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Australian Government  
Civil Aviation Safety Authority

**MULTI-PART  
ADVISORY CIRCULAR  
AC 119-07 AND AC 138-03 v2.5**

**Management of change for air  
transport and aerial work  
operators**

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### Acknowledgement of Country

The Civil Aviation Safety Authority (CASA) respectfully acknowledges the Traditional Custodians of the lands on which our offices are located and their continuing connection to land, water and community, and pays respect to Elders past, present and emerging.

Artwork: James Baban.

Advisory circulars are intended to provide advice and guidance to illustrate a means, but not necessarily the only means, of complying with the Regulations, or to explain certain regulatory requirements by providing informative, interpretative and explanatory material.

**Advisory circulars should always be read in conjunction with the relevant regulations.**

## Audience

This advisory circular (AC) applies to:

- Australian air transport operators and aerial work operators (future versions will encompass other aviation sectors)
- key personnel, executives, and managers of Australian air transport and aerial work operators
- persons who have responsibilities to an operator related to management of change or strategic planning
- persons who have responsibilities to an operator related to the maintenance of exposition or operations manual documentation
- persons who have responsibilities to an operator related to the maintenance of manuals that make up a subset of an exposition or operations manual
- developers of expositions and operations manuals.

## Purpose

This AC provides guidance to persons involved in the air transport and aerial work sectors seeking an improved understanding of the process of management of change. It explains the concept of management of change in the regulatory context outside the scope of an SMS and provides guidance for the development of management of change processes and procedures. It will assist organisations to appropriately classify changes and subsequently comply with their regulatory obligations.

This version of the AC focusses on the requirements in the CASR for Australian air transport operators and aerial work operators to have management of change processes.

## For further information

For further information or to provide feedback on this AC, visit CASA's [contact us](#) page.

Unless specified otherwise, all subregulations, regulations, Divisions, Subparts and Parts referenced in this AC are references to the *Civil Aviation Safety Regulations 1998 (CASR)*.

## Status

This version of the AC is approved by the National Manager, Flight Standards Branch.

**Note:** Changes made in the current version are annotated with change bars.

**Table 1: Status**

Version	Date	Details
v2.5	July 2025	Updated to include reference to fireground personnel carriage operations which are a new kind of aerial work operation under Part 138 of CASR. Other minor editorial updates have also been made.
v2.4	March 2025	The following changes have been made: <ul style="list-style-type: none"><li>document title changed from 'Management of change for aviation organisations' to the narrower and intended scope of 'Management of change for air transport and aerial work operators'</li><li>updates to the name and number of exemption instruments and the Part 61 aircraft and type ratings instrument</li><li>in the change scenario example in Appendix B, the reference to the deferral of SMS requirements for some operators was deleted as it is not relevant to the scenario example.</li></ul>
v2.3	August 2022	Some hyperlinks updated. Minor amendments to the Change workflow process diagram in Appendix A, Annex A and Annex B. Added extra explanation of the Part 119 significant change element relating to areas of operations and routes to section D.7 of Appendix D.
v2.2	October 2021	Revision to Appendix D due to sections 6 and 7 of CASA EX 82/21. Revision to Appendix E due to section 19 of CASA EX 86/21.
v2.1	July 2021	Minor editorial amendment to Chapter 4.3.
v2.0	June 2021	Revised Change workflow process diagram and editorial changes. Addition of annexes.
v1.0	December 2020	Initial issue of this AC.

# Contents

Audience	3
Purpose	3
For further information	3
Status	4
<b>1 Reference material</b>	<b>7</b>
1.1 Acronyms	7
1.2 Definitions	7
1.3 References	10
1.4 Forms	11
<b>2 Introduction</b>	<b>12</b>
<b>3 What is management of change?</b>	<b>13</b>
<b>4 The management of change process</b>	<b>14</b>
4.1 Overview	14
4.2 Elements of a management of change process	14
4.3 Two simple scenarios of a change process	16
<b>5 Regulatory requirements - management of change process</b>	<b>18</b>
5.1 The requirement for a management of change process	18
5.2 Significant and non-significant changes	18
5.3 Understanding the definition of significant change	20
5.4 Determining the effect on aviation safety	20
5.5 Operator process for making changes	21
<b>Appendix A Management of change process diagram</b>	<b>22</b>
<b>Appendix B Case Study 1 - Fleet expansion</b>	<b>23</b>
B.1 Determining significant versus non-significant change	23
<b>Appendix C Case Study 2 - Key personnel change</b>	<b>25</b>
C.1 Organisational change of key personnel - dual roles	25
C.2 Application review	25
C.3 Assessment outcome	25
<b>Appendix D Part 119 change considerations</b>	<b>27</b>
D.1 Part 119 Significant change considerations	27
D.2 Main operating base	27
D.3 Operator's key personnel	27
D.4 Formal reporting lines	29
D.5 Operator's change process	29
D.6 Kinds of operation	29
D.7 Areas/routes of operation	29
D.8 Aircraft types	30
D.9 Operation of foreign-registered aircraft	31

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<b>Appendix E</b>	<b>Part 138 change considerations</b>	<b>32</b>
E.1	Part 138 Significant change considerations	32
E.2	Operator's key personnel	33
E.3	Formal reporting lines	34
E.4	Operator's change process	34
E.5	Kinds of operation	35
E.6	Class D external load operations	35
E.7	Instrument flight rules or visual flight rules operations	35
E.8	Type or Class rating operations	35
E.9	Determining the effect on aviation safety	36
 <b>Annex A - Management of change for aviation organisations without SMS - Sample Template</b>		<b><a href="#">A1</a></b>
<b>Annex B - Management of change for aviation organisations with SMS - Sample Template</b>		<b><a href="#">B1</a></b>

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# 1 Reference material

## 1.1 Acronyms

The acronyms and abbreviations used in this AC are listed in the table below.

**Table 2: Acronyms**

Acronym	Description
AC	advisory circular
AOC	Air Operator's Certificate
CAR	<i>Civil Aviation Regulations 1988</i>
CASA	Civil Aviation Safety Authority
CASR	<i>Civil Aviation Safety Regulations 1998</i>
CEO	Chief Executive Officer
HOFO	Head of Flying Operations
HOO	Head of Operations
HOTC	Head of Training and Checking
SM	Safety Manager

## 1.2 Definitions

Terms that have specific meaning within this AC are defined in the table below. Where definitions from the civil aviation legislation have been reproduced for ease of reference, these are identified by 'grey shading'. Should there be a discrepancy between a definition given in this AC and the civil aviation legislation, the definition in the legislation prevails.

**Table 3: Definitions**

Term	Definition
aerial work operation	<ol style="list-style-type: none"> <li>1. An aerial work operation means one or more of the following (and each of the following is a kind of aerial work operation): <ol style="list-style-type: none"> <li>a. an external load operation;a dispensing operation;</li> <li>c. a task specialist operation;</li> <li>d. an operation of a kind prescribed by the Part 138 Manual of Standards for the purposes of this paragraph.</li> </ol> <p><b>Note:</b> A <i>fireground personnel carriage operation</i> is prescribed to be a kind of aerial work operation in section 3.01AA of the Part 138 MOS.</p> </li> <li>2. Despite subregulation (1), an aerial work operation does not include the following:a medical transport operation;an external load operation involving winching a person, if the operation is conducted as part of an air transport operation; <ol style="list-style-type: none"> <li>c. glider towing;</li> </ol> </li> </ol>

