

Explanatory Statement

Civil Aviation Safety Regulations 1998

Part 21 Manual of Standards Instrument 2016

Purpose

The purpose of the *Part 21 Manual of Standards Instrument 2016* (the ***Part 21 MOS***) is to prescribe:

- a standard for the design, performance or continuing airworthiness of particular classes of light sport aircraft
- requirements that CASA or an authorised person must be satisfied of, for an applicant to be entitled to a special certificate of airworthiness in relation to particular kinds of primary category and intermediate category aircraft
- requirements for the qualifications, knowledge and experience for managerial positions in an approved design organisation and persons carrying out approved design activities for an approved design organisation
- minimum performance standards for articles (such as life preservers and airborne ATC equipment) for use on civil aircraft and manufactured by an article manufacturer.

The development of the Part 21 MOS is consistent with amendments made to Part 21 of the *Civil Aviation Safety Regulations 1998 (CASR)* by Schedule 2 to the *Civil Aviation Legislation Amendment (Airworthiness and Other Matters — 2015 Measures No. 1) Regulation 2015* (the ***amendment regulation***) commencing on 1 June 2016.

Legislation

The main object of the *Civil Aviation Act 1988* (the ***Act***) is to establish a regulatory framework for maintaining, enhancing and promoting the safety of civil aviation, with particular emphasis on preventing aviation accidents and incidents (see section 3A of the Act).

Under subsection 20AA (3) of the Act, it is an offence if an owner, operator or hirer (other than the crown) or pilot of an Australian aircraft commences a flight in the aircraft or permits a flight in the aircraft to commence, if there is no certificate of airworthiness under the regulations in force in respect of the aircraft and the regulations do not authorise the flight without the certificate. The maximum penalty for the offence is 2 years' imprisonment.

Under subsection 98 (1) of the Act, the Governor-General may, among other things, make regulations prescribing matters required, permitted, necessary or convenient for the Act and in the interests of the safety of air navigation.

In accordance with the Government's response to the Aviation Safety Regulation Review Report published on 3 June 2014, which endorsed a three tier regulatory structure (i.e. Act, regulations and standards), item 8 of the amendment regulation inserts regulation 21.010D at the end of Subpart 21.A to allow CASA to issue a Manual of Standards (***MOS***) prescribing matters:

- (a) required or permitted by these regulations to be prescribed by the Part 21 MOS; and
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Part.

CASR Part 21 — Certification and airworthiness requirements for aircraft and parts

Regulation 21.001 of Part 21 of CASR sets out the applicability of Part 21 and provides that Part 21 deals with certification and airworthiness requirements for aircraft, including:

- rules dealing with type certificates, provisional type certificates, supplemental type certificates, type acceptance certificates, production certificates, certificates of airworthiness, export airworthiness approvals and modification/repair design approvals (see paragraph 21.001 (a))
- rules governing the holders of certificates or approvals mentioned in paragraph (a) (see paragraph 21.001 (b))
- matters relating to approved design organisations (see paragraph 21.001 (c))
- rules dealing with the approval of aircraft engines, propellers and certain materials, parts, processes and appliances (see paragraph 21.001 (d)).

Subpart 21.H — Certificates of airworthiness (except provisional certificates of airworthiness) and special flight permits

Subpart 21.H of CASR prescribes requirements for the issue of certificates of airworthiness (except provisional certificates) and special flight permits.

Regulation 21.172 of CASR provides definitions for Subpart 21.H. It includes a definition of ***LSA standards*** as:

- the standards for the design, performance or continuing airworthiness of light sport aircraft issued by the American Society for Testing and Materials, as in force from time to time; or
- any other standards, for the design, performance or continuing airworthiness of light sport aircraft, the use of which is approved by CASA.

The CASR Dictionary defines ***certificate of airworthiness*** to mean a standard certificate of airworthiness or a special certificate of airworthiness. ***Standard certificate of airworthiness*** and ***special certificate of airworthiness*** are defined in regulation 21.175 of CASR.

Regulation 21.175 provides that a ***special certificate of airworthiness*** means a certificate of airworthiness issued for an aircraft type certificated in the primary, intermediate or restricted category, an aircraft in the limited category or an amateur-built aircraft accepted under an Amateur-Built Aircraft Acceptance or a light sport aircraft covered by regulation 21.186.

