



Australian Government
Civil Aviation Safety Authority

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 91.040 and 201.025 of the *Civil Aviation Safety Regulations 1998*.

[Signed P. Spence]

Pip Spence
Director of Aviation Safety

5 April 2023

Part 91 MOS Amendment Instrument 2023 (No. 1)

1 Name of instrument

This instrument is the *Part 91 MOS Amendment Instrument 2023 (No. 1)*.

Note MOS is short for Manual of Standards.

2 Commencement

This instrument commences on the day after it is registered.

3 Amendment of Part 91 Manual of Standards

Schedule 1 amends the *Part 91 (General Operating and Flight Rules) Manual of Standards 2020*.

Schedule 1 Amendment

[1] Paragraph 14.04 (1) (a), the Note

repeal and substitute

Note GNSS cannot be used to substitute for the VOR or NDB: see subsection 14.05 (1A).

[2] Subparagraph 20.01 (2) (c) (iv)

omit

a seat

insert

a seat or a stretcher

[3] After subsection 20.03 (3)

insert

(4) Despite subsections (1) and (2), an infant, or a child under the age of 6, who is a medical patient described in subparagraph 20.01 (2) (c) (iv), is restrained if:

(a) the infant or child is carried in the arms or on the lap (the *relevant position*) of an adult occupying a seat or a stretcher; and

- (b) the adult's restraint (however described in the applicable procedures in the operator's exposition for subparagraph 20.01 (2) (c) (iv)) is not fastened around the infant or child; and
- (c) the infant or child is restrained in the relevant position in a manner determined by the operator to be appropriate for the circumstances.

[4] Paragraph 21.05 (1) (d)

repeal and substitute

- (d) subject to subsections (1A) and (1B), ensure that reports to the ATC service are made in accordance with Table 21.05 (1); and

[5] After subsection 21.05 (1A)

insert

- (1B) Despite paragraph (1) (d), for item 5 of Table 21.05 (1), a report to correct a previously reported incorrect position estimate (a *previous estimate*) is not required if an aircraft's position is being automatically reported by an ADS-C system, unless the previous estimate was:
 - (a) from a flight crew member and not the ADS-C; or
 - (b) due to a flight crew member initiated action.

Note An example of a flight crew member initiated action is a manually initiated speed change.

[6] After subsection 21.06 (2)

insert

- (2A) Despite paragraph (1) (a), for item 5 of Table 21.06 (1), a report to correct a previously reported incorrect position estimate (a *previous estimate*) is not required if an aircraft's position is being automatically reported by an ADS-C system, unless the previous estimate was:
 - (a) from a flight crew member and not the ADS-C; or
 - (b) due to a flight crew member initiated action.

Note An example of a flight crew member initiated action is a manually initiated speed change.

[7] After subsection 26.48 (3)

insert

- (3A) Without affecting paragraph (1) (b) (but subject to subsection (4)), subsection (2) does not apply to a single-engine aircraft if:
 - (a) the aircraft is a single-seat aircraft; or
 - (b) the aircraft flight is for a purpose related to any of the following:
 - (i) the aircraft's manufacture;
 - (ii) the preparation or delivery of the aircraft following its purchase or transfer of operator;
 - (iii) the positioning of an Australian aircraft from a location outside Australia to any place at which any ELTs required to be fitted to the aircraft by this Division will be registered with AMSA; or
 - (b) the aircraft is:
 - (i) fitted with an operative radio capable, in the event of an emergency, of alerting an appropriate person in relation to the emergency; or

- (ii) otherwise capable of continuous communication with a person on the ground during the aircraft's flight.

[8] Paragraph 26.65 (1) (b)

omit

Talgarno

insert

Anna Plains

[9] Section 26.67, Definitions

insert

UK CAP 1391 means Civil Aviation Authority of the United Kingdom document number CAP 1391 titled *Electronic conspicuity devices*, 2nd edition, dated April 2018, or any later edition.