Term	Definition
	<ul style="list-style-type: none"> <li>d. a person undertaking a parachute descent;</li> <li>e. an aerial application operation (including any external load operation undertaken as part of that operation) to apply fire retardants (including water), or oil or chemical dispersants, if the operation is conducted by a person holding a civil aviation authorisation under Part 137 to undertake the operation;</li> <li>f. any other aerial application operation;</li> <li>g. any other operation of a kind prescribed by the Part 138 Manual of Standards for the purposes of this paragraph.</li> </ul> <p><b>Note:</b> Multiple operations are prescribed to not be an aerial work operation in section 3.01 of the Part 138 MOS. These operations include an aircraft towing a thing where the requirement in paragraph 91.210(2)(a) of CASR is met, the flight test of an experimental aircraft conducted under an experimental certificate, a maintenance test flight, a thing dropped by a person undertaking a parachute descent under Part 105 of CASR, and aerial spotting carried out in a weight-shift-controlled aeroplane type certificated in the primary category where the operation is administered by a sport aviation body.</p>
air transport operation	<ul style="list-style-type: none"> <li>1. An air transport operation is a passenger transport operation, a cargo transport operation or a medical transport operation, that: <ul style="list-style-type: none"> <li>a. is conducted for hire or reward; or</li> <li>b. is prescribed by an instrument issued under regulation 201.025.</li> </ul> </li> <li>2. Despite subclause (1), an air transport operation does not include an aerial work operation or a balloon transport operation.</li> </ul>
Australian air transport operation	<ul style="list-style-type: none"> <li>1. An operation is an Australian air transport operation if the operation is any of the following: <ul style="list-style-type: none"> <li>a. an air transport operation conducted by an Australian operator using a registered aeroplane or rotorcraft;</li> <li>b. an air transport operation: <ul style="list-style-type: none"> <li>i that is a flight into or out of Australian territory or an operation in Australian territory; and</li> <li>ii that is conducted by an Australian operator using an aeroplane or rotorcraft that is a foreign registered aircraft;</li> </ul> </li> <li>c. an air transport operation: <ul style="list-style-type: none"> <li>i that is conducted by an Australian operator using an aeroplane or rotorcraft; and</li> <li>ii that is provided for under the ANZA mutual recognition agreements;</li> </ul> </li> <li>d. an air transport operation conducted by a foreign operator: <ul style="list-style-type: none"> <li>i using an aeroplane or rotorcraft that is a foreign registered aircraft; and</li> <li>ii undertaken wholly within Australia; and</li> <li>iii not undertaken as part of a flight into or out of Australian territory;</li> </ul> </li> <li>e. an operation, conducted using an aeroplane or rotorcraft, of a kind prescribed by the Part 119 Manual of Standards for the purposes of this paragraph.</li> </ul> </li> <li>2. However, each of the following is not an Australian air transport operation: <ul style="list-style-type: none"> <li>a. the operation of an aeroplane or rotorcraft under a permission under: <ul style="list-style-type: none"> <li>i section 25 (non-scheduled flights by foreign registered aircraft) of</li> </ul> </li> </ul> </li> </ul>

Term	Definition
	<p>the Act; or</p> <p>ii section 27A (permission for operation of foreign registered aircraft without AOC) of the Act;</p> <p>b. an air transport operation authorised by a New Zealand AOC with ANZA privileges that is in force for Australia;</p> <p>c. an operation of an aircraft to which Part 129 (foreign air transport operations) of these Regulations applies;</p> <p>d. an operation, conducted using an aeroplane or rotorcraft, of a kind prescribed by the Part 119 Manual of Standards for the purposes of this paragraph.</p> <p><b>Note:</b> See Part 129 for provisions relating to foreign operators conducting flights into or out of Australian territory, or flights wholly within Australian territory that are conducted as part of flights into or out of Australian territory.</p> <p><b>Note:</b> This note does not form part of the official definition. At the time of publishing v2.5 of this AC, no operations had been prescribed in the Part 119 MOS, and no such MOS had yet been consulted, made, commenced or published.</p>
dispensing operation	means dropping or releasing any substance or object from an aircraft in flight and includes training for such an operation.
external load operation	means carrying or towing a load outside an aircraft in flight and includes training for such an operation.
fireground personnel carriage operation	<p>means an operation:</p> <p>a. conducted by an aerial work certificate holder, for hire or reward, which is tasked by a fireground emergency organisation to carry passengers in a helicopter for the operation:</p> <p>i from a fire helibase in the vicinity of a relevant fireground to the fireground, or from one part of a relevant fireground to another part of the fireground, to carry out a relevant ground activity; or</p> <p>ii from a relevant fireground to a fire helibase in the vicinity of the fireground, after carrying out a relevant ground activity; and</p> <p>b. that involves carrying passengers in a helicopter, for the operation, in accordance with the task mentioned in paragraph (a); and</p> <p>c. unless an exemption under Part 11 of CASR is applicable to, and being used by, the holder — for which the holder meets the requirements stated in paragraphs 4.02(1)(f) and 5.02(1)(a), and Chapter 17A.</p> <p><b>Note 1</b> The passengers are aerial work passengers under section 2.02. <i>[sic - of the Part 138 MOS]</i></p> <p><b>Note 2</b> An effect of this definition is that if any of the elements of the definition are not met, then the transport of the passengers is either a private operation but only if the aerial work certificate holder is not conducting the operation for hire or reward, or a Part 133 operation, with its attendant obligations, if the holder is conducting the operation for hire or reward.</p> <p><b>Note 3</b> Another effect of this definition is that a fireground personnel carriage operation cannot be conducted by a limited aerial work operator.</p> <p><b>Explanatory Note (not part of the definition):</b> The references in this definition to paragraphs and a Chapter are references to elements of the Part 138 MOS. The MOS is not specifically mentioned in the definition because the definition is contained in the MOS. This definition</p>

Term	Definition
	incorporates the use of multiple other defined terms, including <i>fireground emergency organisation</i> , <i>fire helibase</i> , <i>fireground</i> and <i>relevant ground activity</i> . These supporting definitions are also contained in the Part 138 MOS.
key personnel	<p>key personnel:</p> <ol style="list-style-type: none"> <li>for an Australian air transport operator—means the people (however described) that hold, or carry out the responsibilities of, the following positions in the operator's organisation: <ol style="list-style-type: none"> <li>the positions mentioned in paragraphs (a), (b) and (d) of the definition of key personnel in subsection 28(3) of the Act;</li> <li>the safety manager; or</li> </ol> </li> <li>for an aerial work operator—means the people that hold, or carry out the responsibilities of, the following positions in the operator's organisation: <ol style="list-style-type: none"> <li>chief executive officer;</li> <li>head of operations;</li> <li>if the operator is required by regulation 138.125 to have a training and checking system—head of training and checking;</li> <li>if the operator is required by regulation 138.140 to have a safety management system—safety manager;</li> </ol> </li> </ol>
significant change	<p>See regulations 119.020 and 138.012 as appropriate.</p> <p>See also section 7 of CASA EX68/24 that modifies the effect of regulation 119.020.</p>
task specialist operation	means carrying out a specialised activity using an aircraft in flight and includes training for such an activity.

## 1.3 References

### Legislation

Legislation is available on the Federal Register of Legislation website <https://www.legislation.gov.au/>

**Table 4: Legislation references**

Document	Title
Part 91 of CASR	General operating and flight rules
Part 119 of CASR	Australian air transport operators certification and management
Part 138 of CASR	Aerial work operations
Part 138 MOS	Part 138 (Aerial Work Operations) Manual of Standards 2020
CASA EX68/24	Part 119 of CASR – Supplementary Exemptions and Directions Instrument 2024
CASA EX72/24	Part 138 and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024
CASA EX73/24	Flight Operations Regulations – SMS, HFP&NTS and T&C Systems – Supplementary Exemptions and Directions Instrument 2024

## Advisory material

CASA's advisory materials are available at <https://www.casa.gov.au/publications-and-resources/guidance-materials>

**Table 5: Advisory material references**

Document	Title
AC 1-01	Understanding the legal framework
AC 1-02	Guide to the preparation of expositions and operations manuals
AC 11-04	Approvals under CASR Parts 91, 103, 119, 121, 129, 131, 132, 133, 135, 138 and 149 (including MOS)
AC 138-01	Part 138 Core Concepts
Part 119 AMC/GM	Acceptable means of compliance and guidance material - Australian air transport operators certification and management
Part 138 AMC/GM	Acceptable means of compliance and guidance material – Aerial work operations

## 1.4 Forms

CASA's forms are available at <http://www.casa.gov.au/forms>

**Table 6: Forms**

Form number	Title
	<a href="#">Application - Aerial Work Operations (CASR Part 138)</a>
	<a href="#">Application - Air Operator's Certificate / Associated Approvals (CASR Part 119)</a>
	<a href="#">Notification - Non-significant changes (CASR Parts 119, 131 and 138)</a>

## 2 Introduction

This AC discusses management of change in the regulatory context. It is aimed at Australian air transport Air Operator's Certificate (AOC) holders and aerial work certificate holders that are required to have change processes. It seeks to explain the concept of management of change outside the scope of an SMS. It includes consideration of significant changes which require CASA approval, and the provision of guidance for the development of management of change processes and procedures.

The annexes to this AC provide template procedures that CASA believes most aircraft operators could use to comply with operator change management requirements, with minimal customisation.

