

Explanatory Statement

Civil Aviation Safety Regulations 1998

Manual of Standards (MOS) – Part 60

Purpose

The purpose of the Manual of Standards (MOS) – Part 60 (the *instrument*) is to prescribe current international standards for the determination of the qualification level of flight simulators and flight training devices under Part 60 – *Synthetic training devices (Part 60)* of the *Civil Aviation Safety Regulations 1998 (CASR)*. The instrument will ensure that the regulation of aeroplane and helicopter flight simulators and flight training devices is undertaken in Australia in accordance with the international standards framework developed and supported by the International Civil Aviation Organization (*ICAO*), the Federal Aviation Administration (*FAA*) and the European Aviation Safety Agency (*EASA*) for that purpose.

The instrument also includes transitional arrangements prescribing certain older standards to be used, except in specified circumstances, for the assessment of flight simulators previously qualified under those older standards and standards for the assessment of flight simulators previously qualified under two of the specified older standards but which have since been modified for full stall training.

Legislation

Under section 9 of the *Civil Aviation Act 1988 (the Act)*, the Civil Aviation Safety Authority (*CASA*) has the function of conducting the safety regulation of a range of matters including, under paragraph 9 (1) (c), developing and promulgating appropriate, clear and concise aviation safety standards.

Under section 98 of the Act, the Governor-General may make regulations for the Act and in the interests of the safety of air navigation. The relevant regulations are CASR. Within CASR, Part 60 provides for the evaluation and qualification of flight simulators and flight training devices, and related matters.

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

Regulation 60.010 of CASR defines *Manual of Standards* as meaning the document called “Manual of Standards (MOS) – Part 60” published by CASA, as in force from time to time.

Subregulation 60.020 (1) of CASR provides for the qualification level of a flight simulator to be determined in accordance with standards in the Manual of Standards. Subregulation 60.020 (2) of CASR provides for the qualification level of a flight training device to be determined in accordance with the standards in the Manual of Standards.

Under subsection 33 (3) of the *Acts Interpretation Act 1901 (the AIA)*, where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character (including rules, regulations or by-laws), the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.

Background

This instrument repeals and replaces the instrument Manual of Standards Part 60 – Synthetic Training Devices, as amended (the *previous Part 60 MOS*). The Manual of Standards Part 60 – Synthetic Training Devices was issued by CASA in February 2003, registered on the Federal Register of Legislation on 16 July 2007 and amended in 2008 and 2016.

Chapters 4 and 5 of the previous Part 60 MOS adopt by reference specified FAA and EASA standards for the qualification of helicopter flight simulators and aeroplane and helicopter flight training devices, respectively. However, Chapter 3 of the previous Part 60 MOS does not adopt by reference the FAA and EASA standards for the qualification of aeroplane flight simulators as existing from time to time, but instead sets out in detail standards based on outdated international standards.

The detailed standards in Chapter 3 of the previous Part 60 MOS are closely based on the ICAO *Manual of Criteria for the Qualification of Flight Simulators* (ICAO Doc 9625-AN/938 Second Edition 2003), the FAA’s proposed FAR Part 60, Appendix A and the Joint Aviation Authorities (*JAA*) of Europe’s Joint Aviation Requirements Aeroplane Flight Simulators (JAR-STD 1A) Amendment 3 dated 1 July 2003. ICAO, EASA (which succeeded the JAA) and the FAA have all updated their standards since 2003. However, many of these changes are not reflected in the previous Part 60 MOS as it did not adopt relevant international standards “as existing from time to time”. Consequently, the previous Part 60 MOS is not aligned with the current international standards framework for the regulation of aeroplane flight simulators that is supported by ICAO, the FAA and EASA.

Overview of instrument

This instrument sets out a new Part 60 Manual of Standards that incorporates by reference the latest versions of the FAA and EASA standards for the qualification of aeroplane and helicopter flight simulators and flight training devices. The instrument also includes transitional arrangements for aeroplane flight simulators that were qualified under the previous Part 60 MOS or other older specified standards.

CASA has assessed the impact the instrument will have on aviation safety and is satisfied that it will have a positive impact on aviation safety as it will align standards for the qualification of aeroplane flight simulators with the latest international standards developed for this purpose, and clarify that the FAA and EASA standards adopted for the qualification of helicopter flight simulators and aeroplane and helicopter flight training devices are adopted as existing from time to time.

