



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX36/24

I, STEVEN JAMES CAMPBELL, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under subregulation 42ZC(6) of the *Civil Aviation Regulations 1988* and regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed S. Campbell]

Steven Campbell

Executive Manager, National Operations & Standards

28 August 2024

CASA EX36/24 — Carrying Out and Supervising Maintenance (Ex-Armed Forces, Historic and Replicas of Class B Aircraft) Instrument 2024

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1 Name

This instrument is *CASA EX36/24 — Carrying Out and Supervising Maintenance (Ex-Armed Forces, Historic and Replicas of Class B Aircraft) Instrument 2024*.

2 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) is repealed at the earlier of the following:
 - (i) the commencement of Parts 1 and 2 of Schedule 1 to the *Civil Aviation Legislation Amendment (Part 43—Maintenance of Aircraft) Regulations 2024*;
 - (ii) the end of 31 July 2027.

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. These include: **aircraft welding authority**, **airworthiness authority**, **Australian territory**, **class B aircraft**, **ex-armed forces aircraft**, **experimental certificate**, **historic aircraft** and **limited category certificate**.

carrying out maintenance on an aircraft has the meaning given by Part 3 of the CASR Dictionary.

relevant class B aircraft means any of the following aircraft that is operated under a limited category certificate or an experimental certificate:

- (a) an ex-armed forces aircraft;
- (b) an historic aircraft;
- (c) a replica of a class B aircraft.

supervising, in relation to maintenance being carried out, has the meaning given by Part 3 of the CASR Dictionary.

4 Authorisation — carrying out maintenance on relevant class B aircraft

- (1) For subregulation 42ZC(6) of CAR, a person is authorised to carry out maintenance on a relevant class B aircraft in Australian territory if the maintenance is carried out:
 - (a) under the supervision of a person who holds:
 - (i) an aircraft welding authority covering the maintenance, as mentioned in subsection (2); or
 - (ii) an airworthiness authority covering the maintenance; or
 - (iii) an authorisation under subregulation 42ZC(6) of CAR covering the maintenance; and
 - (b) in accordance with any conditions subject to which the authorisation mentioned in subparagraph (a)(i), (ii) or (iii) was given, other than a condition compliance with which is exempted under section 5, 6 or 7.
- (2) For subparagraph (1)(a)(i), an aircraft welding authority covers the maintenance if the authority is issued for the type of manual welding and the parent metal group that is appropriate to that kind of maintenance.

Note Under paragraph 33D(6)(a) of CAR, CASA must, if it grants an aircraft welding authority, note the relevant type of manual welding and parent metal group on the authority.

5 Exemption — supervisor who holds an aircraft welding authority

- (1) This section applies to a person (a **supervisor**) who supervises the carrying out of maintenance by a person authorised under subsection 4(1), on the basis of holding an aircraft welding authority covering the maintenance.
- (2) The supervisor is exempt from compliance with subregulation 33I(3) of CAR, to the extent that the subregulation requires the supervisor to meet a condition set out in the aircraft welding authority that prohibits them from supervising the carrying out of maintenance by a person authorised under subsection 4(1).

6 Exemption and condition — supervisor who holds an airworthiness authority

Exemption

- (1) This section applies to a person (a *supervisor*) who supervises the carrying out of maintenance by a person authorised under subsection 4(1), on the basis of holding an airworthiness authority covering the maintenance.
- (2) The supervisor is exempt from compliance with subregulation 33B(4) of CAR, to the extent that the subregulation requires the supervisor to meet a condition of the airworthiness authority that prohibits them from supervising the carrying out of maintenance by a person authorised under subsection 4(1).

Condition — supervisor who holds particular kind of airworthiness authority

- (3) Subsection (4) applies to a supervisor who holds an airworthiness authority issued, in accordance with paragraph 3.2 of Civil Aviation Order 100.24, in respect of a maintenance function to be performed on:
 - (a) a particular class B aircraft; or
 - (b) a type, series or group of:
 - (i) class B aircraft; or
 - (ii) engine of class B aircraft; or
 - (iii) systems of class B aircraft; or
 - (iv) installations of class B aircraft.
- (4) It is a condition on the exemption mentioned in subsection (2) that the supervisor must not supervise the carrying out of maintenance by a person authorised under subsection 4(1) unless the person is performing a maintenance function on:
 - (a) a particular relevant class B aircraft, in respect of which the airworthiness authority was issued to the supervisor; or
 - (b) a type, series or group of relevant class B aircraft, in respect of which the airworthiness authority was issued to the supervisor; or
 - (c) an engine, system or installation of a relevant class B aircraft, in respect of which the airworthiness authority was issued to the supervisor.

Note Under subregulation 33B(2) of CAR, an airworthiness authority may be issued subject to conditions specified in the airworthiness authority, in Civil Aviation Orders or in both.

7 Exemption — supervisor who holds an authorisation under subregulation 42ZC(6) of CAR

- (1) This section applies to a person (a *supervisor*) who supervises the carrying out of maintenance by a person authorised under subsection 4(1), on the basis of holding an authorisation under subregulation 42ZC(6) of CAR covering the maintenance.
- (2) The supervisor is exempt from compliance with subregulation 42ZC(8) of CAR, to the extent that the subregulation requires the supervisor to meet a condition in the authorisation that prohibits them from supervising the carrying out of maintenance by a person authorised under subsection 4(1).