



AME Licencing Procedure Manual Chapter 2

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This is an internal CASA policy manual. It contains guidance material intended to assist CASA officers and delegates in carrying out their regulatory responsibilities and is available to the public for information purposes only.

You should not rely on this manual as a legal reference. Refer to the civil aviation legislation—including the Civil Aviation Act 1988 (Cth), its related regulations and any other legislative instruments—to ascertain the requirements of, and the obligations imposed by or under, the law.

Preface

As a Commonwealth government authority, CASA must ensure that the decisions we make, and the processes by which we make them, are effective, efficient, fair, timely, transparent, properly documented and otherwise comply with the requirements of the law. At the same time, we are committed to ensuring that all of our actions are consistent with the principles reflected in our Regulatory Philosophy.

Most of the regulatory decisions CASA makes are such that conformity with authoritative policy and established procedures will lead to the achievement of these outcomes. Frequently, however, CASA decision-makers will encounter situations in which the strict application of policy may not be appropriate. In such cases, striking a proper balance between the need for consistency and a corresponding need for flexibility, the responsible exercise of discretion is required.

In conjunction with a clear understanding of the considerations mentioned above, and a thorough knowledge of the relevant provisions of the civil aviation legislation, adherence to the procedures described in this manual will help to guide and inform the decisions you make, with a view to better ensuring the achievement of optimal outcomes in the interest of safety and fairness alike.

Shane Carmody
A/g Chief Executive Officer and
Director of Aviation Safety

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Glossary

See Chapter 12 for Glossary (Abbreviations and Terms)

Revision history

Amendments/revisions of this Manual are recorded below in order of most recent first.

Version No	Date	Part/Section	Details
7.8.2	January 2017	Chapter 2	Revised to reflect current practice
7.8.1	January 2017	Chapter 1	Revised to reflect current practice
7.8	December 2016	Chapter 7	Revise CAR 30 regulatory requirements and addition of Part 66 regulatory requirements
7.7	June 2012	Chapter 8	Rewrite of Ch. 8; Deleted comments chapters 2 & 6
7.6	November 2010	Table of Contents	Added Preface
7.5	September 2008	Chapters 7 & 9	Minor changes
7.4	June 2008	Chapter 7 Chapter 8	Minor changes and updates New examples incorporated into Section 7.3.9 Previous Sections 7.10.1 and 7.12 deleted.\
			Changes to Section 8.1 Sections 8.2, 8.3 and 8.4 combined and rewritten.
7.3	March 2007	Chapter 7 Chapter 8 Chapter 9 Chapter 11 Form 1219	Chapter 7 minor changes. Form revised, title changed Chapter 8 minor changes. Section 9.1.1 and 9.1.2 slightly changed. New Section 9.10.4 added. All previous sections removed, leaving previous section 11.4.1

Version No	Date	Part/Section	Details
7.2	March 2007	Chapter 7 Forms	<p>New para 7.3.9 Interpretation and Application of the Fees Regulations and 7.3.10 Charging of Fees and Conducting PCT Examinations inserted.</p> <p>Minor change to sub section Initial AME Licences to ADF and Overseas Applicants. First para of Note under Procedure for Assessing the Application for the Grant of a Licence deleted and minor change to step 4 below it;</p> <p>Section 7.2.6 text under ASO(C) changed, reference to AWI removed after ASO(C) and next occurrence of AWI removed. Section 7.2.7 first para slightly changed.</p> <p>Form 464, 1275 and 1277 slightly changed. Form 634 revised.</p>
7.1	February 2006	Chapter 7 Chapter 9	<p>Section 7.2.8 added two steps to AWI Procedure and added new ASO(C) procedure (one step).</p> <p>Section 9.3.1: (Table), minor changes to Legislation-Duration, Prerequisites for Initial Issue-Applicant and Exam Description</p> <p>Section 9.3.2: minor changes to bullet points.</p>
7.0	December 2005	All Form	<p>Licensing, Aircraft Registration and Publications (LARP) database replaced with the Aviation Information Regulatory System (AIRS) database. Changes following CASA restructure incorporated and introduction of CASA Licensing and Registration Centre.</p> <p>New Form 053 Payments Authorisation form introduced.</p>
6.2	November 2005	Chapter 6 Chapter 8 Forms	<p>Inserted new paragraphs 6.2.3 and 6.2.4, renumbered previous 6.2.3 as 6.2.5 and renumbered subsequent sections.</p> <p>CTC Examinations Guide table under 8.3.2 revised (2 WA2 changed to 2 WZ, and other changes).</p> <p>Under 8.3.4, aircraft name added to Type</p>