In accordance with subsection 33 (3) of the AIA, the instrument repeals the previous Part 60 MOS.

Documents incorporated by reference

Under subsection 14 (2) of the *Legislation Act 2003* (the *LA*), unless the contrary intention appears, a legislative instrument may not incorporate any matter contained in an instrument or other writing as existing from time to time. Paragraph 98 (5D) (a) of the Act provides that, despite section 14 of the LA, a legislative 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 from time to time.

The instrument incorporates by reference a number of documents. In accordance with paragraph 15J (2) (c) of the LA, the following table contains a description of the documents

incorporated by reference into the legislative instrument, the organisation responsible for each document and how they may be obtained. The table also states how the document is incorporated.

Document	Description	Source
<p>Federal Aviation Regulations, Subchapter D, Part 60, Appendix A, <i>Qualification Performance Standards for Airplane Full Flight Simulators</i>, as existing from time to time</p>	<p>FAA standards for aeroplane flight simulators evaluation and qualification</p>	<p>Available for free from the electronic Code of Federal Regulations website at https://gov.ecfr.io.</p> <p>As at commencement of this instrument, this document could be found using the “Browse” function on this website as follows:</p> <p>From the “Browse” list, select <i>Title 14 – aeronautics and space</i>. Then select <i>Chapter I – Parts 60 to 109</i> to go to Subchapter D, then select <i>Part 60</i>. From the Table of Contents to Part 60 choose <i>Appendix A</i>.</p> <p>For Table A1A of Attachment 1 and Table A2A of Attachment 2 to Appendix A, as existing from time to time, scroll through Appendix A to the relevant attachments.</p>
<p>Federal Aviation Regulations, Subchapter D, Part 60, Appendix A, <i>Qualification Performance Standards for Airplane Full Flight Simulators</i>, as published on 9 May 2008</p>	<p>FAA standards for aeroplane flight simulators evaluation and qualification</p>	<p>Available for free on the FAA website at https://www.faa.gov.</p> <p>As at commencement of this instrument, this document is available from the U.S Government Information website at https://www.govinfo.gov (search for “73 FR 26748”, then choose document “73 FR 26477 – Flight Simulation Training Device Initial and Continuing Qualification and Use”). Download the document and scroll through to Appendix A to Part 60.</p>

Document	Description	Source
<p>The latest issue of the EASA <i>Certification Specifications for Aeroplane Flight Simulation Training Devices (CS-FSTD(A))</i>, as existing from time to time</p>	<p>EASA standards for certification of aeroplane flight simulation training devices</p>	<p>Available for free on the EASA website at https://www.easa.europa.eu.</p> <p>As at commencement of this instrument, the latest issue of this document is Issue 2, available from the EASA document library at https://www.easa.europa.eu/document-library/certification-specifications/cs-fstda-%E2%80%94-issue-2.</p>
<p>ICAO <i>Manual of Criteria for the Qualification of Flight Simulation Training Devices, Volume 1 (ICAO Doc 9625)</i>, as existing from time to time</p> <p>As at commencement of this instrument, the latest edition is the 4th edition, 2015</p>	<p>ICAO standards for the qualification of aeroplane flight simulators</p>	<p>This document is not available for free.</p> <p>The document is available for purchase from the ICAO website at https://store.icao.int/ when in stock.</p> <p>The cost of obtaining a copy of this ICAO document is a matter for any person that elects to use the document as a standard for the qualification of aeroplane flight simulators. CASA has no effective control over those costs.</p> <p>By prior arrangement with CASA, a copy of the document can be made available for viewing free of charge at any office of CASA.</p>
<p>Federal Aviation Regulations, Subchapter D, Part 60, Appendix C, <i>Qualification Performance Standards for Helicopter Full Flight Simulators</i>, as existing from time to time</p>	<p>FAA standards for helicopter flight simulators evaluation and qualification</p>	<p>Available for free from the electronic Code of Federal Regulations website at https://gov.ecfr.io/.</p> <p>As at commencement of this instrument, this document could be found using the “Browse” function on this website as follows:</p> <p>From the “Browse” list, select <i>Title 14 – aeronautics and space</i>. Then select <i>Chapter 1 – Parts 60 to 109</i> to go to Subchapter D, then select <i>Part 60</i>. From the Table of Contents to Part 60 choose <i>Appendix C</i>.</p>

