



**PART 43 GA/AWK CONTINUING AIRWORTHINESS AND MAINTENANCE REGULATIONS PROJECT
ASAP TECHNICAL WORKING GROUP
TASKING INSTRUCTIONS AND FOURTH TWG MEETING REPORT**

The Part 43 Technical Working Group (TWG) is established and operates in accordance with the Terms of Reference of the Aviation Safety Advisory Panel (ASAP) dated September 2021 (or as amended).

PURPOSE

The role of the TWG will be to provide relevant technical expertise and industry sector insight for the development of legislation in accordance with the agreed policy principles.

The TWG will:

- Provide industry sector insight and understanding of current needs and challenges
- Provide current, relevant technical expertise for the development, analysis and review of legislative and non-legislative solutions to the identified issues
- Assist with the development of policies, regulations, advisory materials and transition strategies
- Provide endorsement and or conditional endorsement of policies, regulations, advisory materials and transition strategies for consideration by the ASAP and CASA.

KEY PRINCIPLES

The following principles for the reform are:

- compliance with the standards set by the ICAO for general aviation*
 - Annex 6 Part II — International General Aviation — Aeroplanes
 - Annex 6 Part III, Section III — International General Aviation — Helicopters
- a regulatory structure based to the maximum practical extent on an established and appropriate international standard
- minimum regulatory compliance burden consistent with ensuring a level of safety appropriate for the GA and AWK sectors
- any changes are intended to be cost neutral or provide savings for the GA and AWK sectors wherever possible.

** ICAO recognises AWK as a distinct aspect of civil aviation but has not prescribed AWK standards since ICAO separated AWK from GA in 1990.*

SPECIFIC OBJECTIVES

The project has three key components:

1. **Regulation model.** Review ICAO standards and international legislation with a view to adopting the model that most closely meets the key principles for the reform.
2. **Legislation.** Review the existing Australian legislation against the selected international legislation and determine:
 - a. Any differences from the selected international legislation that are essential to address unique Australian conditions.
 - b. Transitional strategies to minimise the disruption to current industry.
3. **Detailed policy development.** Prepare a comprehensive document setting out the detailed policy settings required for provision of drafting instructions

REPORTING ARRANGEMENTS

The TWG will provide a status report to the regular meetings of the ASAP on progress.

Recommendations and reports of the working group will be provided to the Chair of the ASAP, through the secretariat.

ROLES AND RESPONSIBILITIES

CASA	TWG Members
<ul style="list-style-type: none"> Organise meetings and workshops, and produce agendas, papers and supporting materials Facilitate meetings and workshops Record insights and findings Communicate openly and consistently with working group members about project status and issues Respect the time of all working group members by minimising work required to achieve outcomes 	<ul style="list-style-type: none"> Commit to supporting the project objectives and timeline Engage and collaborate constructively at all times Prepare for working group activities by reviewing agendas, papers and supporting materials Provide timely and considered advice in meetings, and between meetings as required Respond to requests for feedback on draft materials within agreed timeframes

CONSENSUS

A key aim of the TWG is that a consensus be reached, wherever possible, in the finalisation and preparation of advice for the Aviation Safety Advisory Panel and CASA.

The TWG will be guided by the ASAP Terms of Reference (Section 6) with respect to determining and documenting consensus.

MEMBERSHIP

Jeff Boyd**	Darren Barnfield	Peter Pring-Shambler
Warren Bossie	Andrew Bishop	Leslie McChesney
Perry McNeil		

** Unable to attend the TWG meeting

CASA was represented by Ben Challender, Neil Stallard, Mick Poole and Brett Clowes.

The ASAP Secretariat was represented by Kirstie Winter and Chace Eldridge.

MEETING SUMMARY – 30 March 2022

- Discussions around aircraft transitioning from Part 43 into the air transport category. Commercial consideration will be needed for operators but further technical guidance from CASA is also necessary.
- It was established that aircraft operators can run aircraft within fleets under different maintenance standards. However, aircraft performing any air transport work will need to be maintained to that standard.
- Air Transport Continuing Airworthiness (ATCA) TWG was summarised. Questions were raised around DAMP management and SMS systems under Part 43. A practical approach is required. Independent LAMEs will not be subject to Part 99, only those under Part 145. It was discussed that CAR 30 transition into future regulations should remain in the ATCA TWG.
- A suitable transition time was discussed. The TWG recommended a 3-year period with various compliance checkpoints throughout that time.

PROCESS FOR ACHIEVING CONSENSUS

As required by the ASAP (& TWG) Terms of reference, there must be agreement by all participants on the method used for obtaining consensus.

To obtain consensus, the quorum of six, agreed with the outcomes captured in this report in accordance with the ASAP terms of reference. All feedback was captured by the ASAP Secretariat.

The CASA Lead has also provided commentary of the effectiveness of the TWG and whether it's believed that the recorded outcomes are a fair representation of the TWG from a CASA perspective.

SUMMARY OF OUTCOMES – TWG Meeting, Virtual – 30 March 2022

A. Does the TWG recommend the current draft CASR Part 43 Regulations for public consultation?

CONSENSUS / GENERAL CONSENSUS / DISSENT

Comments:

The TWG reached a consensus in recommending the draft CASR Part 43 Regulations for public consultation. The TWG felt the material was well-drafted and should be accompanied by the Plain English Guide. If there are major changes as a result of public consultation, it would be appropriate for the TWG to meet again.

B. Does the TWG recommend the current draft CASR Part 43 Manual of Standards for public consultation?

CONSENSUS / GENERAL CONSENSUS / DISSENT

Comments:

The TWG reached a consensus in recommending the draft CASR Part 43 Manual of Standards (MOS) for public consultation. The TWG stated the MOS was comprehensive and that it would be appropriate to release the material in sections, with any accompanying explanatory materials or information as it was provided to them. As above, any future major changes should result in the TWG meeting again.

C. Additional Considerations?

CONSENSUS / GENERAL CONSENSUS / DISSENT

Comments:

The TWG believes the materials released for public consultation should have an introductory statement outlining the extensive process thus far and a timeframe for implementation. The suggested timeframes were 3 years, with progressive compliance checkpoints throughout that time. This will emphasise to industry that these changes are coming and reduce scepticism of the regulatory process.

The TWG felt there should also be an emphasis on education of the operators affected by the changes. Specifically, helping current CAR 30 and registered operators understand how their businesses will be impacted.

The TWG also noted that their consensus to public consultation is subject to availability of materials advising how aircraft owners and maintenance personnel can transition between part 43 and Air Transport Categories. This needs to be clearly defined for industry prior to consultation. Additional is

subject to their questions around the transitioning of operators using CAR 30 who may fall under both Part 43 and Part 145.

CASA Lead Summary

Mick English

Comment:

The TWG members demonstrated a clear understanding of the PEG, regulation and MOS. The CASA Part 43 team appreciated the co-operative and constructive tone of the meeting and have commenced action to:

- provide clear guidance for registered operators about the ramifications of moving an aircraft from Part 43 maintenance to Part 42 maintenance for air transport operations,
- amend the Part 43 transitional provisions to provide for a 3-year period in which a CAR 30 COA holder can decide whether to take up an AMTC option under Part 43 or move to a Part 145 approval.

The CASA team appreciated the TWG members having taken the time to read the necessarily large volume of legislation and supporting documentation.