Version No	Date	Part/Section	Details
			<p>Numbers in Stream 1 and 2.</p> <p>Forms 1272, 1274 and 1275: Slight change in Group Ratings columns. Forms 332 and 334 updated. Forms 331 and 335 deleted.</p>
6.1	August 2005	Chapter 6 Chapter 8 Forms	<p>Sections 6.2.6 and 6.4.9, under assessment by AWI(C), Step 3(c) changed to reflect updating the list of approved courses.</p>
			<p>Section 8.2.2 third bullet point in table updated.</p> <p>Section 8.2.3 first three paragraphs changed to introduce references to CTC information bulletin No. 3 and AME Syllabus.</p> <p>Section 8.3.3, new bullet point added after bullet 6.</p> <p>Section 8.3.5, list of assessment for in Step 4 updated.</p> <p>Section 8.3.5, (Rating Tables). New rating Tables inserted</p>
			<p>Forms 332, 345, 346, 1119, 1270, 1275, 1276 updated.</p>
6.0	July 2005	All	<p>Complete manual re-issued to reflect changes introduced by re-structure of CASA. Changes include:</p> <p>Changing title of sponsor</p> <p>Changing Area and Airline offices to Field offices</p> <p>Changing AME Licensing Section and Maintenance Personnel Section (MPS) to Maintenance Personnel Licensing (MPL).</p>
		Chapter 6	<p>Section 6.3.1 New paragraph added.</p>
		Chapter 8	<p>Sections 8.3.2, 8.3.3 and 8.3.4 changed to incorporate new forms introduced.</p>
		Chapter 9	<p>Numerous changes throughout the chapter, mainly pertaining to maintenance authority for amateur-built and kit-built aircraft.</p>

Version No	Date	Part/Section	Details
		Forms	Following new forms introduced: 1270 CTC Examination Results – Mechanical 1271 Checklist – FSMS Assessment – Avionics 1272 Checklist – ADF CTC Assessment – Mechanical 1273 Checklist – ADF CTC Assessment – Avionics 1274 Checklist – FSMS Assessment – Mechanical 1275 Checklist – Overseas CTC Assessment – Mechanical 1276 CTC Examination Results – Avionics 1277 Checklist – Overseas CTC Assessment – Avionics
5.5	April 2005	Chapter 8	Section 8.2.1 Recognise authorisations that are equivalent to CPL level for CTC. Section 8.3.3 – Last row of Table, ‘Airframe’ column: inserted “7 FM”
5.4	December 2004	Chapter 11	Section 11.5.1 New procedure ‘Notification of Review Rights’ introduced.
5.3	November 2004	Chapter 7	Section 7.5.3 and 7.5.4 changed to remove ‘AA’ as an option for renewal.
5.2	October 2004	Chapter 7	In Section 7.2.1 “AWI(C)” change to AWI Note 3 added to CTC Examinations Guide table in Section 8.3.3 and minor change to details against ‘Iroquois’. Payment of Fees amount changed (to \$215), and “NZ Aircraft Maintenance Engineer”
5.1	June 2004	Chapter 9	In Section 9.3.1, note added against Restrictions/Limitations – Qualifications and the first bullet point against Privileges changed.
5.0	April 2004	Chapter 9	In Section 9.3.1, note added against Restrictions/Limitations – Qualifications and the first bullet point against Privileges changed.
		Chapter 10	
		Chapter 7	
		Chapter 9	
		Forms	Chapter 10 Introduction to LARP Procedures removed from the manual and Chapter 10 reserved for later use. The LARP User Manual is now a separate manual residing in CASACConnect.
			Minor text changes.
			Minor text changes.