Typical changes in aviation organisations might be:

- organisational change such as a new company structure or new key personnel
- operational change such as a new fleet, a new operational contract, introduction of a new major system, the introduction of a new route
- changes to operational or administrative processes or procedures
- physical change such as addition of a new base, moving to a new head office
- editorial changes or amendments to the organisation's documentation.

Change has the potential to introduce new hazards or alter existing risks within an organisation and may require the application of new risk controls. The level of change oversight and the specific change management processes should be proportionate to the potential impact the change may have on the ongoing risks associated with the operation.

By taking a systematic approach to implementing change, organisations can clearly identify the objectives and risks associated with a change and then determine how to effectively and efficiently achieve the change with safety in mind.

Where an organisation is required by the CASR to have a safety management system (SMS), the relevant regulations<sup>1</sup> require that risk management, including guidance materials and specific activities, forms part of the management of change process included in the SMS. Only after completing an initial evaluation of a specific change can an organisation determine whether a more formal risk assessment is required.

For those readers seeking to understand the theoretical and in-depth aspects of aviation related risk management, including its application inside a SMS, it is recommended that you review other CASA SMS resources including [AC 119-01 'Safety Management Systems for Air Transport Operators'](#) and the [CASA SMS resource kit](#).

<sup>1</sup> Regulations 119.190 and 138.140.

### 3 What is management of change?

[AC 119-01 'Safety Management Systems for Air Transport Operators'](#) defines management of change as a formal process to manage changes within an organisation in a systematic manner.

This ensures that the impact of a specific change on previously identified hazards and risk mitigation strategies are identified before the new change is implemented.

The objective is to ensure that safety risks resulting from a change are managed (also referred to as 'controlled') to an acceptable level. Management of Change is sometimes also referred to as Change Management.

Any change within an organisation can create hazards that affect the safety of its operations. Among many other possible reasons, a change might be necessary to meet a business demand so the operation can be more flexible.

While it is desirable that changes be implemented effectively and efficiently, safety should be the principal focus. A change introduced to improve safety may introduce safety risks to another part of the organisation.

Change invariably creates the potential for unintended consequences, and effective management of change should seek to anticipate possible future consequences and consider their impact. Additionally, any flow-on effects should be looked for after the change has been implemented.

## 4 The management of change process

### 4.1 Overview

- 4.1.1 A management of change process should provide a structured framework for managing the change. An operator is required to use their documented process<sup>2</sup>, and this should assist in minimising the inherent risks arising from change and enhancing effectiveness whilst ensuring safety is maintained, or enhanced, and compliance with the respective CASR is achieved.
- 4.1.2 The content in Chapter [4.2 Elements of a management of change process](#) of this AC is advice, it does not mandate that an organisation is compelled to use any of the listed elements in their change process. Sample templates are provided at Annexes A and B for those organisations seeking additional guidance on the construction of a management of change process.

### 4.2 Elements of a management of change process

- 4.2.1 The initiation of a change process can be for many reasons, ranging from complex business and operational needs to the simplest form, where an individual recognises that an editorial issue exists in a document.
- 4.2.2 The regulations do not mandate any specific elements for an organisation's change process; however, a change process will typically consist of the following elements:
- A need is identified to change (a trigger event or circumstance - for example adding a new aircraft to the fleet)
  - A proposal to change is submitted by a change proposer (the person who submits the request to make a change)
  - Evaluation of the change which includes a risk assessment to consider hazards, consequences and likelihood of issues arising from conducting the proposed change and any controls or mitigating measures
  - A person (change approver) in the operator organisation who assesses the acceptability of the identified risks, the proposed changes to operator procedures and authorises the implementation of the change.
  - A register of items (change register) that have been listed for change and includes a status such as draft, submitted for approval, completed etc.
  - The underlying method(s) (change procedures) of completing the organisation's change actions.
- 4.2.3 Where an operator is required to have a SMS<sup>3</sup> then risk assessments will be an activity integrated and managed by the SMS. For other operators a risk assessment can be conducted without the presence of an SMS. Whether as part of an SMS or not, additional guidance on the conduct of risk assessments can be found in the following documents:
- [AC 119-01 SMS for Air Transport operators](#)
  - [Booklet 3 of CASA's SMS resource kit 2nd Edition](#)
  - [AC 138-05 Risk management for aerial work operators](#).

<sup>2</sup> Regulations 119.100, 138.066.

<sup>3</sup> Regulations 119.190, 138.140 and 138.145

- 4.2.4 The elements of a typical change process are not described as an 'acceptable means of compliance' because these elements only represent a framework on which an organisation might build its more detailed processes.

## 4.2.5 Change proposer and change approver

- 4.2.5.1 For smaller aviation operators, a change process may be managed by one or two individuals in the organisation. Often the CEO, HOFO or the SM, is a **change proposer** as well as a **change approver**.
- 4.2.5.2 For larger organisations, it may be appropriate to have an entire department responsible for the management of change, as well as their associated processes and procedures.

**Note:** While it is possible that a larger organisation may be operating in a regulatory environment that does not require implementation of an SMS, many larger organisations will require SMS due to either the type of operations conducted or types of aircraft operated.

- 4.2.5.3 Larger, more complex organisations often need to establish a change committee procedure to ensure change proposals are considered in the context of all organisational functions. For smaller organisations, a committee may not be required, and oversight may be satisfied by ensuring consideration of the matter is conducted at key person level.

## 4.2.6 Risk assessment

- 4.2.6.1 The definition of significant change requires operators to evaluate the changes they make in the context of the effect the change could have on aviation safety<sup>4</sup>.
- 4.2.6.2 Accordingly, any proposed change needs to undergo an evaluation of the hazards that implementation of the change might introduce into the operation. For the simplest changes, this can easily be done by the change approver. For larger or more complex changes, the conduct of a risk assessment is likely to be necessary to understand and consider the risks involved.

## 4.2.7 Change register

- 4.2.7.1 A change register is a simple and effective way of recording the changes the organisation makes and is a useful adjunct to managing change.
- 4.2.7.2 The method chosen by the organisation and the contents of such a document are not legislated, and it should be designed to suit the needs of the organisation. A simple spreadsheet may be appropriate.
- 4.2.7.3 The following is a list of items in a typical change register:
- date entering the proposed change into the register
  - title or summary of the proposed change
  - name of the proposer
  - name of the approver
  - date of approval
  - document reference/amendment/revision number where the change was implemented
  - other organisational references such as the file location, risk register number etc.

<sup>4</sup> Paragraphs 119.020(b), 138.012(c).

## 4.2.8 Change procedures

- 4.2.8.1 Change procedures are the detailed description, in the exposition or operations manual, of how a change process is managed by the organisation. If applicable, the procedures will describe the forms required to be used and provide a flowchart or description of the process to be followed when considering, reviewing and implementing a change.
- 4.2.8.2 The flowchart at Figure 1 in [Appendix A](#) provides a pictorial view of a typical Management of Change process.

## 4.3 Two simple scenarios of a change process

### Scenario A - Application of a change with minimal risk assessment

- For the purposes of this example, the trigger event is an editorial error is detected in the exposition whereby the incorrect phone number has been recorded for the out-of-hours contact point for the person responsible for the rostering of flight crew.

The individual (proposer) suggesting the change (such as replacement text) follows the company procedure and submits the change to the Head of Flying Operations (HOFO). The proposer recommends that the change is suitable for using the organisation's simple change procedure and suggests that a risk assessment is not required.

The HOFO makes an entry into the company change register, noting both the section of the document that requires amendment and where in the company files the item is stored. The HOFO considers the proposed change against the requirements of the company procedure. The HOFO notes that this is an editorial change and records that the change may proceed without a documented risk assessment process. The change is also not a significant change<sup>5</sup> within the meaning of the regulations (many organisations refer to this as a 'non-significant change'). The change proceeds in accordance with the exposition process, which includes filing the required CASA notification for changes that are not significant changes and distributing the revised documents in accordance with the process in the exposition for non-significant changes.

**Note:** The time period applicable to the distribution of non-significant changes will be described in the organisation's exposition or operations manual (as applicable).

### Scenario B - Incorrect application of change with minimal risk assessment

- This example is intended to illustrate a previous change that was not correctly implemented.
- The specific trigger event that causes the sample operator to identify that a previous change was not properly implemented is not particularly important.
- For the purposes of this example, the trigger event is that an editorial change is needed in the exposition where an out of date phone number has been detected for the out-of-hours contact point for a new person responsible for flight crew rostering (rostering coordinator).

