



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX53/24

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

**[Signed P. Spence]**

Pip Spence  
Director of Aviation Safety

15 October 2024

### **CASA EX53/24 — Fatigue Risk Management System (Airservices Australia) Exemption 2024**

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#### **1 Name**

This instrument is *CASA EX53/24 — Fatigue Risk Management System (Airservices Australia) Exemption 2024*.

#### **2 Definitions**

*Note* In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: **AA**, **AIP**, **ATS provider**, **CASR** and **Chicago Convention**.

In this instrument:

**current AA fatigue risk management system** means AA's fatigue risk management system, as in place immediately before the commencement of this instrument.

**fatigue risk management system** has the meaning given by section 4.02 of the Manual of Standards.

**Manual of Standards** has the meaning given by regulation 172.010 of CASR.

#### **3 Exemption**

- (1) AA is exempt from compliance with paragraph 172.065(1)(a) of CASR, to the extent that it requires compliance with section 4.05, and sections 4.07 to 4.12, of the Manual of Standards.

*Note* Subregulation 172.065(1) of CASR provides that an ATS provider must ensure that any traffic service that it provides is provided in accordance with (a) the standards set out in the Manual of Standards, and (b) the standards set out or referred to in Annex 11 to the Chicago Convention, as varied by Gen 1.7 of Part 1 of the AIP. Section 4.05 of the Manual of Standards sets out requirements for an ATS provider to have a fatigue risk management system that, among other things, is approved by CASA and includes each of the elements mentioned in sections 4.07 to 4.12.

- (2) The exemption in subsection (1) is subject to the conditions in section 4.

#### **4 Conditions**

- (1) AA must comply with the current AA fatigue risk management system.
- (2) AA must meet with CASA to provide an update on its amendments to the current AA fatigue risk management system:
  - (a) within 30 days after this instrument commences; and
  - (b) at periods of no greater than 30 days after the first meeting.
- (3) AA must comply with any written direction from CASA to:
  - (a) give CASA reasonable access to any information or records relating to the current AA fatigue risk management system, for the purpose of assessing the effectiveness and safety of the system; and
  - (b) amend the current AA fatigue risk management system, including, but not limited to, practices and documents.

#### **5 Repeal**

This instrument is repealed at the earlier of the following:

- (a) the end of 31 August 2025;
  - (b) the end of the day on which CASA issues AA with a trial fatigue risk management system implementation approval under subsection 4.13(1) of the Manual of Standards.
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