Version No	Date	Part/Section	Details
			Minor changes to Forms 346, 350, 352, 353, 378, 608, 635, 636, 1194 and 1195
4.5	December 2003	Chapter 7 Chapter 8 Chapter 11 Forms	New Section 7.14 Group Classification of Aircraft and Engines for AME Licence Rating Purposes introduced. In table under Section 8.2.2, bullet point added under ADF Personnel/Qualifications In table under Section 8.2.3, bullet point added against All applicants. In table under Section 8.3.2, second bullet point against Item 1 changed. Subheading title Detailed Assessment Requirements under Section 8.3.3 changed (-CTC added) New Section 8.3.4 inserted and remaining paras renumbered Section 8.5.6 changed and new bullet point added. Previous para 6 of Section 8.5.12 moved to para 2 and remaining paras renumbered. Section 11.4.1 Issuing Amendments to CAOs, AACs and CAAPs changed. New Forms 1217, 1218, 1219 and 1220 added.
4.4	October 2003	Chapter 6 Chapter 8 Chapter 9 Forms	Reference to Form 333 removed from section 6.1.1 and reference to Form 334 included in section 6.2.6. Reference to new forms 1194 and 1195 inserted in section 6.4.10 and slight changes under subsections "Trainee Requirements" and "Oral Exam Outcomes" New table "CTC Examinations Guide" added and reference to this inserted in preceding table. Section 8.4.3 changed and new section 8.4.4 inserted. Under section 9.3.2, sub-section "Extension Mas" changed completely. Form 333 removed and new Form 1194 and Form 1195 added. Pagination error in Form 334 corrected.
4.3	August 2002	Entire manual	Version 4.3 incorporates significant changes throughout the manual. Particularly the follow changes to responsibilities have been made to reflect

Version No	Date	Part/Section	Details
			<p>the current corporate structure:</p> <ul style="list-style-type: none"> • Personnel Licensing Branch changed to maintenance Personnel Section • Airworthiness Branch changed to maintenance Standards Branch • AMELS changed to Maintenance Personnel Section (MPS) • Manager AMELS changed to Section Head MPS • District Office changed to Airline or Area Office <p>Section 7.5.7 has been changed completely.</p> <p>The following forms have changed:</p> <ul style="list-style-type: none"> • Form 332 Specific Type Course Approval • Form 334 Specific Type Course Rough Working Sheet • Form 345 Application for CTC Assessment – Australian Defence Force Personnel • Form 346 Application for CTC Assessment – Overseas Licence Holders • Form 352 Application for Issue, Change or Renewal of an Aircraft Welding Authority • Form 374 Application for Initial Issue of or Additional Rating/s to an AME Licence under the Terms of the TTMRA • Form 634 Application for Airworthiness Examinations. <p>The following are new forms:</p> <ul style="list-style-type: none"> • Form 1118 Training Facility Visit Check Points • Form 1119 Practical Consolidation Training course Approval - Checklist
4.2	March 2002	9.6	Significant revision of Section 9.6, Non-Destructive Testing Authority
4.1	March 2000	Form 353	Form 353 revised. The form shows the revision date 02/2000. No revision required to the manual.
4.0	August 1999	9.3	Online version — Except for changes in Part 9, the online version (version 4.0) is

Version No	Date	Part/Section	Details
			<p>the same as the hardcopy manual at version 3.3. The changes in Part 9 are marked.</p> <p>In 9.3 Maintenance Authority: The authorisation under a maintenance authority to a qualified person who is not a LAME has been amended to cover the maintenance of ex-military, amateur built and amateur built experimental aircraft, and intermediate and primary category aircraft used in private operations. Previous restrictions in relation to the issue of renewable authorities to applicants who are not LAMEs and in relation to granting a renewal only where the initial MA was issued as a renewable authority, have been removed.</p>
3.3	October 1998		
3.2	June 1998		
3.1	Feb 1998		
3.0	May 1997		
2.0	April 1996		
1.0	Feb 1994		

2 Legislation Governing Maintenance Personnel Licencing

2.1 Overview of Legislation

This chapter describes the instruments empowering CASA to regulate the grant of an Aircraft Engineer License (AEL). These instruments define what Licencing is, and specify what activities come under the ambit of Licencing, how the powers can be exercised and who can exercise them. Broadly speaking, the legal instruments comprise:

- Legislative instruments
- Instruments of delegation and authorisation.

