



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX78/25

I, ADRIAN PAUL SLOOTJES, Acting Executive Manager, Air Navigation, Transformation & Risk, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed Adrian Slootjes]

Adrian Slootjes

Acting Executive Manager, Air Navigation, Transformation & Risk

29 August 2025

CASA EX78/25 — Fatigue Risk Management System (Airservices Australia) Exemption 2025

1 Name

This instrument is *CASA EX78/25 — Fatigue Risk Management System (Airservices Australia) Exemption 2025*.

2 Commencement

This instrument:

- (a) commences on 1 September 2025; and
- (b) is repealed at the earlier of the following:
 - (i) the end of 31 August 2026;
 - (ii) 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.

3 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.

duty has the meaning given by section 4.02 of the Manual of Standards.

duty period has the meaning given by section 4.02 of the Manual of Standards.

FACT means AA's Fatigue Assessment and Control Tool, as described in the current AA fatigue risk management system.

FACT evaluation means an evaluation of the rostering of operational persons for duty using FACT.

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

Karolinska Sleepiness Scale means the questionnaire titled *Karolinska Sleepiness Scale* by T. Akerstedt and M. Gillberg, published in 1990, as it exists at the time this instrument commences.

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

operational person has the meaning given by section 4.02 of the Manual of Standards.

roster period means 12 weeks.

roster related data means data for each roster period in relation to operational persons at AA that includes the following:

- (a) a copy of each FACT evaluation conducted during the roster period, with a breakdown of scores across the low, medium and high groupings as set out in the FACT;
- (b) the number of FACT evaluations that resulted in a shift allocation being approved;
- (c) what fatigue management controls were implemented in accordance with the FACT evaluation;
- (d) the percentage of total shifts completed by operational persons during the roster period in respect of which the FACT evaluation indicated there was no deviation from AA's strategic roster planning rules (as set out in AA's current fatigue risk management system);
- (e) the percentage of total shifts within the roster period (including how many consecutive shifts and the length of each shift) where an operational person was on duty for any of the following:
 - (i) 2 or more consecutive night shifts;
 - (ii) 3 or more consecutive early shifts;
 - (iii) 6 or more consecutive days within a 7-day period;
 - (iv) 9 or more consecutive days within a 14-day period;
- (f) the total cumulative hours worked by operational persons in 7 and 14-day periods, including data on the lowest, average, and highest cumulative hours worked by each person.

safety related data means data in relation to operational persons at AA that includes the following:

- (a) details of methods used to monitor the alertness of operational persons who have been on duty for 2 or more consecutive night shifts, and the results of the monitoring;
- (b) for operational persons referred to in paragraph (a):
 - (i) assessment of the alertness of the operational persons before and after duty periods using the Karolinska Sleepiness Scale or Samn-Perelli Scale;
 - (ii) the number and lengths of breaks taken during each shift, and any other measures used to maintain alertness during shifts.

Samn-Perelli Scale means the fatigue assessment scale titled *Samn-Perelli Scale* by S.W. Samn and L.P. Perelli published in 1982, as it exists at the time this instrument commences.

4 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 5.

5 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, within the time specified by CASA in the direction.
 - (4) AA must collect roster related data and provide it to CASA:
 - (a) within 13 weeks after this instrument commences; and
 - (b) at periods of no greater than 12 weeks after the first 13 weeks after this instrument commences.
 - (5) AA must collect the safety related data within 5 months after this instrument commences and provide CASA with updates on the data at periods of no greater than 30 days after collecting the data, including details of the following:
 - (a) any campaigns undertaken to encourage voluntary participation by operational persons;
 - (b) data collection, including the results of surveys referred to in subsection (6);
 - (c) data analysis.
 - (6) AA must conduct a fatigue survey within 9 months after this instrument commences that includes, but is not limited to, a survey of subjective ratings of:
 - (a) cumulative and chronic fatigue levels of operational persons; and
 - (b) the satisfaction of operational persons with scheduling.
 - (7) AA must comply with any request by CASA for CASA officers to attend meetings of AA's Fatigue Safety Assurance Group.
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