Regulation 21.176 provides that, subject to regulation 11.055, CASA or an authorised person must issue a certificate of airworthiness to an applicant if the applicant: is eligible to apply for the certificate; applies for the certificate in accordance with Subpart H; and is entitled under the Subpart to the certificate and otherwise complies with Part 21.

Regulation 21.184 sets out the requirements that an applicant would have to meet to be entitled to a special certificate of airworthiness in relation to a primary category aircraft and sets out the requirements for a number of different kinds of primary category aircraft.

Regulation 21.184A sets out the requirements that an applicant would have to meet to be entitled to a special certificate of airworthiness in relation to intermediate category aircraft and sets out the requirements for a number of different kinds of intermediate category aircraft.

Subpart 21J — Approved design organisation

Subpart 21J of CASR sets out matters relating to approved design organisations, including the requirements for an approval as an approved design organisation and the privileges and obligations for an approved design organisation (see regulation 21.231).

- An **approved design organisation** is defined to mean a person who holds an approval under regulation 21.243 that is in force (see Part 1 Definitions to the Dictionary of CASR).

A person may apply, in writing, to be an approved design organisation under regulation 21.241. Among other things, the applicant must give CASA a copy of the applicant's proposed exposition as part of the application (see regulation 21.241).

- **Exposition**, for an approved design organisation, means a document approved by CASA under paragraph 21.243 (7) (a) in relation to the organisation or the document as changed under regulation 21.253, 21.255, 21.259 or 21.261 (see regulation 21.233).

CASA must make a decision about the application under regulation 21.243 and, relevantly, must approve the application if CASA is satisfied that the applicant's proposed exposition contains the information mentioned in regulation 21.263 and is consistent with the applicant's proposed design assurance system manual.

- **Design assurance system manual** for an approved design organisation means the manual approved by CASA under paragraph 21.243 (7) (b) in relation to any changes made to the manual under regulation 21.253, 21.255 or 21.256 (see regulation 21.233).

Under subregulation 21.243 (7), if CASA approves an applicant, CASA is taken to have approved the applicant's proposed exposition.

If CASA approves an applicant as an approved design organisation, CASA must issue a certificate of approval setting out the name of the organisation, the design activities that the applicant is approved to carry out, the aircraft and aeronautical products in relation to which the applicant is approved to carry out the design activities and, if the applicant is approved to grant a modification/repair design approval, whether the applicant is approved to make an equivalent level of safety determination under regulation 21.436 (see subregulation 21.243 (6)).

- **Design activity** is defined in regulation 21.233 to mean an advice activity, an approval activity, a certification activity and an experimental certificate activity. Each of these kinds of activities is also defined in regulation 21.233.

Under regulation 21.259, it is an offence if an approved design organisation implements a change that renders its exposition inaccurate if the change is not a kind of change mentioned in regulation 21.253, 21.255, 21.256, 21.257 or 21.261 and the organisation does not update its exposition with CASA within 30 days of the change. The penalty for the offence is 50 penalty units and the offence is a strict liability offence. Regulation 21.259 sets out a comparable offence for the organisation making a change to its exposition and not notifying CASA within 30 days.

Subpart 21.O — Australian Technical Standard Order Authorisations

Subpart 21.O of CASR prescribes requirements for issuing an Australian Technical Standard Order (**ASTO**) authorisation, the rules governing the holders of ATSO authorisations and requirements for the issue of a letter of ATSO design approval (see subregulation 21.601 (1)).

An article manufacturer may apply to CASA for an ATSO authorisation for the article under regulation 21.605. CASA must issue an ATSO authorisation for the article if CASA is satisfied that the design of the article complies with the applicable ATSO, ETSO or TSO, including any deviations approved under regulation 21.609 and the applicant has established and can maintain a quality system to ensure that each article manufactured by the applicant will comply with the applicable ATSO, ETSO or TSO, including any deviations approved under regulation 21.609.

- Regulation 21.609 empowers CASA to approve an article manufacturer deviating from a performance standard for an ATSO, ETSO or TSO for an article to be manufactured by the article manufacturer.

Manual of standards — explanation of provisions

Part 1 — Preliminary

Section 1.1 provides that the name of the instrument is the *Part 21 Manual of Standards Instrument 2016* and that the instrument may be cited as the *Part 21 Manual of Standards*.