The individual (proposer) suggesting the change (such as replacement text) follows the company procedure and submits the change to the Head of Flying Operations (HOFO). The proposer recommends that the change is suitable for use of the organisation's simple change procedure and suggests that a risk assessment is not required.

<sup>5</sup> Refer to Chapter 5 for information about significant change.

The HOFO makes an entry into the company change register, noting both the section of the document that requires amendment and where in the company files the item is stored. The HOFO considers the proposed change against the requirements of the company procedure. The HOFO notes this change is required because of a change of the individual who performs the duties of the company rostering co-ordinator. The HOFO considers that there may be a number of other issues that have not been considered with introducing the new individual. The HOFO reviews the item and requests confirmation that the induction process has been completed for the new individual. It is subsequently determined that the induction process was not completed. The HOFO directs that the induction processes be completed prior to any consideration of the risks of the proposed change. The HOFO suspends further processing of the change proposal until these activities have been completed.

## 5 Regulatory requirements - management of change process

### 5.1 The requirement for a management of change process

- 5.1.1 Regardless of whether an operator is required to have an SMS<sup>6</sup>, the CASR makes it an offence for an operator to make changes that are not in accordance with its documented process for making changes<sup>7</sup>. For those operators with an SMS, the regulations require the management of change to be an integral part of the SMS<sup>8</sup>.
- 5.1.2 A key regulatory aspect is whether or not a change is defined as a significant change<sup>9</sup>. This evaluation determines whether CASA approval is required prior to implementing the change.
- 5.1.3 The regulations require an operator to have a description of the process for making changes including<sup>10</sup>:
- identifying changes that are significant changes
  - identifying changes that are not significant changes
  - how the operator informs both CASA and their personnel of the changes.
- 5.1.4 In approving the operator's exposition or manual, CASA is also reviewing and approving the management of change process outlined in the operator's documents. The operator must manage and make changes in accordance with their approved management of change process.
- 5.1.5 A management of change process should provide a structured framework for managing the aspects of change. Adherence to an appropriate process minimises the inherent risks of change and should provide a means for compliance with the various CASR regulations that require a structured approach to management of change.
- 5.1.6 The flowchart at [Appendix A](#) provides a pictorial view of the management of change process.

### 5.2 Significant and non-significant changes

- 5.2.1 The regulations define what is considered a significant change. Although the regulations do not use the term, changes that are not significant changes are often referred to as 'non-significant changes'. Significant changes are changes that have the potential to affect the operation in a significant way and are associated with proportionately higher risk factors, which is why pre-approval from the regulator is required.
- 5.2.2 In most cases, the definition of a significant change is similar across the regulations and includes, but is not limited to changes to the:
- operator's key personnel
  - types of operations or activities the operator/organisation carries out
  - type/model of aircraft operated or maintained

<sup>6</sup> Regulations 119.190, 138.140.

<sup>7</sup> Regulations 119.100, 138.066

<sup>8</sup> Subparagraphs 119.190(2)(c)(ii), 138.145(c)(ii).

<sup>9</sup> Regulations 119.020, 138.012 (also section 7 of CASA EX68/24 in relation to regulation 119.020).

<sup>10</sup> Paragraphs 119.205(1)(m), 138.155(1)(m).

- approved process for identifying and making changes.

5.2.3 In determining whether a change is significant or not, reference should be made to the definition in the applicable regulations. For example, for Australian air transport operators this is specified in regulation 119.020. The definitions of *significant change* within different CASR Parts contain similarities, but there are also multiple differences due to the nature of the activity being conducted.

**Note:** Further explanatory material on regulation 119.020 is available in this document in [Appendix D](#) - Part 119 change considerations. For Part 138, additional material is in [Appendix E](#).

- 5.2.4 The lists of significant changes in the regulations include specific changes (such as changing the management of change process) and others that if made do not, or are unlikely to, maintain or improve aviation safety (such as changes to third party service providers).
- 5.2.5 Except for certain defined cases within the regulations, significant changes require formal CASA approval prior to their implementation<sup>11</sup>.
- 5.2.6 Operators planning to implement a significant change are required to provide the relevant amended section of their operations manual or exposition (as applicable) to CASA as part of the application for significant change<sup>12</sup>.
- 5.2.7 Operators can make changes that are not significant without requiring approval from CASA. However, the change must be made in accordance with its change process. Also, the operator must have a means to ensure that both CASA and the operator's personnel are notified of all changes<sup>13</sup>. The method by which this is accomplished must be described in the operator's exposition or operations manual<sup>14</sup>.
- 5.2.8 A change to the operator's name (including any operating or trading name), contact details and operational headquarters address (if different to the mailing address) must be notified to CASA prior to the change occurring<sup>15</sup>. Normally, this would be a non-significant change; however, the circumstances of the change need to be considered against the criteria. If this is not deemed a significant change, it is important to note that this change is required to be notified to CASA prior to the change occurring.<sup>16</sup>
- 5.2.9 In constructing an organisational change process, it is an acceptable means of compliance for the operator to define the applicable time periods for processing and distribution of non-significant changes.
- 5.2.10 In respect of the notifications method of a non-significant change, an acceptable means of compliance would be for the operator's change process to provide CASA and the operator's personnel with the amended operations manual or exposition with markings to highlight the changes. If the document suite is divided into volumes or separate documents, this may be achieved by distribution of the separate volume or part containing the amended element.
- 5.2.11 An operator's management of change process should include a reliable means for ensuring all proposed changes are identified, assessed, captured by the system, and classified as significant or non-significant.

<sup>11</sup> Regulations 119.090, 138.062.

<sup>12</sup> Subregulations 119.090(3), 138.062(4).

<sup>13</sup> Subparagraphs 119.205(1)(m)(iii), 138.155(1)(m)(iii).

<sup>14</sup> Subparagraph 119.205(1)(m)(iii), 138.155(1)(m)(iii).

<sup>15</sup> Regulations 119.085, 138.060.

<sup>16</sup> Regulations 119.085, 138.060.

- 5.2.12 [Appendix B](#) and [Appendix C](#) of this AC provide two case study examples of points to be considered when identifying proposed changes.

## 5.3 Understanding the definition of significant change

- 5.3.1 As noted at paragraph 5.2.3, operators should always consult the definition in the CASR Part applicable to their operations.
- 5.3.2 Using Part 119 as an example, further information on the definition of significant change is provided below.
- The definition in regulation 119.020 consists of three sections. Paragraph 119.020(a) provides a prescribed list of items that are always considered to be a significant change. For example, a change of the operator's key personnel will always be a significant change because it is described in the list of items in paragraph 119.020(a).
  - Paragraph 119.020(c) describes that, if the organisation has applied for an approval under another part of the regulations, this is also considered a significant change. For example, an organisation may apply under regulation 91.045 and subparagraph 91.600(2)(d)(ii) for approval to carry cargo in a location that obstructs or restricts access to an emergency exit. This application would be considered not only to meet the definition of paragraph 119.020(c), but is also considered a significant change. In the circumstance where the application for approval is solely for the purpose of reissue or replacement of an instrument previously issued by CASA, and the conditions or other substantive content of the instrument remain unchanged, this is not considered a significant change.
  - If an item does not fit the descriptors in either paragraphs 119.020(a) or 119.020(c), paragraph 119.020(b) requires the organisation to consider the safety impact of the proposed change. In reviewing the proposed change, if the operator determines that the change does not maintain, improve or is not likely to maintain or improve aviation safety, the change is required to be considered a significant change.
  - If the proposed change does not meet any of the elements described above, it would not be considered a significant change.

## 5.4 Determining the effect on aviation safety

- 5.4.1 Paragraph 119.020(b) requires the organisation to consider the safety impact of the proposed change. When reviewing the proposed change, if the operator determines that the change does not maintain, improve or is not likely to maintain or improve aviation safety, the change is required to be considered a significant change. Equally, if the change results in a circumstance that provides a higher safety standard, the change is not considered a significant change.
- 5.4.2 When considering the conduct of any change to be made under paragraph 119.020(b), operators are recommended to document their analysis and considerations. This is because a lack of documented reasons would leave them unable to prove they had followed the documented change processes in their exposition.
- 5.4.3 Operators should retain this documented material so that it could be provided to CASA as evidence of how they concluded that a particular change was not a significant change.
- 5.4.4 Operators could use risk assessments based on certain assumptions for frequent kinds of amendments if they so choose. However, they would still need to be able to prove that the assumptions in the standing risk assessment applied to a particular change and, therefore, that change could fall under the standing risk assessment.

