



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX89/18

I, GRAEME MILLS CRAWFORD, Acting Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998*.

[Signed G.M. Crawford]

Graeme M. Crawford
Acting Director of Aviation Safety

25 July 2018

CASA EX89/18 — Naming of Alternate Key Personnel (Part 141 and 142 Operators) Exemption 2018

1 Name

This instrument is *CASA EX89/18 — Naming of Alternate Key Personnel (Part 141 and 142 Operators) Exemption 2018*.

2 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) is repealed at the end of 30 June 2021.

3 Definitions

Note In this instrument certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations, including *AOC*.

In this instrument:

exposition, for a Part 142 operator, has the same meaning as in regulation 142.035 of CASR.

key personnel:

- (a) for a Part 141 operator — has the same meaning as in regulation 141.020 of CASR; and
- (b) for a Part 142 operator — has the same meaning as in regulation 142.025 of CASR.

operations manual, for a Part 141 operator, has the same meaning as in regulation 141.030 of CASR.

Part 141 certificate has the same meaning as in subregulation 141.015 (4) of CASR.

Part 141 operator has the same meaning as in subregulation 141.015 (3) of CASR.

Part 142 authorisation has the same meaning as in subregulation 142.015 (5) of CASR.

Part 142 operator has the same meaning as in subregulation 142.015 (4) of CASR.

4 Exemption

- (1) A person who applies for a Part 141 certificate or who is a Part 141 operator is exempt from compliance with subparagraph 141.260 (1) (e) (iv) of CASR.
- (2) The following persons are exempt from compliance with subparagraph 142.340 (1) (e) (iv) of CASR:
 - (a) a person who applies for an AOC that authorises the conduct of a Part 142 activity in an aircraft;
 - (b) a person who applies for a certificate under Division 142.B.2 of CASR that authorises the conduct of a Part 142 activity in a flight simulation training device;
 - (c) a person who is a Part 142 operator.

Note 1 The operations manual of a Part 141 operator and the exposition of a Part 142 operator must include a description of how the operator will manage the responsibilities of the position of each of the key personnel of the operator when the position holder is absent from the position or cannot carry out the responsibilities — see subparagraphs 141.260 (1) (e) (v) and 142.340 (1) (e) (v) of CASR. For example, an operator may state that the operator will not conduct operations in the circumstances mentioned.

Note 2 It is an offence for a Part 141 operator to contravene a provision of its operations manual and for a Part 142 operator to contravene a provision of its exposition — see regulations 141.265 and 142.345 of CASR.