Subsection 1.5 (1) provides that the instrument commences on 1 June 2016.

Subsection 1.5 (2) provides that sections 8.5 and 13.1 of the instrument are repealed at the end of 31 May 2017.

Section 8.5 incorporates by reference Civil Aviation Order 101.55 (**CAO 101.55**) into the Part 21 MOS. Section 13.1 incorporates by reference the ATSOs into the Part 21 MOS.

- CAO 101.55 provides requirements that CASA or an authorised person must be satisfied of, for an applicant to be entitled to a special certificate of airworthiness in relation to particular kinds of primary category and intermediate category aircraft.

CASA intends to replicate CAO 101.55 and the ATSOs in the Part 21 MOS with appropriate changes to clarify, streamline and simplify the requirements of CAO 101.55 and ATSOs. Repealing section 8.5 and section 13.1 at the end of 31 May 2017 gives certainty about the latest day by which the change will happen.

Section 1.10 provides definitions of the design standards for light sport aircraft that are incorporated by reference into section 8.1 under subsection 98 (5D) of the Act.

The incorporated design standards are design standards for the same kind of aircraft published by overseas civil aviation regulatory bodies such as the Civil Aviation Authority of the United Kingdom, except for the design standards incorporated from *Civil Aviation Order 101.54* (**CAO 101.54**) and the PICA 26 design criteria published by CASA.

The design standards are used by the manufacturers of light sport aircraft who apply for a certificate of airworthiness for the aircraft under regulation 21.186 of CASR and are acceptable alternatives to the American Standards for Testing and Materials mentioned in the definition of **LSA standards** in paragraph 21.172 (b) of CASR.

The default LSA standards are the ASTM standards. These standards may be purchased from ASTM International. These are the only standards that are accepted by the FAA for LSA and, therefore, they are the standards used by LSA manufacturers in the vast majority of cases.

The standards mentioned in section 1.10 as design standards for light sport aircraft are standards that CASA has previously approved as alternatives to the ASTM standards.

The purpose of approving the design standards is to enable a person to use them as an alternative to the corresponding ASTM standards. This provides greater flexibility to industry because they have a choice between design standards.

The list has been compiled over the years following applications from industry and in other cases on CASA's own initiative. The standards come from a variety of sources, including national aviation authorities and other private organisations. The standards can be obtained from the organisation responsible for the standard, as listed in the following table:

Item	Standard	Description	Source
1	BCAR Section S (Britain)	Small light aeroplanes	CAA UK
	CS-VLA (EASA)	Certification specifications for very light aeroplanes	EASA
	CS-LSA (EASA)	Certification specifications for light sport aeroplanes	EASA
	LFT-UL (Germany)	Aerodynamically controlled ultralight aircraft	Deutscher Aero Club
	UL/2 PT2 (Czech Republic)	Aerodynamically controlled microlights	Light Aircraft Association of the Czech Republic
	DS 10141E (Canada)	Design standards for advanced ultra-light aeroplanes	Transport Canada
2	BFU-95 (Germany)	Building codes for ultralight aircraft	Deutschen Aero Club
	PICA26 (Australia)	Design criteria for primary and intermediate category aeroplanes	CASA
	JAR VLA (Joint Aviation Authorities)	Very light aeroplanes	EASA
3	Nil		

Item	Standard	Description	Source
4	BCAR Section T (Britain)	Light gyroplanes	CAA UK
	Australian Sport Rotorcraft Association Gyroplane Specifications (Australia)	Gyroplane Specifications	Australian Sport Rotorcraft Association
5	BCAR Part 31 – balloons (Britain)	Manned free balloons	CAA UK
	FAR Part 31 – balloons (USA)	Airworthiness standards – manned free balloons	FAA
	CAO 101.54 – balloons (Australia)	Airworthiness certification requirements – manned free balloons	CASA
	BCAR Q – airships (Britain)	Non-rigid airships	CAA UK
	FAA AC 21.17-1A – airships (USA)	Type certification-airships	FAA
6	BCAR Section S (Britain)	Small light aeroplanes	CAA UK
	DS 10141E (Canada)	Design standards for advanced ultra-light aeroplanes	Light Aircraft Manufacturers Association of Canada
7	BCAR Section S (Britain)	Small light aeroplanes	CAA UK
	DS 1014E (Canada)	Design standards for advanced ultra-light aeroplanes	Light Aircraft Manufacturers Association of Canada

The cost of obtaining a standard is a matter for the manufacturer who elects to use the standard.

