committee and Maintenance Sub Committee mechanisms, website content, road shows in a variety of locations throughout Australia and issue of a NPRM.

Office of Best Practice Regulation (OBPR)

OBPR have assessed that the maintenance suite's (CASR Part 42, 66, 145 and 147) Regulation Impact Statement meets the Government's best practice regulation requirements. Having been made under CASR Part 145, the same OBPR outcome extends to MOS Part 145.

Making and commencement

The MOS commences on 27 June 2011.

The instrument has been made by the Director of Aviation Safety, on behalf of CASA in accordance with subsection 73 (2) of the Act.

[Manual of Standards Part 145 Instrument 2010]