## 5.5 Operator process for making changes

### 5.5.1

The exposition/operations manual must<sup>17</sup> describe the operator's process for making changes. This process may be customised or tailored to meet the specific types of operations conducted. An operator may wish to construct more than one process to meet specific needs of the business. For example, a simplified process may be constructed for editorial changes that do not require a formal risk assessment. In constructing a change process, it is recommended that the operator consider the following:

- How changes are initiated and assessed.
- How unexpected changes are managed.
- The process for developing a case for the change, including:
  - the safety impact of a change
  - whether that change will reduce or improve safety
  - how that assessment was made
  - the data or information was used in that assessment
  - how it was documented.
- Risk assessment and planning processes, including:
  - implementing change in an incremental manner to minimise potential adverse effects (if necessary)
  - ensuring use of resources will not impact on operational safety
  - ensuring communication and consultation takes place with all key stakeholders.
- Preparation of a plan.
- Application for approval of the significant change or notification to CASA of a change that is not a significant change to the exposition/operations manual.
- Implementation of the change.
- Ongoing monitoring and review of the change.

<sup>17</sup> Subparagraphs 119.205(1)(m)(iii), 138.155(1)(m)(iii).

# Appendix A

## Management of change process diagram

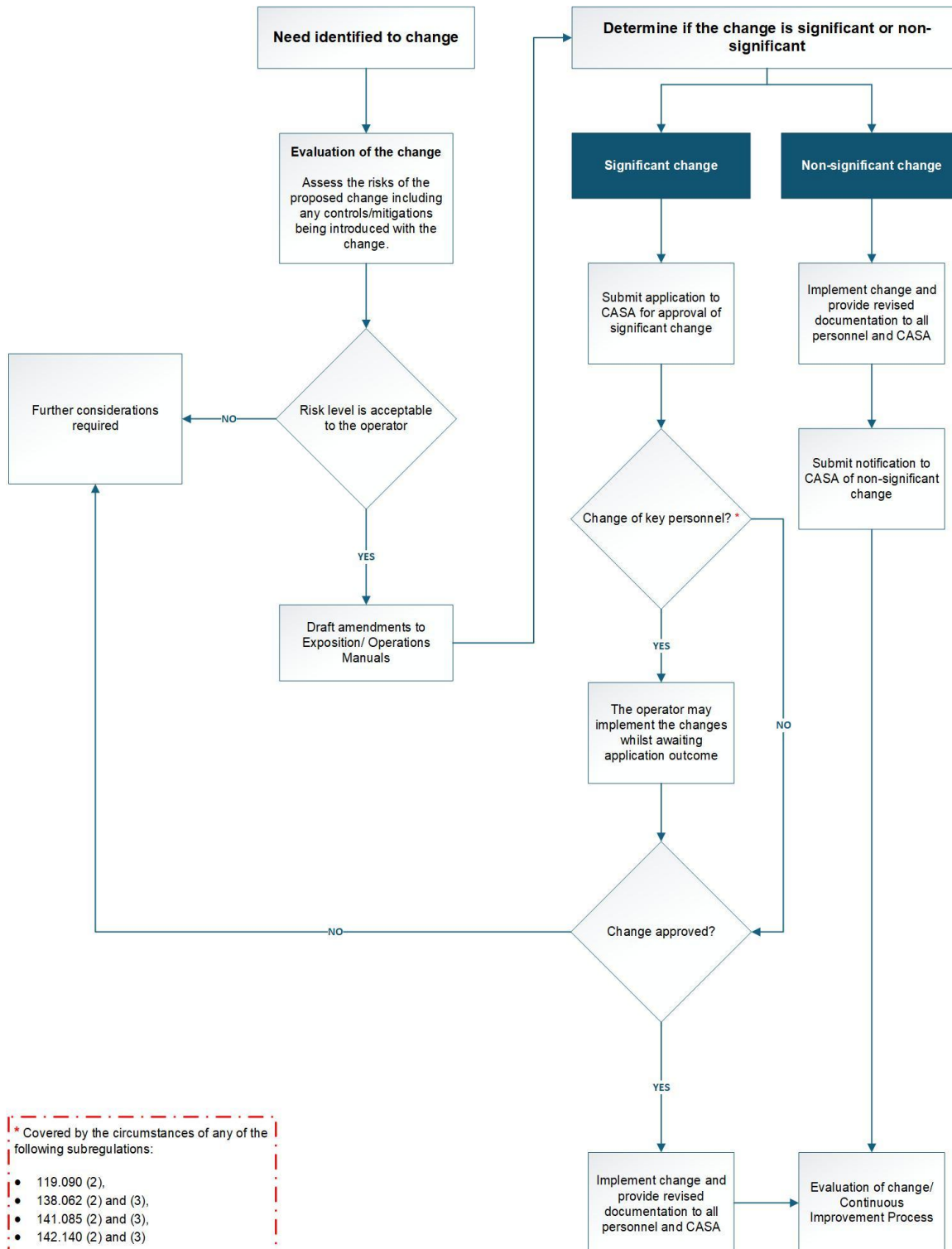


Figure 1: Management of change process diagram

# Appendix B

## Case Study 1 - Fleet expansion

### B.1 Determining significant versus non-significant change

- B.1.1 Sample Aviation conducts Part 135 operations and holds an AOC authorising passenger transport operations and cargo transport operations under Part 135.
- B.1.2 Prior to the commencement of Part 135, they were the holder of an AOC authorising charter operations. They currently employ three staff (two pilots, one of which is simultaneously the CEO, HOFO and HOTC, and the third employee is an Office Coordinator). Sample Aviation currently conducts flights twice per week out of a regional centre for a small mine run by Outback Exploration, which has its own airstrip. Sample Aviation utilises a single King Air for these flights. The mine is moving from exploration into the construction phase and needs to significantly increase the number of workers on site. As part of the mine's commitment to its existing contractors, Outback Exploration has approached Sample Aviation to increase the number of flights to 10 per week and to have a second King Air available to support their operations.
- B.1.3 Eager to expand the business, the CEO of Sample Aviation sets to work planning what is required to move from one aircraft and two flights per week to two aircraft and 12 flights per week. The CEO recognises that there will be a lot of work involved in making the changes needed to bring in a second aircraft and to conduct the extra flights. The management of change procedure will provide them a solid framework with which to implement the changes. Sample Aviation has an approved management of change procedure in their exposition, which the CEO will need to follow. The management of change process is closely based on the process diagram in [Appendix A](#) and requires Sample Aviation to:
- Develop the case – Why this change is being made?
  - Consider impact on known hazards / risks, and conduct risk assessment, including the identification of who the stakeholders are and who needs to know about the change.
  - Plan the change.
  - Implement the change.
  - Conduct ongoing monitoring and review.
- B.1.4 The CEO believes that, in addition to the extra aircraft, Sample Aviation will have to hire 12 additional staff (seven pilots, two operations officers, three ramp staff) to effectively provide the extra flights.
- B.1.5 As part of communication and consultation, the relevant stakeholders need to be identified. This would include CASA as the regulator. To determine how CASA will need to be involved in the change, the CEO needs to determine whether this change would be a significant change. The CEO recognises that this determination will affect how and when Sample Aviation needs to engage with CASA about the planned change. A significant change would require CASA approval prior to the change. If the change is not significant, CASA need only be informed of the change. While seeking CASA approval of a significant change will require an element of additional work, actually determining whether these changes are significant (or not) will not significantly impact the effort involved in Sample Aviation making and implementing the change. Either way, the CEO will need to follow Sample Aviation's management of change process.
- B.1.6 In reviewing whether this change is significant or not, the CEO notes that this change does not fall clearly into a definite category to classify it as a significant change. The operating base remains unchanged, the area of operations as described in the exposition is unchanged;

likewise, the types of operations and key personnel are unchanged. While Sample Aviation will be acquiring an additional King Air, it will be the same type and model as they currently operate.