Document	Description	Source
The latest issue of the EASA <i>Certification Specifications for Helicopter Flight Simulation Training Devices (CS-FSTD(H))</i> , as existing from time to time	EASA standards for certification of helicopter flight training devices	Available for free from the EASA website at https://www.easa.europa.eu . As at commencement of this instrument, the latest issue of this document is Initial issue dated 26 June 2012, available from the EASA document library at https://www.easa.europa.eu/document-library/certification-specifications/cs-fstdh-initial-issue
Chapter 3 of Manual of Standards Part 60 – Synthetic Training Devices (also known as F2007B01089), as existing at the time the relevant flight simulator qualification level was determined	Sets out standards for the qualification of aeroplane flight simulators. These standards are based on previous FAA, ICAO and JAA standards for the qualification of aeroplane flight simulators	Available for free from the Federal Register of Legislation at https://www.legislation.gov.au/ . Search for registration number F2007B01089.
<i>Operational Standards and Requirements – Approved Flight Simulators (FSD-1)</i> , published by CASA, as existing at the time the relevant flight simulator qualification level was determined	Operational standards and requirements for the approval of aeroplane flight simulators by CASA	A copy of the document as existing at a particular time can be requested from CASA and provided free of charge at any office of CASA.
ICAO <i>Manual of Criteria for the Qualification of Flight Simulators (ICAO Doc 9625-AN/938)</i> , first edition, dated 1995, as existing at the time the relevant flight simulator qualification level was determined	ICAO standards for the qualification of aeroplane flight simulators	The document is not currently available from ICAO. ICAO documents are available for purchase from the ICAO website at https://store.icao.int/ when in stock. If requested, CASA will make a copy of the document available for viewing free of charge at any office of CASA.

Document	Description	Source
<p>Federal Aviation Regulations, Subchapter D, Part 60, Appendix B, <i>Qualification Performance Standards for Airplane Flight Training Devices</i>, as existing from time to time</p>	<p>FAA standards for aeroplane flight training device evaluation and qualification</p>	<p>Available for free from the electronic Code of Federal Regulations website at https://gov.ecfr.io.</p> <p>As at commencement of this instrument, this document could be found using the “Browse” function on this website as follows:</p> <p>From the “Browse” list, select <i>Title 14 – aeronautics and space</i>. Then select <i>Chapter I – Parts 60 to 109</i> to go to Subchapter D, then select <i>Part 60</i>. From the Table of Contents to Part 60 choose <i>Appendix B</i>.</p>
<p>Federal Aviation Regulations, Subchapter D, Part 60, Appendix D, <i>Qualification Performance Standards for Helicopter Flight Training Devices</i>, as existing from time to time</p>	<p>FAA standards for helicopter flight training device evaluation and qualification</p>	<p>Available for free from the electronic Code of Federal Regulations website at https://gov.ecfr.io.</p> <p>As at commencement of this instrument, this document could be found using the “Browse” function on this website as follows:</p> <p>From the “Browse” list, select <i>Title 14 – aeronautics and space</i>. Then select <i>Chapter I – Parts 60 to 109</i> to go to Subchapter D, then select <i>Part 60</i>. From the Table of Contents to Part 60 choose <i>Appendix D</i>.</p>

Document	Description	Source
Directive 2 set out in Attachment 6 (<i>FSTD Directives Applicable to Airplane Flight Simulators</i>) to the Federal Aviation Regulations, Subchapter D, Part 60, Appendix A, <i>Qualification Performance Standards for Airplane Full Flight Simulators</i> , as published on 31 May 2016	Additional FAA subjective and objective testing and checking requirements for aeroplane flight simulators used to conduct full stall training, upset recovery training, airborne icing training and other flight training tasks	<p>Available for free from the electronic Code of Federal Regulations website at https://gov.ecfr.io.</p> <p>As at commencement of this instrument, this document could be found using the “Browse” function on this website as follows:</p> <p>From the “Browse” list, select <i>Title 14 – aeronautics and space</i>. Then select <i>Chapter I – Parts 60 to 109</i> to go to Subchapter D, then select <i>Part 60</i>. From the Table of Contents to Part 60 choose <i>Appendix A</i>. Then scroll down to <i>Attachment 6</i> (to Appendix A to Part 60).</p>

Content of instrument

Chapter 1 of the instrument sets out preliminary matters for the instrument.