2.1.1 Types of Legislative Instruments

Legislative instruments include acts, regulations, orders made by Parliament, and any amendments, class exemptions and determinations relating to them. They become law when given royal assent by the Governor General.

Where appropriate, a draft of the proposed legislation is published as a Notice of Proposed Rule Making (NPRM) and distributed for comment. For major changes, more than one NPRM may be distributed and details are usually also published on the CASA website. The draft is amended to incorporate valid comments. Not all proposed changes to legislation are published as NPRMs prior to their making. Those that are minor in nature may not be put forward for public debate.

Regulations and amendments to regulations are drafted by the Office of Parliamentary Counsel (OPC) in accordance with technical instructions provided by the relevant CASA technical branch and reviewed by LARPIS. They are then tabled in both Houses of Parliament. Each House has 15 parliamentary sitting days in which to accept or disallow (refuse to pass) them. Once passed they go to the Governor General for making (signing), notification is then published by registration on the Federal Register of Legislation.

Civil Aviation Orders (CAOs) and amendments to CAOs are drafted by CASA. They are tabled in both Houses of Parliament. Like the regulations, Parliament may disallow them.

In accordance with the Legislation Act 2003, CASA is required to consult publicly on amendments to the Regulations. This process is known as the Legislative Instrument Process (LIP). In certain circumstances when the change is minor, involving a machinery amendment that does not substantially alter existing arrangements or have a detrimental effect on business then, with Ministerial approval, the minor change may be incorporated in the regulations without going through the LIP.

2.1.2 Civil Aviation Act

The ***Civil Aviation Act 1988*** (the Act) is the principal piece of legislation governing aviation in Australia. It specifies the conventions and agreements relating to international civil aviation and the functions of CASA. It gives CASA discretionary powers to regulate the safety of civil

aviation operations in Australia. Among these powers is the authority to regulate personnel engaged in the maintenance of aircraft and related equipment.

2.1.3 Regulations

The Act empowers CASA to make regulations. Currently there are two (2) sets of complementary regulations, the [Civil Aviation Regulations 1988](#) (CARs) and the [Civil Aviation Safety Regulations 1998](#) (CASRs). CASA is in the process of modernising these regulations. All new regulations will be incorporated into the CASRs and as necessary old regulations are removed from the CARs. Eventually CARs will cease to exist.

Civil Aviation Regulations 1988

CARs specify the rules and practices that members of the aviation industry must adhere to.

For AME licensing CARs enable CASA to:

- Make **Civil Aviation Orders** (CAOs) affecting AME Licensing,
- Specify the requirements for aircraft maintenance in accordance with CARs Part 4 and Part 4A, and
- Levy financial penalties for breaches of CARs and CAOs.

Civil Aviation Safety Regulations 1998

As with CARs, CASRs also specify the rules and practices that participants of the aviation industry must adhere to.

For AME licensing CASRs enable CASA to:

- Empower Manuals of Standards (MOSs),
- Specify the requirements for granting of an AEL to aircraft maintenance personnel, and
- Levy financial penalties for breaches of CARs and CAOs.

The index's to the CARs and CASRs lists the regulations under subject headings, and provides you with a quick and easy means of finding out which regulations affect different aspects of aviation safety, including AME Licensing.

2.2 CAR 1988 Supporting legislation and policy

2.2.1 Civil Aviation Orders

CAOs are issued under the authority of CAR 5. CAOs specify requirements that are too detailed to include in the CARs—for example, orders specify the requirements for weight control of aircraft and the requirements for the grant of a Weight Control Authority.