- B.1.7 The CEO then considers whether this change will fail to maintain or improve, or is not likely to maintain or improve, aviation safety. Hiring 12 new staff will mean that some of the current administrative, management and rostering processes and procedures in place may not work anymore. Currently, the procedures work very well for the CEO and the single other pilot, both of which have always flown King Air aircraft and are familiar with the local area. The CEO recognises that numerous company procedures are in need of updating to ensure their robustness with a relatively large number of new staff (and pilots) commencing in close succession. The CEO acknowledges that such changes are needed to ensure that the safety of Sample Aviation operations are not adversely affected.
- B.1.8 The CEO will also consider their ability to continue to fulfil the responsibilities of all three key personnel positions (CEO, HOFO and HOTC) they currently hold. The CEO considers that this expansion of the operation, although containing a number of challenges, can continue to use the existing key personnel structure already in place. As a result, the change will not trigger the mandatory significant change criteria associated with a change of key personnel.
- B.1.9 The CEO recognises that changes to the company exposition must be implemented prior to conducting the fleet expansion activity to ensure that said changes do not negatively impact on aviation safety. The CEO directs the changes are documented in the exposition and are in place prior to conducting the fleet expansion. Provided the update to the documentation is carried out the change may be considered a non-significant change.
- B.1.10 The CEO also notes in the change documents that, if for any reason the revised exposition is not in place prior to the fleet expansion, this will change the classification to a significant change event that requires CASA approval prior to conducting the fleet expansion. The CEO also notes that after implementation of the expansion, a further resourcing and workload review would be beneficial to examine either appropriate assignment of duties/tasks, or to examine whether additional people are required in the key person structure.

# Appendix C

## Case Study 2 - Key personnel change

### C.1 Organisational change of key personnel - dual roles

- C.1.1 An operator conducting Part 135 operations decides to employ a Flight Operations Manager (FOM) to take on some non-core responsibilities of the Head of Flight Operations (HOFO). For this example, core responsibilities are those listed in regulation 119.140, and non-core responsibilities are those added by the organisation in the exposition as per 119.205(1)(e)(ii). The FOM reports directly to the HOFO. Immediately after hiring the successful candidate for the FOM position, the company receives the resignation of the company's Safety Manager (SM). As a result of the resignation, the company decides to appoint the FOM as the SM and retain the list of duties and responsibilities as the FOM.
- C.1.2 The company reviews the proposed changes and decides that the appointment of the:
- FOM is considered a non-significant change
  - individual to the role of SM is a significant change.
- C.1.3 The company proceeds with an application for approval of a significant change to appoint the new SM with the notification of the non-significant change being the establishment of the FOM role and appointment.

### C.2 Application review

- C.2.1 During the application process, the proposed change is reviewed by the CASA assessment team.
- C.2.2 The following points are noted:
- The assessment team agreed that the position of SM is a key position and a change in the person carrying out the responsibilities of this position, as documented in the exposition, is confirmed to be a significant change as defined in subparagraph 119.020(a)(ii).
  - The assessment team determined that creation and appointment of the new FOM position in the organisation structure is a significant change as per subparagraph 119.020(a)(iv).
  - The assessment team noted the qualification and experience of the nominated SM do not meet the criteria in the organisation's exposition.
  - The proposal to appoint an SM who is also subordinate to the HOFO in the organisation structure requires additional supporting information. The organisation is requested to provide information on the following points as part of the assessment:
    - Clarification on the associated workloads of the respective positions i.e. is sufficient capacity available for one individual to effectively perform the dual roles of FOM and SM?
    - Clarification on how potential conflict in the organisation structure will be managed when the SM, who also is the subordinate FOM, may be called upon to investigate matters involving the HOFO.

### C.3 Assessment outcome

- C.3.1 The CASA assessment rejected the application for the significant change due to the following reasons:

- The proposed candidate for the SM position did not meet the requirements of the regulations or the organisation's exposition as they did not have any relevant experience to support appointment as a SM.
- The company was unable to support the proposed change as they had not documented the conduct of any of the change processes.
- The company had not considered the potential conflict in appointing an SM to an organisational structure position that was subordinate to the HOFO.

# Appendix D

## Part 119 change considerations

### D.1 Part 119 Significant change considerations

D.1.1 In addition to what was established in Chapter [5.3](#) the following is provided to assist in clarifying the Part 119 significant change definition.

### D.2 Main operating base

D.2.1 Subparagraph 119.020(a)(i) refers to a main operating base. Examples of what may be considered a main operating base are:

- a place where fulltime or regular operational staff or contractors of the operator report for duty
- a place where the operator's key personnel or regular crew members are ordinarily resident in the vicinity.

D.2.2 Main operating base does not include places:

- where an operator does not have operational staff even if staff regularly overnight in hotel or similar accommodation at the location
- where an operator has part-time staff to purely assist with aircraft handling or transit
- where organisations or personnel are contracted onsite to assist on an ad hoc basis such as with unscheduled maintenance or breakdown of aircraft or equipment.

### D.3 Operator's key personnel

D.3.1 Subparagraph 119.020(a)(ii) refers to key personnel. The operator's key personnel are defined<sup>18</sup> as:

- Chief Executive Officer (CEO).
- Head of Flying Operations (HOFO).
- Head of Training and Checking (HTC)
- Safety Manager (SM).

D.3.2 The names of the key personnel are required to be listed in the operator's exposition<sup>19</sup>.

D.3.3 Key personnel do not just 'have responsibilities' - they must actively carry out their responsibilities. While individual duties within the responsibilities can be assigned to other persons, the responsibilities can only be assigned to another person, or combination of persons, when the key personnel position holder is absent or cannot carry out the responsibilities of the position. In this context:

- 'absent' generally refers to not being present such as being on leave or out of the office temporarily
- 'cannot carry out the responsibilities of the position' generally refers to a change in the individual's circumstances leading to their inability to manage the duties and responsibilities

<sup>18</sup> CASR dictionary

<sup>19</sup> Subparagraph 119.205(1)(e)(iii)

- absence and ability to carry out responsibilities are not mutually exclusive - a person can be absent and able to carry out their responsibilities. The following are examples:
  - working from home and carrying out responsibilities according to procedures
  - being at the office and undertaking training that prevents the person from carrying out responsibilities.

- D.3.4 Operators are permitted to name a person who is authorised to carry out the responsibilities of a key person if the position holder is absent from the position or cannot carry out the responsibilities. There are many different industry names for such a person, this AC will refer to them as an 'acting key person'.
- D.3.5 For an acting key person to be considered as authorised, their name must be listed in the exposition<sup>20</sup>.
- D.3.6 The addition or change for the exposition listing of any names for the key person or the acting key person is considered a significant change<sup>21</sup>.
- D.3.7 Obtaining authorisation for an acting key person can be beneficial in a number of circumstances as it can minimise disruption for an operator.
- D.3.8 The regulations permit an operator to change the nominated individual in a key personnel position without first receiving approval of the significant change<sup>22</sup> if the new nominee is already be listed in the exposition<sup>23</sup> as an acting key person. The operator is required to apply within 7 days to CASA for approval of the significant change where the acting individual is permanently moved into the key person position.
- D.3.9 If an operator does not have an approved acting key person when the key person becomes absent or cannot carry out the responsibilities of the position, it is likely that they will need to cease operations as it would be considered that they are not compliant with paragraph 119.080(1)(c), which requires each key personnel position to be filled.

### D.3.10 Key Person change example

- D.3.10.1 Sample Aviation decides to replace its existing HOFO (Sally) with a new HOFO (Bill). As part of the change, Sally returns to normal line flying with occasional office duties because of her previous experience. Sample Aviation adds Bill's name to the exposition and removes Sally from the list of key personnel in the exposition. Additionally, Sample Aviation decides that they do not wish to list Sally in the revised exposition as an acting key person<sup>24</sup>.
- D.3.10.2 After a short time in the HOFO position, Bill suddenly decides to leave the organisation with immediate effect. The Sample Aviation CEO decides to put Sally back into the position as HOFO (i.e. the permanent position).

**Note:** Sally is not currently listed in the exposition, neither as a primary or acting HOFO, and the organisation does not have any individual listed as an acting HOFO.

- D.3.10.3 In this case, the change is considered a significant change as the named individual who is appointed to the HOFO position is being changed<sup>25</sup>. Additionally, the organisation now must cease operations until the application for significant change applicable to the re-appointment of

<sup>20</sup> subparagraph 119.205(1)(e)(iv)

<sup>21</sup> subparagraph 119.020 (a)(ii) and (iii)

<sup>22</sup> subregulation 119.090(2)

<sup>23</sup> subparagraph 119.205(1)(e)(iv)

<sup>24</sup> Subparagraph 119.020(a)(iii)

<sup>25</sup> Subparagraphs 119.020(a)(ii) and 119.205(1)(e)(iii)

Sally is approved as the organisation does not meet the conditions of the AOC, which requires each of the positions of the operator's key personnel to be filled<sup>26</sup>.