Section 1 sets out the name of the instrument. This name is as specified in regulation 60.010 of CASR. The instrument has also been given a title for administrative purposes (Part 60 Manual of Standards 2019) that is as consistent as possible with CASA’s usual naming convention for Manuals of Standards.

Section 1A sets out the commencement of the instrument. The instrument commenced on the day after it was registered.

Section 1B repeals the previous Part 60 MOS.

Section 2 sets out some interpretation rules for the instrument. Subsection (1) sets out some definitions for the instrument. Subsection (2) provides that a reference to a national aviation authority (however described) or an officer of a national aviation authority, that is in a standard mentioned in the instrument, other than the 2 specified CASA standards, is taken to be a reference to CASA. The aim of this provision is to make clear that CASA can administer the international standards specified in the instrument although they may refer to a specific national aviation authority of a foreign country or, for example, the “competent authority” or “State regulatory authority”, or an officer of such an authority. **National aviation authority** is defined in the CASR Dictionary as meaning the authority that is responsible for regulating civil aviation in the country and includes, among others, the national airworthiness authority for the country and, if EASA carries out functions on behalf of the country, EASA.

Chapter 2 of the instrument sets out flight simulator standards for Part 60 of CASR.

Section 3 sets out, for subregulation 60.020 (1) of CASR, the standards that may be used for the determination of the qualification level of an aeroplane flight simulator. Any of these standards may be used for this purpose. The standards are:

- FARs, Subchapter D, Part 60, Appendix A, *Qualification Performance Standards for Airplane Full Flight Simulators*, as existing from time to time
- until the end of 24 March 2021 — FARs, Subchapter D, Part 60, Appendix A, *Qualification Performance Standards for Airplane Full Flight Simulators*, as published on 9 May 2008 (**FARs Part 60, Change 1, Appendix A**)
- the latest issue of the EASA *Certification Specifications for Aeroplane Flight Simulation Training Devices* (CS-FSTD(A)), as existing from time to time
- for specified purposes, the ICAO *Manual of Criteria for the Qualification of Flight Simulation Training Devices, Volume 1 — Aeroplanes* (ICAO Doc 9625), as existing from time to time.

Notes point out that at the time this instrument commences, the latest issue of the FARs, Subchapter D, Part 60 (*Flight Simulation Training Device Initial and Continuing Qualification and Use*) (14 CFR Part 60) is the issue published in 2016 known as “FARs Part 60, Change 2” and the latest issue of the EASA *Certification Specifications for Aeroplane Flight Simulation Training Devices* (CS-FSTD(A)) is Issue 2 dated 3 May 2018 (Annex to ED Decision 2018/006/R) which entered into force on 9 January 2019.

Other than FARs Part 60, Change 1, Appendix A, the specified standards are current international standards. FARs Part 60, Change 1, Appendix A may only be used until the end of 24 March 2021 because, as the note to paragraph 3 (1) (b) states, the *Civil Aviation Safety Amendment (Part 121) Regulations 2018 (Part 121 Amendments)* will commence on 25 March 2021.

The Part 121 Amendments will mandate upset prevention and recovery training (**UPRT**) for multi-crew operations. Regulation 121.510 of CASR and other regulations (principally regulation 61.205 of CASR) will continue to mandate the use of simulators for such training by making it an offence under certain circumstances not to use an approved flight simulator for the training or checking of flight crew. CASA will approve flight simulators that may be used for UPRT for this purpose, taking into consideration the need for existing operators to have a suitable lead time to upgrade their flight simulators to the other specified, newer standards that provide for UPRT if they wish.

Section 4 sets out, for subregulation 60.020 (1) of CASR, the standards that may be used for the determination of the qualification level of a helicopter flight simulator. Either of the current international standards that are specified may be used for this purpose:

- FARs, Subchapter D, Part 60, Appendix C, *Qualification Performance Standards for Helicopter Full Flight Simulators*, as existing from time to time
- the latest issue of the EASA *Certification Specifications for Helicopter Flight Simulation Training Devices* (CS-FSTD(H)), as existing from time to time.

