



Fatigue – limited or minor non-compliance (minor variation)

Initial issue/change /renew

CAO 48.1 Instrument 2019 Section 5A



Download this form before you begin

Please download and complete with Adobe Acrobat. If you're using a browser to complete this form you may lose your information. Send this form and any attachments to regservices@casa.gov.au.

Purpose of this form

Use this form to apply for an initial issue, renewal of or change to a non-compliance approval issued under Civil Aviation Order 48.1 Instrument 2019 Section 5A.

Who is this form for?

This form is for operators who wish to apply for an initial issue, renewal or change to limited or minor non-compliance approval from requirements of CAO 48.1 2019.

For the purposes of this form the terminology limited or minor non-compliances and minor variations is interchangeable.

CASA's approach to assessing these non-compliances can be found in the [Minor Variation Policy](#).

Applicants applying for either an initial issue or change to a non-compliance approval are encouraged to contact CASA for a pre-application meeting with CASA fatigue specialists. CASA will advise whether:

- a non-compliance approval will meet their objectives, or
- the change sought requires a change to an existing approval or initial issue application.

Contact regservices@casa.gov.au when you are ready to schedule this meeting.

Information needed to complete this form

A separate application is required for each CAO 48.1 Appendix that is relevant to the variation

Operators who wish to apply for a minor variation should review the information available on the [CASA website](#) before completing this form.

Aviation Reference Number (ARN)

An ARN is required to complete this form. If you do not have an ARN, [apply now](#).

If you are applying on behalf of an organisation, you will need to have authority to act on the entity's (applicant's) behalf and be able to provide the organisation's ARN.

Contact details

It is important the contact details on the ARN profile are current. CASA uses these contact details when processing this application.

If your address, contact or other details have changed, you must update them prior to lodging this form. You can do this by [changing your details](#) on the CASA website.

Failure to provide up to date contact details to CASA could result in additional fees being charged under the *Civil Aviation (Fees) Regulations 1995* and may constitute a criminal offence.

For more information

Go to the [CASA website](#) or [contact us](#).

Applicant

1 What are the **applicant** details?

Your contact details must be current. Update contact details via [changing your details](#).

Legal entity/full name

ARN

ABN/ACN (if applicable)

Phone number

Email address

Contact person

2 What are the **contact person** details?

Contact details will be used for this application only, including any questions and/or fee estimates.

Full name

ARN

Position (Agent, Accountable Manager)

Phone number

Email address

3 What are you **applying** for?

Initial issue → [Go to 4](#)

Change → [Go to 6](#)

Renew → [Go to 8](#)

Authorisations

4 What authorisations relevant to this application are currently held by the applicant?

Part 121,133,135,142 or 131 AOC

Part 138 certificate

Part 141 certificate

Details of limited or minor non-compliance

5 What appendix are you currently operating against for the operation covered by this application? (Select one)

Refer to CAO 48.1

Appendix 2

Appendix 3

Appendix 4

Appendix 4A

Appendix 4B

Appendix 5

Appendix 5A

Appendix 6

A separate application is required for each operation that is the subject of a non-compliance

6 What date do you request the approval for non-compliance (initial/change) to commence?

Allow at least 90 days from application date

Date (DD/MM/YYYY)

/ /

For a change (variation) that does not include renewal


→ [Go to 8](#)

Non-compliance

7 For initial applications what are the particulars of the requested non-compliance?

If non-compliance is sought from CAO 48.1 Parts 1 to 3 and/or an appendix identify the provisions by section and sub-clause number. An application for non-compliance must be articulated by reference to a specific operation.

Either CAO 48.1 Part 1 to 3 or Appendix provision	Description of non-compliance

 **Attach additional pages if required**

Operational context

8 Why do you require the approval?

For initial or change applications provide detailed reason why you require the approval, including the particular route, or other characteristic of your operations that the approval will be applicable to. For renewal applications, it is acceptable to insert 'no change' in the field below.

 **Attach your safety case and if required additional operational context details**

Operational imperatives

9 What are the operational imperatives for the approval?

For initial or change applications substantiate the cost to your operations on a particular route, or other characteristic of your operations, if the approval is not granted. (i.e. if you are required to operate under the relevant appendix or provision of the CAO 48.1). Details must be provided.

For renewal applications, it is acceptable to insert 'no change' in the field below.

 **Attach additional operational imperative details, if required**

Safety Case

10 What is the Safety Case for the non-compliance?

The non-compliance is assumed to increase fatigue risk. CASA must be satisfied that compliance with the approval, including any conditions of the approval, will preserve an acceptable level of aviation safety. The safety case **must** include:

- identification of the fatigue hazards and risks generated by the non-compliance.
- a list of the fatigue risk mitigations to address the increased risk of the non-compliance (section 7), in addition to the CAO 48.1 requirements for the operation,
- a proposed system for collection and analysis of FCM alertness data
- procedures for escalating fatigue risk issues
- evidence of an operational safety management system

For renewal applications, it is acceptable to insert 'safety reviewed - no changes required' in the field below.

For change applications a revised safety case is required

 **Attach additional Safety Case information if required**

Application checklist

11 Required attachments:

Note: These attachments are **mandatory**

For **initial application**:

Fatigue Management manual
Fatigue hazard and mitigation register
completed relevant technical assessor worksheet
SMS manual
other attachments please specify:

For **renewal application**:

Fatigue Management Manual – latest revision
records of the occasions that the non-compliance has been
utilised in the previous 12 months
records of compliance with the conditions of the non-
compliance approval
other attachments please specify:

For **change (variation) application**:

Fatigue Management Manual – latest revision
Fatigue hazard and mitigation register
SMS manual - latest revision
other attachments please specify:

Declaration

12 I declare:

- All statements in this notice are true and correct.

I acknowledge by providing my details below and submitting this application:

- This satisfies the requirement for me to sign this application.
- I have read and understand all provisions of the CASA Minor Variations Policy-CAO 48.1

Declaration continued

- I may commit an offence under the *Criminal Code Act 1995* if I make a false or misleading statement in my application.
- I agree to provide (de-identified) fatigue risk management data to CASA.
- We may also use your licensing information in deidentified form for aviation safety research/analysis.

Privacy

Any personal information you provide to CASA, as part of this application, is protected by the *Privacy Act 1988*.

We will use the information provided to process this application and may also use it to conduct identity/security checks. Without your consent, we may not be able to process your application.

To meet our accountability obligations, we may disclose this information:

- to other government agencies or other national aviation authorities for certain purposes, and
- to comply with court orders and other legal requirements.

For more information about how we use, disclose and protect your personal information, see our [privacy statement](#) and [privacy policy](#).

Fees

I acknowledge CASA will provide a fee estimate, which will be sent to the contact for this application.

I accept if this application is withdrawn or refused by CASA, or if CASA is unable to assess this application because I have failed to provide the required information and/or documentation, I am liable to pay CASA fees for work conducted.

- I declare and acknowledge the above matters.
- I consent to CASA using my licensing information and other personal information for the above purposes.
- I have read CASA's privacy policy and I authorise CASA to use and disclose the information it collects for this application in accordance with that policy.

Full name

Date (DD/MM/YYYY)

/ /

In what capacity are you making this declaration?

For example: CEO or Accountable Manager

Submitting this form to CASA



By email – send this form with all supporting documents attached to regservices@casa.gov.au