**CIVIL AVIATION ACT 1988**

**CIVIL AVIATION SAFETY REGULATIONS 1998**

# Approval - Compliance with Transport Canada Airworthiness Directive (AD) CF-2011-24 - Wing to Fuselage Attachment Joints - Barrel Nut Cracking

Under section 98 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.

In accordance with paragraph 39.004(3)(a) of the *Civil Aviation Safety Regulations 1998 (****CASR 1998****)*, CASA may in writing approve a means of compliance with an airworthiness directive (***AD***) for a particular kind of aircraft or aeronautical product.

Under Annex 8 to the Convention on International Civil Aviation, the State of Design has overall responsibility for continuing airworthiness of an aircraft type, and must provide any information necessary to ensure the continuing airworthiness of a type to appropriate States of Registry. ADs (and their equivalents) are the most common form of continuing airworthiness information, and are issued by most ICAO Contracting States.

The State of Registry of an individual aircraft is responsible for its continuing airworthiness. Under Annex 8, the State of Registry must develop or adopt requirements to ensure the continuing airworthiness of aircraft. As of 1 October 2009, when a State of Design issues an AD against a type of aircraft on the Australian Register, Part 39 of CASR 1998 requires compliance with these State of Design ADs. However CASA, as Australia’s national airworthiness authority, must assess this information and at times, if appropriate, issue an approved means of compliance (***AMOC***) against the State of Design AD to ensure Australian registered operators can comply with the requirements.

Transport Canada as the State of Design for Bombardier DHC-8 aircraft issued AD CF-2011-24 with an effective date of 8 August 2011. The AD deals with wing to fuselage attachment joints barrel nut cracking.

Transport Canada AD CF-2011-24 requires operators of Bombardier DHC-8 aircraft to conduct a torque check and detailed visual inspection of each barrel nut in accordance with the accomplishment instructions in Bombardier Service Bulletin (SB) 84-57-25, Initial Issue, dated 20 July 2011. CASA has issued this approval of an AMOC that allows compliance with the requirements of AD CF-2011-24 by compliance with Bombardier Service bulletin 84‑57-26 or Bombardier modification summary package (ModSum) 4-123841, 4-113769 or 4-113768, as in force at the date of this instrument being made. The service bulletins and ModSum are available from Bombardier for a fee. The operators of the relevant aircraft in Australia have a subscription with Bombardier to access these documents.

**Legislation Act 2003**

Subregulation 39.004(3) of CASR 1998 provides that an AMOC as issued in accordance with paragraph 39.004(3)(a) is issued under subsection 98(5A) of the Act.

Subsection 95(5B) provides that an instrument issued under subsection 98(5A) of the Act is a legislative instrument.

Therefore, in accordance with subsection 98(5B) of the Act, an instrument for an AMOC is a legislative instrument and is subject to tabling and disallowance in the Parliament under Chapter 7 of the LA.

**Consultation**

CASA has not consulted in relation to the issue of the AMOC. The issue of the instrument is in accordance with Part 39 of CASR 1998 and will facilitate compliance by users of the aircraft with the Transport Canada AD.

The instrument commences on the date of registration.

The instrument has been made by a delegate of CASA, in accordance with subregulation 11.260(1) of the *CASR 1998*.

# Attachment 1

# Statement of Compatibility with Human Rights

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

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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 this legislative instrument is to provide an alternate means of compliance (AMOC) with Transport Canada Airworthiness Directive (AD) CF‑2011‑24.

Transport Canada AD CF-2011-24 requires operators of Bombardier DHC-8 aircraft to conduct a torque check and detailed visual inspection of each barrel nut in accordance with the accomplishment instructions in Bombardier Service Bulletin (SB) 84-57-25, Initial Issue, dated 20 July 2011. CASA has issued this approval of an AMOC that allows compliance with the requirements of AD CF-2011-24 by incorporation of Bombardier SB 84‑57-26 or the incorporation of Bombardier modification summary package (ModSum) 4-123841, 4-113769 or 4-113768.

## Human rights implications

This legislative instrument 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**