Orders and amendments to orders are drafted by CASA. They become effective when they are registered on the Federal Register of Legislation after being signed by the Chief Executive

Officer and Director of Aviation Safety. They are tabled in both Houses of Parliament. However, Parliament may disallow them.

2.2.2 Airworthiness Advisory Circulars

Airworthiness Advisory Circulars (AACs) provide guidance to AEL holders and aircraft maintenance organisations. AAC Part 9 details AME Licensing requirements.

2.2.3 Civil Aviation Advisory Publications

CASA issues Civil Aviation Advisory Publications (CAAPs) to explain in simple language why a regulation or order is required and actions the industry can take to comply with it. For example, under CAR 33D a person may apply for a Welding Authority. To help ensure compliance with the regulation, a CAAP has been produced that provides guidance. CAAP 33-1 provides guidance for the applicant on the practical tests that the applicant must complete before applying to CASA for the grant of the Weld Authority.

2.3 CASR 1998 supporting legislation and policy

2.3.1 Manual of Standards (MOS)

A MOS contains requirements that are too detailed to include within a CASR. For example, the Part 66 MOS contains all technical requirements necessary for a person wishing to qualify for the grant of an AEL. A MOS may be issued or amended by CASA. It is not necessary for a MOS to be signed by the Governor General. A MOS can be approved by the CEO/DAS, however it is a Legislative Instrument and therefore must go before Parliament, where it can be disallowed.

2.3.2 Acceptable Means of compliance (AMC) and Guidance Material (GM)

An Acceptable Means of Compliance (AMC) explains how one or more requirements of the Civil Aviation Safety Regulations 1998 (CASRs) for the issue of a certificate, licence, approval or other authorisation, can be met by an individual or organisation applying to Civil Aviation Safety Authority (CASA) for the authorisation.

Individuals and operators may, on their own initiative, propose other ways of meeting the requirements of the CASR; however, any such proposal will be subject to separate assessment by CASA to determine whether the authorisation can be issued.

Guidance Material (GM) provides explanations and amplification of a CASR policy intention, rather than a means of complying with it. GM should be read in conjunction with the applicable CASRs and AMCs. GM is identified by grey shaded text.

2.3.3 Advisory Circular

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.

2.4 Other Important Legislation

2.4.1 Privacy Act

The Privacy Act 1988 establishes the Australian Privacy Principles, which apply to the collection, storage, use and security of “personal information” by Commonwealth authorities, including CASA.

2.4.2 Freedom of Information Act

The Freedom of Information Act 1982 (FOI Act) creates a legally enforceable right of public access to documents held by Commonwealth authorities, including CASA.

For guidelines and information about the application of the FOI Act, see also Chapter 11 “*Releasing Information*”.

2.4.3 Archives Act

The **Archives Act 1983** specifies how long records kept by Commonwealth departments and agencies (including CASA) are retained, how they are destroyed and who is responsible for their retention or destruction. The Act applies to the personal history files of AEL holders.

2.4.4 Legislation Act 2003

This Act requires that all legislative instruments be registered on the federal register of legislative instruments before they can be deemed to take effect.

2.5 Instruments of Appointment / Delegations

2.5.1 What are Instruments of Appointments / Delegation?

Instruments of appointment/delegation are the legal mechanism whereby an individual or organisation possessing legal powers, gives the right to exercise the powers to another individual or organisation. The appointment/delegation is tied to the function to be performed.

An instrument of appointment/delegation is issued when the CEO/DAS of CASA wishes to give powers delegated to them under the Civil Aviation Act 1988 to another person or organisation.

The CEO/DAS (or a senior executive manager of CASA in some cases) must sign all instruments of delegation.

Instruments of delegation can be issued to persons employed by CASA or by the aviation industry. It is important to remember that the instruments of delegation are very specific in the powers they delegate.

An instrument of appointment is issued when the CARs or CAOs permit CASA to approve a person to perform a particular function on behalf of CASA. For example, CAR 29A allows

“CASA” or an “authorised person” to conduct an aircraft welding examination for the grant of a Welding Authority under CAR 33D.