Parts 2 to 7

The Part 21 MOS includes placeholders for proposed Parts 2 to 7 of the MOS. This will facilitate future amendments to the Part 21 MOS to draft provisions to give effect to the MOS powers that are inserted into Part 21 of CASR as a result of the amendment regulation.

Part 8 — Certificates of airworthiness (except provisional certificates of airworthiness) and special flight permits

Item 25 of the amendment regulation substitutes paragraph (b) of the definition of **LSA standards** to provide, relevantly, that LSA standards means the standards prescribed by the Part 21 MOS for the design, performance or continuing airworthiness of light sport aircraft.

Subsection 8.1 (1) of the Part 21 MOS provides that the standards mentioned in an item of the table to subsection (2) are prescribed for the class of light sport aircraft mentioned in the table.

Subsection 8.1 (2) provides that a standard for the design, performance or continuing airworthiness of a class of light sport aircraft mentioned in the table is prescribed only if the standard is used for the modification or repair of light sport aircraft constructed to the standard. This is intended to ensure that the standards only apply when modifying or repairing the light sport aircraft. The standard must not be used for the design and certification of a new aircraft model.

Item 27 of the amendment regulation omits the reference to CAO 101.55 in subparagraph 21.184 (4) (a) (ii) and subparagraph 21.184A (2) (a) (ii) and inserts a reference to the requirements prescribed in the Part 21 MOS.

Accordingly, on and after 1 June 2016, CAO 101.55 will no longer be the source of the requirements the aircraft would have to meet for CASA or an authorised person to be satisfied of, to issue a special certificate of airworthiness in relation to primary and intermediate category aircraft mentioned in subsections 21.184 (4) and 21.184A (2).

However, section 8.5 will have the effect of incorporating by reference CAO 101.55 into the Part 21 MOS so that it continues to be the source of requirements. The CAO would be incorporated as it is in force immediately before 1 June 2016.

Section 8.5 will be repealed at the end of 31 May 2017. By that day, the Part 21 MOS will be amended to replicate the requirements of CAO 101.55 with appropriate changes to clarify, streamline and simplify the requirements.

Part 9 — Provisional certificates of airworthiness

The Part 21 MOS includes placeholders for proposed Part 9 of the MOS. This will facilitate future amendments to the Part 21 MOS to draft provisions to give effect to the MOS powers that are inserted into Part 21 of CASR as a result of the amendment regulation.

Part 10 — Approved design organisations

Regulation 21.265 of CASR provides that an approved design organisation commits an offence if the organisation contravenes a provision of its exposition. The offence is one of strict liability and the maximum penalty is 50 penalty units.

Regulation 21.263 of CASR sets out the content requirements for the exposition of an approved design organisation.

Paragraph 21.263 (c) of CASR provides that the exposition must contain the responsibilities of the accountable manager, head of design, each other managerial position and each position held by a person who carries out a design activity for the approved design organisation.

Paragraph 21.263 (d) of CASR provides that the exposition must contain the qualifications, experience and knowledge required by the organisation for each position mentioned in paragraph (c).

Item 32 of the amendment regulation inserts subregulation 21.263 (2) providing that the qualifications, experience and knowledge mentioned in paragraph 21.263 (1) (d) must meet the requirements prescribed by the Part 21 MOS.

Section 10.1 of the Part 21 MOS provides that Part 10 of the MOS is made under subregulation 21.263 (2) and prescribes the qualifications, experience and knowledge requirements for the relevant positions.

The requirements for knowledge, experience and qualifications to be included in the organisation's exposition are intended to recognise that employees or contractors performing the roles mentioned may have previous relevant experience working in similar roles or organisations. Accordingly, subsections 10.3 (2), 10.5 (3), 10.6 (3), 10.7 (2) and 10.8 (2) provide that if the persons covered by the sections have previously been appropriately authorised to undertake relevant activities, the person is deemed to meet particular requirements, even if the person does not as a matter of fact meet those requirements.

ATSO Authorisations

Item 46 of the amendment regulation substitutes paragraph 21.601 (2) (a) of CASR so that paragraph (a) provides that an ATSO is a minimum performance standard prescribed by the Part 21 MOS for specified articles used on civil aircraft.

