Instrument number CASA EX14/13

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998* (***CASR 1998***).

**[Signed John F. McCormick]**
John F. McCormick
Director of Aviation Safety

17 April 2013

Exemption — of component installers from CAR 42W (4) (b), (d) and (e)

1 Duration

 This instrument;

(a) commences on the day after registration; and

(b) stops having effect at the end of 31 March 2015 as if it had been repealed by another instrument.

2 Definitions

 In this instrument:

 ***AMO*** or ***approved maintenance organisation*** means a Part 145 organisation as defined in regulation 1.4 of CASR 1998 (the ***Dictionary***).

*Note* ***AMO*** means a person who holds a CASA approval under regulation 145.030 of CASR 1998 that is in force.

 ***authorised release certificate***, for an aeronautical product on which maintenance has been carried out under CASR 1998 by an AMO, means a certificate of release to service for the product in relation to the maintenance, issued under Division 42.H.4 of CASR 1998 and in the approved form.

*Note*  See paragraph 18 (2) (c) of Part 2 of the Dictionary.

 ***certificate of release to service***,for an aeronautical product on which maintenance has been carried out under CASR 1998 by an AMO, means the certificate of release to service for the product in relation to the maintenance, issued under Division 42.H.4 of CASR 1998.

*Not*e   For regulation 1.4 of CASR 1998, a certificate of release to service for an aeronautical product is a document that complies with subregulation 42.810 (1) or (2) of CASR 1998.

3 Application

 This instrument applies to a person (an ***installer***) to whom subregulation 42W (4) of the *Civil Aviation Regulations 1988* (***CAR 1988***) applies in relation to the installation of an aircraft component in an aircraft after maintenance (***the maintenance***) has been carried out on the component.

*Note*Regulation 42W of CAR 1988 sets out the requirements to be complied with in relation to the installation and use of aircraft components in carrying out maintenance on an Australian aircraft in Australian territory. Subregulation 42W (4) of CAR 1988 prohibits installation of an aircraft component unless certain requirements are met.

4 Exemptions

 An installer is exempt from the requirements set out in paragraphs 42W (4) (b), 42W (4) (d) and 42W (4) (e) of CAR 1988.

5 Conditions

 The exemptions in section 4 are subject to the conditions mentioned in Schedule 1.

Schedule 1 Conditions

 1 An exemption mentioned in section 4 applies only if the maintenance was carried out on:

(a) the aircraft component; or

(b) an aircraft component that is incorporated in another aircraft component; or

(c) an aircraft component that is included in another aircraft component.

 2 The maintenance must have been carried out by an AMO (the ***maintaining AMO***) as if the component were an aeronautical product.

 3 For the exemption from paragraph 42W (4) (b) — the maintaining AMO must have issued a certificate of release to service for the component, or the incorporated component, in accordance with Subpart 42.H of CASR 1998, as if it were an aeronautical product.

 4 For the exemption from paragraph 42W (4) (d):

(a) the maintaining AMO must have issued an authorised release certificate for the component as if it were an aeronautical product; and

(b) the supplier of the component must have given the certificate to the installer.

 5 For the exemption from paragraph 42W (4) (e):

(a) the maintaining AMO must have issued an authorised release certificate for the included component as if it were an aeronautical product; and

(b) the supplier of the component must have given the certificate to the installer.