Notes to the section point out that at the time this instrument commences, the latest issue of the FARs, Subchapter D, Part 60 (*Flight Simulation Training Device Initial and Continuing Qualification and Use*) (14 CFR Part 60) is the issue published in 2016 known as “FARs Part 60, Change 2” and the latest issue of the EASA *Certification Specifications for Helicopter Flight Simulation Training Devices* (CS-FSTD(H)) is Initial issue dated 26 June 2012 (Annex to ED Decision 2012/011/R).

Section 5 sets out transitional arrangements relating to the standards for the assessment during a recurrent evaluation of an aeroplane qualified flight simulator. A qualified flight simulator is a flight simulator that has been qualified (see regulation 60.030 of CASR). An aeroplane qualified

flight simulator is an aeroplane flight simulator that has been qualified by CASA under regulation 60.030 of CASR.

Section 5 sets out the standards for the assessment during a recurrent evaluation of an aeroplane qualified flight simulator. The standard that will generally be used is whichever of the following standards was used, as existing at the time the qualification level of the flight simulator was determined:

- Chapter 3 of the Manual of Standards Part 60 – Synthetic Training Devices
- *Operational Standards and Requirements – Approved Flight Simulators (FSD-1)*, published by CASA
- the ICAO *Manual of Criteria for the Qualification of Flight Simulators* (ICAO Doc 9625-AN/938, first edition, dated 1995).

An example is included as to how this arrangement would work for an aeroplane flight simulator that was qualified on 1 January 2010.

Subsections 5 (3) and (4) are exceptions to the general rule in subsection 5 (1). In some circumstances different standards to those set out in subsection 5 (2) must be used.

Subsection 5 (3) provides that if CASA has changed the qualification level of the aeroplane qualified flight simulator after the instrument commences, the standard for assessment during a recurrent evaluation is a standard mentioned in subsection 3 (1).

Also, if the qualification level of an aeroplane qualified flight simulator was determined in accordance with one of two specified standards, different arrangements apply. The standards are:

- Chapter 3 of the Manual of Standards Part 60 – Synthetic Training Devices
- the ICAO *Manual of Criteria for the Qualification of Flight Simulators* (ICAO Doc 9625-AN/938, first edition, dated 1995).

If the qualification level of the flight simulator was determined in accordance with either of those standards, and its equipment or software has been modified under regulation 60.070 of CASR for full stall training, that standard, as existing at the time that qualification level was determined, *and* the full flight simulator requirements mentioned in paragraph 4 of Section I of FAA FSTD Directive 2 as it applies to FSTDs initially qualified before 31 May 2016 (***Paragraph 4 of FSTD Directive 2***) comprise the standard to be used for the assessment:

This is to ensure that these kinds of aeroplane flight simulators, if modified for full stall training, are assessed in accordance with the latest international requirements for flight simulators used for that kind of training.

Paragraph 4 of FSTD Directive 2 adopts by reference requirements in 2 specified tables of FARs Part 60, Change 2, Appendix A. Subsection 5 (6) makes clear that these tables are adopted under subsection 5 (5) as existing from time to time.

Chapter 3 sets out flight training device standards for Part 60 of CASR.

Section 6 sets out, for subregulation 60.020 (2) of CASR, the standards for the determination of the qualification level of an aeroplane flight training device. Either of these current international standards may be used for this purpose. The standards are:

- FARs, Subchapter D, Part 60, Appendix B, *Qualification Performance Standards for Airplane Flight Training Devices*, as existing from time to time
- the latest issue of the EASA *Certification Specifications for Aeroplane Flight Simulation Training Devices* (CS-FSTD(A)), as existing from time to time.

Notes to section 6 point out that at the time this instrument commences, the latest issue of the FARs, Subchapter D, Part 60 (*Flight Simulation Training Device Initial and Continuing Qualification and Use*) (14 CFR Part 60) is the issue published in 2016 known as “FARs Part 60, Change 2” and the latest issue of the EASA *Certification Specifications for Aeroplane Flight Simulation Training Devices* (CS-FSTD(A)) is Issue 2 dated 3 May 2018 (Annex to ED Decision 2018/006/R).

Section 7 sets out, for subregulation 60.020 (2) of CASR, the standards for the determination of the qualification level of a helicopter flight training device. Either of these current international standards may be used for this purpose. The standards are:

- FARs, Subchapter D, Part 60, Appendix D, *Qualification Performance Standards for Helicopter Flight Training Devices*, as existing from time to time (***FARs Part 60, Change 2, Appendix D***)
- the latest issue of the EASA *Certification Specifications for Helicopter Flight Simulation Training Devices* (CS-FSTD(H)), as existing from time to time.