- D.3.10.4 If the organisation had elected, in the previous application, for 'approval of significant change' to have Sally listed as an acting HOF<sup>27</sup>, operations would have been able to continue as Sample Aviation would fit the circumstances of subregulation 119.090(2).

## D.4 Formal reporting lines

- D.4.1 Subparagraph 119.020(a)(iv) refers the formal reporting lines of a key person. In this context, significant change is limited to those functions and responsibilities as described in the regulations. If an operator were to assign non-regulatory duties to a key person, and this subsequently led to the key person having insufficient ability and time to complete their regulatory duties, this might be considered a significant change as per the requirements of subregulation 119.020(b).

## D.5 Operator's change process

- D.5.1 Subparagraph 119.020(a)(v) refers to the operator's change process. The operator's change process is required to be listed in the exposition<sup>28</sup>. The use of the change process and, particularly, the requirements of significant change are a key foundation element in the outcome-based regulatory environment. Any modification to the operator's change process is considered a significant change.

## D.6 Kinds of operation

- D.6.1 Subparagraph 119.020(a)(vi) refers to the kinds of Australian air transport operations. The three kinds of air transport operation are:
- passenger transport
  - cargo transport
  - medical transport.
- D.6.2 These are defined in the CASR dictionary.
- D.6.3 The kinds of operation authorised will be listed on the operator's AOC. Commencement of any of these type of operations is considered to be a significant change.

## D.7 Areas/routes of operation

- D.7.1 Subparagraph 119.020(a)(vii) refers to designation of operator area or routes. Operators may describe their operation either by listing specific routes or a geographic area of operations in the exposition.
- D.7.2 Where the operator describes their operations by an area of operations, the commencement of operations in a new area is considered a significant change. Where operations are described by use of an area, commencing a new route within the existing area would not normally be considered to be a significant change.
- D.7.3 Where the operator describes their operations by listing specific routes, the commencement of a new route is considered a significant change.

<sup>26</sup> Paragraph 119.080(1)(c)

<sup>27</sup> Subparagraphs 119.020(a)(iii) and 119.205(1)(e)(iv)

<sup>28</sup> Subparagraph 119.205(1)(m)

- D.7.4 An operator may also choose to use a mixture of the descriptions. For example, the operator may describe an area of operations that includes all of the Australian mainland and then may list a specific overseas route rather than listing an area for the international operation.
- D.7.5 In considering whether to describe operations by route or area, attention is drawn to paragraph 119.205(1)(h). To enable the description of a geographic area, an acceptable means of compliance would be for the operator to publish in their exposition the plans, processes and procedures that would be used to commence operations to a new destination that is located within the existing geographic area as described in the exposition. This will enable the operator to demonstrate that they can safely comply with the regulatory requirements for any location in which they wish to operate.

## D.8 Aircraft types

- D.8.1 Subparagraph 119.020(a)(viii) is replaced by section 7 of CASA EX68/24 which makes reference to the use of an instrument made in accordance with paragraph 61.055 (1) (a) and subparagraph 61.060 (1) (b) (i)<sup>29</sup>.
- D.8.2 The following are examples of aircraft changes considered against the definition of significant change provided by section 7 of CASA EX68/24.
- D.8.3 The Part 61 rating applicable to the Boeing 737-300 to 900 includes more than one model and variant<sup>30</sup>. If an operator is currently using the B737-400 for air transport operations and seeks to introduce the B737-800 then this would be considered a significant change as Column 3 is annotated with DTR<sup>31</sup> and these two variants are in different cells of Column 2 thereby requiring the conduct of differences training.
- D.8.4 The Part 61 rating applicable to the Airbus A320 includes more than one model and variant<sup>32</sup>. If an operator is currently using the A320 series for air transport operations and seeks to introduce the A321 series then this would not be considered to be a significant change as these two variants are in the same cell of Column 2.
- D.8.5 Similarly, the Part 61 rating for the Leonardo A 109 includes more than one model and variant<sup>33</sup>. If an operator is currently using the A 109 E for air transport operations and seeks to introduce the Leonardo A 109 SP then this would be considered to be a significant change.
- D.8.6 If an operator is currently using the Cessna 310 for air transport operations and seeks to introduce the Cessna 404 then this is not considered to be a significant change as both aircraft are able to be flown under the Class rating for Multi Engine aircraft.
- D.8.7 If an operator is currently using the Cessna 404 for air transport operations and seeks to introduce the King Air 90 then this would be considered to be a significant change. This aircraft is one in which initial type specific training and flight review are required as identified by its listing in the Part 61 prescribed aircraft and type ratings instrument<sup>34</sup>. Additionally if the operator

<sup>29</sup> As of publishing v2.5 of this AC, see the Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025.

<sup>30</sup> As of publishing v2.5 of this AC, see the Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025.

<sup>31</sup> As of publishing v2.5 of this AC, see Schedule 2 of the Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025.

<sup>32</sup> As of publishing v2.5 of this AC, see the Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025.

<sup>33</sup> As of publishing v2.5 of this AC, see the Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025..

<sup>34</sup> As of publishing v2.5 of this AC, see Schedule 13 of the Part 61 Flight Crew Licensing (Prescribed Aircraft and Type Ratings) (Edition 10) Instrument 2025 for the types of multi-engine aeroplanes for which flight training and flight review are required for exercising the privileges of the multi-engine aeroplane class rating.

had not previously operated either of a pressurised aircraft or a turbine-powered aircraft, then this also would identify this as a significant change.

## **D.9 Operation of foreign-registered aircraft<sup>35</sup>**

- D.9.1 Where an operator seeks to commence operating a foreign-registered aircraft in an air transport operation, or changes that operation then this is considered to be a significant change. It is considered a change for the commencement of use for each aircraft operated. For example if an operator is using an aircraft with the registration N123AB and seeks to add another aircraft which is the same type but has the registration N456CD then the introduction of the second aircraft is a significant change.

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<sup>35</sup> As of publishing v2.5 of this AC, there is a direction relevant to the operation of foreign registered aircraft by Australian air transport operators in Section 6 of CASA EX68/24.

# Appendix E

## Part 138 change considerations

### E.1 Part 138 Significant change considerations

E.1.1 Chapter [5.3](#) focussed on Part 119 to provide an understanding of the definition of significant change. The following is provided to assist in clarifying the Part 138 significant change definition.

- The definition in regulation 138.012 consists of four sections. Paragraph 138.012(a) provides a prescribed list of items that are always considered to be a significant change. For example, a change to the operator's key personnel should always be identified as a significant change because it is described in the list of items in paragraph 138.012(a).
- Paragraph 138.012(d) describes that, if the organisation has applied for an approval under another part of the regulations, this is also considered a significant change. For example, an organisation may apply under regulation 91.045 and subparagraph 91.600(2)(d)(ii) for approval to carry cargo in a location that obstructs or restricts access to an emergency exit. This application would be considered not only to meet the definition of paragraph 138.012(d), but is also considered a significant change. In the instance where the application for approval is solely for the purpose of reissue or replacement of an instrument previously issued by CASA and the conditions or other substantive content of the instrument remains unchanged it is not considered a significant change.
- If an item does not fit the descriptions in either paragraphs 138.012(a), 138.012(b), or 138.012(d), paragraph 138.012(c) requires the organisation to consider the safety impact of the proposed change. In reviewing the proposed change, if the operator determines that the change does not maintain, improve or is not likely to maintain or improve, aviation safety the change is required to be considered a significant change.
- If the proposed change does not meet any of the elements described above, it would be not considered a significant change.

#### E.1.2 Main operating base

E.1.2.1 Subparagraph 138.012(a)(i) refers to a main operating base. Examples of what may be considered a main operating base are:

- a place where fulltime or regular operational staff, or contractors, of the operator report for duty
- a place where the operator's key personnel or regular crew members are ordinarily resident in the vicinity.

E.1.2.2 Main operating base does not include places where:

- an operator does not have operational staff even if staff regularly overnight at the location
- an operator has part-time staff to purely to assist with aircraft handling or transit
- organisations or personnel are contracted onsite to assist on an ad hoc basis such as with unscheduled maintenance or breakdown of aircraft or equipment.

## E.2 Operator's key personnel

E.2.1 Subparagraph 138.012(a)(ii) refers to key personnel. The operator's key personnel are defined<sup>36</sup> as:

- Chief Executive Officer (CEO).
- Head of Operations (HOO).
- If required, Head of Training and Checking (HOTC).
- If required, Safety Manager (SM).