Section 13.1 of the Part 21 MOS is made under paragraph 21.601 (2) (a) as substituted by the amendment regulation. It prescribes the minimum performance standard for specified articles by way of the tabular form. The table has the effect of incorporating ATSOs by reference.

Subsection 98 (5D) of the Act provides that, despite section 14 of the *Legislation Act 2003* (the *LA*), an instrument made under the Act or the regulations may apply, adopt, or incorporate any matter contained in any instrument or other writing as in force or existing at a particular time or as in force or existing from time to time. The ATSOs are incorporated as in force immediately before 1 June 2016 to ensure that the most up-to-date versions of the ATSOs are incorporated.

Incorporating the ATSO by reference in the Part 21 MOS means that the ATSO by operation of law forms part of the MOS. If the ATSOs are changed in the future, the changes will not be effective unless the Part 21 MOS is amended to "pick up".

Section 13.1 will be repealed at the end of 31 May 2017. By that day, the Part 21 MOS will be amended to replicate the requirements of the ATSOs with appropriate changes to clarify, streamline and simplify the requirements.

In accordance with paragraph 15J (2) (a) of the LA, the following is a description of the documents incorporated by reference into section 13.1. The documents are available free of charge on the Federal Register of Legislation.

ATSO-1C13 — Life preservers

This ATSO prescribes the minimum performance standards that a manufacturer of a life preserver must meet in order for the life preserver to be identified with the applicable ATSO marking and for the life preserver to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-1C74c — Airborne ATC transponder equipment

This ATSO prescribes the minimum performance standards that a manufacturer of airborne air traffic control (*ATC*) transponder equipment must meet in order for the

equipment to be identified with the applicable ATSO marking and for the equipment to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-1C112 — Air traffic control radar beacon system/mode select (ATCRBS/MODE S) airborne equipment

This ATSO prescribes the minimum performance standards that a manufacturer of ATCRBS/MODE S airborne equipment must meet in order for the equipment to be identified with the applicable ATSO marking and for the equipment to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-C1001 — Dispatcher's restraint strap

This ATSO prescribes the minimum performance standards that a manufacturer of a dispatcher's restraint strap (i.e. a strap attached to an occupant (e.g. camera operator or dispatcher), who is not seated with a seat belt or harness fastened while the cabin door is open, to prevent the wearer from falling from the aircraft when carrying out duties) must meet in order for the strap to be identified with the applicable ATSO marking and for the strap to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-C1002 — Refrigerated cargo unit load container

This ATSO prescribes the minimum performance standards that a manufacturer of a refrigerated cargo unit load container must meet in order for the container to be identified with the applicable ATSO marking and for the container to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-C1003 — Helicopter external personnel lifting devices

This ATSO prescribes the minimum performance standards that a manufacturer of a helicopter external personnel lifting device must meet in order for the device to be identified with the applicable ATSO marking and for the device to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-C1004a — Airborne mode A/C transponder equipment with extended squitter automatic dependent surveillance – broadcast (ADS-B) transmission capability

This ATSO prescribes the minimum performance standards that a manufacturer of airborne mode A/C transponder equipment with extended squitter ADS-B transmission capability must meet in order for the equipment to be identified with the applicable ATSO marking and for the equipment to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-C1005a — Airborne stand-alone equipment with extended squitter ADS-B transmit only equipment

This ATSO prescribes the minimum performance standards that a manufacturer of airborne stand-alone equipment with extended squitter ADS-B transmit only equipment must meet in order for the equipment to be identified with the applicable ATSO marking and for the equipment to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-C1006 — Restraint system automated release device

This ATSO prescribes the minimum performance standards that a manufacturer of a restraint system automated release device (i.e. an add-on dual-purpose restraint-release device used in conjunction with a restraint and an anchor point in the aircraft to keep the occupant/restrained item inside the aircraft during flight and automatically release the person or item from the anchor point if the aircraft ditches or crashes into water) must meet in order for the device to be identified with the applicable ATSO marking and for the device to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

ATSO-C1007b — Flight data recorder interface unit

This ATSO prescribes the minimum performance standards that a manufacturer of a flight data recorder interface unit must meet in order for the unit to be identified with the applicable ATSO marking and for the unit to be an approved article for the purpose of meeting the provisions of the regulations that require the article to be approved.