Notes to section 7 assist the reader to access FARs Part 60, Change 2, Appendix D and to identify the latest issues of the specified EASA standard.

Legislation Act 2003

Paragraph 98 (5A) (a) of the Act provides that CASA may issue instruments in relation to matters affecting the safe navigation and operation of aircraft. Additionally, paragraph 98 (5AA) (a) of the Act provides that an instrument issued under paragraph 98 (5A) (a) is a legislative instrument if the instrument is expressed to apply in relation to a class of persons.

The various standards set by the instrument apply, not to a particular person but to classes of persons, being the operators of flight simulators and flight training devices who apply to CASA for qualification of the flight simulator or flight training device or for the conduct of a recurrent evaluation of the flight simulator or flight training device.

Paragraph 10 (1) (d) of the LA also provides that an instrument will be a legislative instrument if it includes a provision that amends or repeals another legislative instrument. This instrument repeals Manual of Standards Part 60 – Synthetic Training Devices (also known as F2007B01089) that was registered as a legislative instrument. The instrument is, therefore, a legislative instrument and is subject to registration, and tabling and disallowance in the Parliament, under sections 38 and 42 of the LA.

Consultation

On 20 February 2019, CASA hosted a Part 60 Operators Workshop in Melbourne to discuss the proposed content of this instrument as compared to that of the previous Part 60 MOS, the instrument it replaces. Thirty people attended, comprising 26 industry representatives (including representatives of Boeing, Qantas, Jetstar, Tigerair and Rex), and representatives of the Department of Defence. The discussions held at this workshop, relating to the new standards proposed for the qualification of flight simulators and flight training devices, informed the draft of the instrument that was later provided for external consultation.

On 13 March 2019, CASA published on its website a consultation draft of the instrument for public consultation until 10 April 2019, together with an explanation of the proposal. Ten written responses were received and these comments were taken into account when preparing the final draft of the instrument.

CASA is satisfied for section 17 of the LA that the consultation it undertook before the instrument was made is appropriate and reasonably practicable.

Office of Best Practice Regulation (OBPR)

A Regulation Impact Statement (*RIS*) is not required because the impact of the changes made by the instrument is of a minor nature (OBPR id: 25290).

Statement of Compatibility with Human Rights

The Statement of Compatibility with Human Rights at Attachment 1 has been prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Making and commencement

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

The instrument commences on the day after it is registered.

Statement of Compatibility with Human Rights

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

Manual of Standards (MOS) – Part 60

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 Manual of Standards (MOS) – Part 60 (the *instrument*) prescribes current international standards for the determination of the qualification level of flight simulators and flight training devices under Part 60 – *Synthetic training devices (Part 60)* of the *Civil Aviation Safety Regulations 1998 (CASR)*. The instrument will ensure the regulation of aeroplane and helicopter flight simulators and flight training devices in Australia is undertaken in accordance with the international standards framework developed by the International Civil Aviation Organization (ICAO), the Federal Aviation Administration (FAA) and the European Aviation Safety Agency (EASA) for that purpose.

The instrument also includes transitional arrangements prescribing certain older standards to be used, except in specified circumstances, for the assessment of flight simulators previously qualified under those older standards and standards for the assessment of flight simulators previously qualified under 2 of the specified older standards but which have since been modified for full stall training.

Human rights implications

The instrument is a safety measure designed to ensure the safety of persons flying in aircraft. It ensures that pilots are trained in flight simulators and flight training devices that meet current international standards.

Under Article 6 of the International Covenant on Civil and Political Rights every human being has the inherent right to life. Under Article 7 (b) of the International Covenant on Economic, Social and Cultural Rights everyone has the right to enjoy just and favourable conditions of work which ensure, in particular, safe and healthy working conditions.

The instrument ensures persons travel in aeroplanes and helicopters that are flown by pilots trained in flight simulators and training devices that meet the latest international standards, thus reducing the risk of aircraft accidents. To this extent, the instrument promotes the right to life of pilots, crew, passengers and people on the ground, and the right to safe and healthy working conditions for pilots and crew, including ground crew.

Conclusion

This legislative instrument is compatible with human rights as, to the extent that it engages with applicable rights and freedoms, it promotes those rights and freedoms.

Civil Aviation Safety Authority