2.5.2 Who is appointed as a Delegate or Authorised Person?

CASA staff members with the appropriate expertise may be delegated CASAs power to act on behalf of CASA, where in the legislation, the legislation provides for CASA to do something.

In some parts of the legislation it has been decided that members of the aviation industry may be appointed to act on-behalf of CASA. In these cases, the CEO/DAS will appoint persons as delegates on the recommendation of the Regional Office responsible for the area in which the delegates will be operating.

2.5.3 Responsibilities of a Delegation or Authorisation

“Delegates” or “authorised persons” are required to use their professional judgment when exercising their delegated powers. To arrive at decisions, delegates must take into account all pertinent factors, including the policy of CASA. However, they cannot be directed or instructed by other persons to come to a particular conclusion or to decide matters in a particular way. In other words, the ***“Delegate must not act under dictation”***.

When industry delegates act, they do so as CASA—that is, they are CASA for the purposes of that function. Their decisions carry the same authority and liability as decisions made by CASA delegates.

More information about delegations and processes for approving delegates is available in the Industry Delegates Management Manual, covering:

- The definition of a delegation
- How a person becomes a delegate
- The powers a delegate can exercise and the authority that is retained by the Civil Aviation Safety Authority
- The limitations that are placed on a delegate’s discretion to act
- How a delegate may exercise his or her delegated powers.

2.6 Appeals

2.6.1 Review Decision / Appeal Process

Aircraft maintenance personnel may make enquiry or complaint to:

- Industry Complaints Commissioner (ICC), or
- The Commonwealth Ombudsman.

Aircraft maintenance personnel who are dissatisfied with a decision made by a delegate may seek review or appeal of the decision to:

- Administrative Appeals Tribunal (AAT), or
- Federal Circuit Court.

2.6.2 Internal Review

An internal review is usually the first course of action pursued by a person. The review is usually conducted as an informal conference by an officer senior to the delegate who made the original decision.

If the officer conducting the review decides that the original decision was incorrect and he/she wishes to overturn the original decision, he/she must exercise his or her delegation to do so. The officer cannot give a direction to the original decision maker on how to exercise his or her delegation.

2.6.3 Industry Complaints Commissioner

The office of the Industry Complaints Commissioner (ICC) reports directly to the CASA Board. It does not sit within CASA's organisational structure to ensure independence and impartiality.

The ICC provides members of the industry, the wider aviation community and the public with an easy, accessible and effective way to make a complaint about:

- the decisions, administrative actions or services provided by CASA staff, delegates or authorised persons to determine if they are wrong, unjust, unlawful, discriminatory or unfair; and
- the behaviour of CASA staff.

There are some restrictions on ICC powers. For instance, it may not be able to consider any action or decision which is subject to review in the Administrative Appeals Tribunal (AAT) or Federal Court.

2.6.4 Administrative Appeals Tribunal Review

The Administrative Appeals Tribunal's (AAT) has the power to review administrative decisions made by Commonwealth department or agencies.

Decisions subject to review by the AAT are listed in CAA section 31, CASR 201.004 and CAR 297A.

Properly prepared documentation will assist CASA in supporting a process and the decision made, and may assist to overcome the need for an appeal to the AAT.

An applicant before the AAT must lodge the request for a review with the Registrar of the AAT within 28 days of notification of a decision of an internal review. Appeals against decisions to suspend, vary or cancel a license must be lodged within 28 days.

2.6.5 Commonwealth Ombudsman

The Ombudsman has the power to enquire whether action taken by Commonwealth departments and agencies is contrary to law, unreasonable, unjust or discriminatory. The Ombudsman has no power to set aside decisions or to issue orders to persons administering legislation and can only make recommendations about the decisions or actions under consideration.

2.6.6 Federal Court Appeal – Administrative Decision (Judicial Review) Act 1975

A party can apply to the Federal Court or Federal Circuit Court for review of a CASA decision only where errors of law are involved, for example, CASA has acted outside its power in making a decision or a delegation has been exercised under duress.