Legislative instrument

Under paragraph 98 (5A) (a) of the Act, the regulations may empower CASA to issue instruments in relation to matters affecting the safe navigation and operation of aircraft.

Under subsection 98 (5AA) of the Act, an instrument issued under paragraph 98 (5A) (a) is a legislative instrument if expressed to apply in relation to a class of persons or aircraft or aeronautical products.

The provisions of the Part 21 MOS are expressed to apply in relation to various classes of persons, aircraft or aeronautical products. Therefore, the Part 21 MOS is a legislative instrument within the meaning of the Act.

Consultation

For section 17 of the LA, CASA's consultation for the MOS was made an integral part of the consultation undertaken for the amendment regulation which included the amendments to Part 21 of CASR which inserted the Part 21 MOS heads of power.

The Explanatory Statement for the amendment regulation (see ComLaw F2015L01980 ES) notes that the amendments to Part 21 of CASR were first considered by the Certification and Manufacturing Standards Sub-committee of the Standards Consultative Committee in October 2014 and by the rest of industry and the public in March 2015. The Part 21 amendments were supported by the Sub-committee and industry.

Consultation on the Part 21 MOS was carried out in accordance with Subpart 11.J of CASR. The standards that are included in the Part 21 MOS were developed in conjunction with the Certification and Manufacturing Standards Sub-committee and the Certification and Manufacturing Standards Sub-committee Design Working Group.

A Notice of Proposed Rule Making (**NPRM**) 1604CS, which included an explanation of the proposed content of the Part 21 MOS, was published on 8 March 2016 on the Certification and Manufacturing Standards Sub-committee forum.

NPRM 1604CS was provided with a draft copy of the proposed Part 21 MOS on 29 March 2016 to the rest of industry and the public. 5 comments were received, requesting further explanation of some provisions and suggesting some minor changes

to some of the proposed standards. The comments were all considered by CASA and resulted in some minor amendments being incorporated into the final Part 21 MOS to improve the clarity of some provisions.

Office of Best Practice Regulation (OBPR)

OBPR assessed the amendments as minor and that no further analysis in the form of a Regulation Impact Statement was required (OBPR ID: 18533).

Statement of Compatibility with Human Rights

A Statement of Compatibility with Human Rights is prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* (see Attachment A).

Making and commencement

The Part 21 MOS has been made by the Director of Aviation Safety, on behalf of CASA, in accordance with subsection 73 (2) of the Act.

The Director of Aviation Safety has exercised the power to make the Part 21 MOS, on behalf of CASA, before the commencement of Schedule 2 to the amendment regulation in reliance on section 4 of the *Acts Interpretation Act 1901* as applied to legislative instruments under paragraph 13 (1) (a) of the LA.

The Part 21 MOS commences on 1 June 2016, which is the same day as Schedule 2 to the amendment regulation commences. Section 8.5 and section 13.1 of this instrument are repealed at the end of 31 May 2017.

[Part 21 Manual of Standards Instrument 2016]

Statement of Compatibility with Human Rights

*Prepared in accordance with Part 3 of the
Human Rights (Parliamentary Scrutiny) Act 2011*

Part 21 Manual of Standards Instrument 2016

This legislative instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

The purpose of the *Part 21 Manual of Standards Instrument 2016* (the ***Part 21 MOS***) is to prescribe:

- a standard for the design, performance or continuing airworthiness of particular classes of light sport aircraft
- the requirements that CASA or an authorised person must be satisfied of for an applicant to be entitled to a special certificate of airworthiness in relation to particular kinds of primary and intermediate aircraft
- requirements for the qualifications, knowledge and experience for managerial positions and persons carrying out approved design activities for approved design organisations
- the minimum performance standards for articles (such as life preservers and airborne ATC equipment) for use on civil aircraft and manufactured by an article manufacturer.

The development of the Part 21 MOS is consistent with the intention of amendments made to Part 21 of the *Civil Aviation Safety Regulations 1998* by Schedule 2 to the *Civil Aviation Legislation Amendment (Airworthiness and Other Matters — 2015 Measures No. 1) Regulation 2015* commencing on 1 June 2016.

Human rights implications

The Part 21 MOS is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*. It does not engage any of the applicable rights or freedoms.

Conclusion

This legislative instrument is compatible with human rights as it does not raise any human rights issues.

Civil Aviation Safety Authority