



Australian Government

Civil Aviation Safety Authority

Instrument number CASA 157/12

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, make this instrument under paragraph 11.275 (1) (d) of the *Civil Aviation Safety Regulations 1998*.

[Signed John F. McCormick]

John F. McCormick
Director of Aviation Safety

31 May 2012

Determination — provisions of MOS amendment are of a minor or machinery nature

1 Determination

I determine that the amendments to the Part 147 Manual of Standards in items 3, 4 and 5 of Schedule 1 of the *Part 147 Manual of Standards Amendment Instrument 2012 (No. 1)* are of a minor or machinery nature that do not substantially alter existing arrangements.

Statement of Reasons

Civil Aviation Safety Regulations 1998

Part 147 Manual of Standards Amendment Instrument 2012 (No. 1)

Determination — provisions of MOS amendment are of a minor or machinery nature

Purpose

The Determination (CASA 157/12) relieves CASA of the requirement to comply with the procedures for consultation set out in Subpart 11.J of *Civil Aviation Safety Regulations 1998* (CASR 1998) before issuing amendments to the Part 147 Manual of Standards (the **MOS**).

Background

Under subsection 98 (1) of the *Civil Aviation Act 1988* (the *Act*), the Governor-General may make regulations for the Act and in the interests of the safety of air navigation. These regulations are contained in CASR 1998. In particular, Part 147 of CASR 1998 (**CASR Part 147**), Continuing airworthiness – maintenance training organisations (**MTO**), sets out requirements for approval as an MTO and requirements that apply to an MTO.

Under regulation 147.015 of CASR 1998, CASA is empowered to issue a MOS for CASR Part 147, setting out matters affecting the airworthiness or maintenance of aircraft. Paragraph 147.A.140 (a) of the MOS specifies information that an MTO must include in its exposition, including the following information specified at subparagraphs 13 and 15:

13. the MTO's procedures regarding the way in which any requirement on the MTO in this MOS will be complied with;
15. procedures detailing how the MTO will comply with any of the requirements set out in this MOS.

Regulation 11.275 of CASR 1998 requires CASA to comply with the procedures for consultation set out in Subpart 11.J of CASR 1998 before issuing or amending a MOS, unless the Director of Aviation Safety determines, in writing, that 1 of 5 specified circumstances exists. One of those circumstances is that the MOS, or the amendment of the MOS, is of a minor or machinery nature that does not substantially alter existing arrangements.

Reasons for Determination

The information required by subparagraph 147.A.140 (a) 13 of the MOS to be included in an MTO's exposition is covered by subparagraph 147.A.140 (a) 15 of the MOS. Therefore, subparagraph 147.A.140 (a) 13 is redundant and can be removed from the MOS.

Part 147 Manual of Standards Amendment Instrument 2012 (No. 1) will amend the MOS as set out in Schedule 1 of that instrument. The amendments in items 3, 4 and 5 of Schedule 1 will remove a redundant provision by omitting subparagraph 147.A.140 (a) 13, and make minor consequential changes.

Therefore, the amendments in items 3, 4 and 5 of Schedule 1 of *Part 147 Manual of Standards Amendment Instrument 2012 (No. 1)* are of a minor or machinery nature that do not substantially alter existing arrangements.