**Note:** The regulations describe the circumstances where a Head of Training and Checking and/or Safety Manager are required.

E.2.2 Key personnel do not just 'have responsibilities' - they must actively carry out their responsibilities. While individual duties within the responsibilities can be assigned to other persons, the responsibilities can only be assigned to another person, or combination of persons, when the key personnel position holder is absent or cannot carry out the responsibilities of the position. In this context:

- 'absent' generally refers to not being present such as being on leave or out of the office temporarily,
- 'cannot carry out the responsibilities of the position' generally refers to a change in the individual's circumstances leading to their inability to manage the duties and responsibilities.
- absence and ability to carry out responsibilities are not mutually exclusive - a person can be absent and able to carry out their responsibilities. The following are examples:
  - working from home and carrying out responsibilities according to procedures
  - being at the office and undertaking training that prevents the person from carrying out responsibilities.

E.2.3 Operators are permitted to name a person who is authorised to carry out the responsibilities of a key person if the position holder is absent from the position or cannot carry out the responsibilities. There are many different industry names for such a person, this AC will refer to them as an 'acting key person'.

E.2.4 For a key person or an acting key person to be considered as authorised, their name must be listed in the operations manual<sup>37</sup>.

E.2.5 The addition or change for the operations manual listing of any names for the key person or the acting key person is considered a significant change<sup>38</sup>.

E.2.6 Obtaining authorisation for an acting key person can be beneficial in a number of circumstances as it can minimise disruption for an operator.

E.2.7 The regulations permit an operator to change the nominated individual in a key personnel position without first receiving approval of the significant change<sup>39</sup> if the new nominee is already be listed in the operations manual<sup>40</sup> as an acting key person. The operator is required to apply

<sup>36</sup> CASR Dictionary.

<sup>37</sup> subparagraph 138.155(1)(e)(iii) and (iv).

<sup>38</sup> Subparagraphs 138.012 (a)(ii) and (iii).

<sup>39</sup> subregulation 138.062(2).

<sup>40</sup> subparagraph 138.155(1)(e)(iv).

within 7 days to CASA for approval of the significant change where the acting individual is permanently moved into the key person position.

- E.2.8 Due to the nature of aerial work operations, the regulations provide increased flexibility for changes of key personnel. An operator may elect to nominate an individual that is **not** listed in the operations manual as an acting key person. In this case, a change to the nominated person in a key personnel position is permitted without receiving prior approval of the significant change<sup>41</sup>. However, the operator is required to apply within 3 days to CASA for approval of the significant change.

## E.2.9 Key Person change example

- E.2.9.1 Sample Aviation decides to replace its existing HOO (Sally) with a new HOO (Bill). As part of the change, Sally returns to normal line flying with occasional office duties because of her previous experience. Sample Aviation adds Bill's name to the operations manual and removes Sally from the list of key personnel in the operations manual. Additionally, Sample Aviation decides that they do not wish to list Sally in the revised operations manual as an acting key person<sup>42</sup>.
- E.2.9.2 After a short time in the HOO position, Bill suddenly decides to leave the organisation with immediate effect. The Sample Aviation CEO decides to put Sally back into the position as HOO (i.e. the permanent position).

**Note:** Sally is not currently listed in the operations manual, neither as a primary or acting HOO, and the organisation does not have any individual listed as an acting HOO.

- E.2.9.3 In this case, the change is considered a significant change as the named individual who is appointed to the HOO position is being changed<sup>43</sup>. The organisation may continue operations provided they meet the requirements of subregulation 138.062(3).
- E.2.9.4 If the organisation had elected, in the previous application, for 'approval of significant change' to have Sally listed as an acting HOO<sup>44</sup>, Sample Aviation would fit the circumstances of subregulation 138.062(2).

## E.3 Formal reporting lines

- E.3.1 Subparagraph 138.012(a)(iv) refers the formal reporting lines of a key person. In this context, significant change is limited to those functions and responsibilities as described in the regulations. If an operator were to assign non-regulatory duties to a key person, and this subsequently led to the key person having insufficient ability and time to complete their regulatory duties, this may be considered a significant change as per the requirements of subregulation 138.012(c).

## E.4 Operator's change process

- E.4.1 Subparagraph 138.012(a)(v) refers the operator's change process. The operator's change process is required to be listed in the operations manual<sup>45</sup>. The use of the change process and particularly the requirements of significant change are a key foundation element in the outcome-

<sup>41</sup> subregulation 138.062(3).

<sup>42</sup> subparagraph 138.012(a)(iii).

<sup>43</sup> subparagraphs 138.012(a)(ii) and 138.155(1)(e)(iii).

<sup>44</sup> subparagraphs 138.012(a)(iii) and 138.155(1)(e)(iv).

<sup>45</sup> Paragraph 138.155(1)(m).

based regulatory environment. Any modification to the operator's change process is considered a significant change.

## E.5 Kinds of operation

- E.5.1 Subparagraph 138.012(a)(vi) refers to the kinds of aerial work operations. The four kinds of aerial work operation are specified in subregulation 138.010(1) (which then extends into section 3.01AA of the Part 138 MOS):
- external load
  - dispensing
  - task specialist
  - fireground personnel carriage operation.
- E.5.2 The definitions of these four kinds of aerial work operation are defined in subregulations 138.010(2), (3) and (4), and in subsection 1.04(6) of the Part 138 MOS.
- E.5.3 The kinds of operation authorised will be listed on the operator's certificate. The commencement of any of these operations would be considered as a significant change.

## E.6 Class D external load operations

- E.6.1 Subparagraph 138.012(a)(vii) refers to Class D external loads.
- E.6.2 The commencement of a new kind of operation involving a Class D load is considered a significant change.

## E.7 Instrument flight rules or visual flight rules operations

- E.7.1 Paragraph 138.012(a)(viii) defines this component of the significant change to only be applicable for those operators who do not require either of:
- Training and Checking system.
  - Safety Management system.
- E.7.2 For these operators, where a task has previously only been conducted under the visual flight rules (VFR) and the operator desires to commence conduct of these operations under the instrument flight rules (IFR), this is considered to be a significant change.

### E.7.3 Example - IFR vs VFR

- E.7.3.1 Sample Aviation conducts aerial surveying operations by day under the VFR. Sample Aviation has never conducted this operation under the IFR. Sample Aviation decides that the task completion rate could be enhanced by qualifying the operations to be conducted under the IFR. This is considered a significant change.

## E.8 Type or Class rating operations

- E.8.1 Paragraph 138.012(b) is comprised of 3 parts.

- E.8.2 Subparagraph 138.012(b)(i) refers to the commencement of operations in an aircraft that requires a particular Part 61 type rating<sup>46</sup> where the operator had not previously used such an aircraft.

### Example 1

Sample Aviation conducts aerial work operations using Cessna C152 aircraft. Sample Aviation decides to change to the use of a Piper Arrow (PA-28) aircraft. Both aircraft can be flown by a pilot holding a single engine aircraft class rating and consequently this is not considered a significant change.

### Example 2

Sample Aviation conducts aerial work operations using Bell 206 helicopters.

Sample Aviation decides to change to the use of a Eurocopter AS350 helicopter.

Both aircraft can be flown by a pilot holding a single engine rotorcraft class rating and consequently this is not considered a significant change.

If Sample Aviation instead decided to introduce the use of an AW139 then it would be a significant change.

- E.8.3 Subparagraph 138.012(b)(ii) refers to the commencement of operations in a different category of aircraft where the operator had not previously used such a category of aircraft. Part 61 provides a definition of category in regulation 61.015.

### Example

An operator is conducting operations in a R22 helicopter and decides to commence conducting operations in C152.

If the operator had not previously used any aeroplanes then commencing the use of any aeroplane, in this case a C152, is a significant change.

- E.8.4 Subparagraph 138.012(b)(iii) refers to the commencement of operations in a multi-engine aircraft where the operator had not previously conducted such operations. Commencement of such operations would be considered to be a significant change

## E.9 Determining the effect on aviation safety

- E.9.1 Paragraph 138.012(c) requires the organisation to consider the safety impact of the proposed change if the change is described in this paragraph. Considerations for the conduct of a change in this circumstance are described in Chapter [5.4](#) of this AC.

<sup>46</sup> Prescription of Aircraft and Ratings — CASR Part 61 (Edition 8) Instrument 2021.